

**MINUTES OF MEETING
RIVER HALL
COMMUNITY DEVELOPMENT DISTRICT**

A Regular Meeting of the Board of Supervisors of the River Hall Community Development District was held on Thursday, November 2, 2017, at 3:30 p.m., at the River Hall Town Hall Center, 3089 River Hall Parkway, Alva, Florida 33920.

Present were:

Michael Morash	Chair
Paul D. Asfour	Vice Chair
Joseph E. Metcalfe, III	Assistant Secretary
Joseph Lundquist	Assistant Secretary
Kenneth Mitchell	Assistant Secretary

Also present were:

Chuck Adams	District Manager
Cleo Adams	Wrathell, Hunt and Associates, LLC
Robert Rebey	Wrathell, Hunt and Associates, LLC
Charlie Krebs	District Engineer
Barbara Sangiuliano	Resident
Leon Harrington	Resident

FIRST ORDER OF BUSINESS

Call to Order/Roll Call

Mr. Adams called the meeting to order at 3:30 p.m. All Supervisors were present, in person.

SECOND ORDER OF BUSINESS

Public Comments

Mr. Asfour read the email from Mr. Gary Stilwell to him, dated, November 1, 2017 at 9:35 p.m., into the record as follows:

"Mr. Asfour,

I had planned to attend the River Hall CDD meeting on Thursday this week to address the Board concerning the Culvert across the FPL ROW installed in Sep 2014. I find my commitments to be too numerous to allow me to attend.

I was prepared to apologize to you and the Board for the thoughts (no actions) I had regarding the responsibility for the installation of this culvert.

I met with Mr. Krebs and Mr. White (SFWMD) today and toured the FPL ROW learning some previously unknown information. It is quite clear to me now that RH CDD had no part or knowledge of the culvert installation. I had also determined there was no knowledge of this in the historical minutes of your meetings.

My (and other's) thinking was that this is your property and you would be aware of the installation (this was partially fueled by the local resident's testimony and my frustration with the severe flooding we had experienced as a result of this "new flowway").

As I said, I have since learned this is not the doing of the CD District at all, but something inherited without reference and certainly installed by others. I have already communicated this information to the local neighbors to apprise them of the situation.

Given my inability to attend the meeting in person, I would ask you communicate this to the rest of the Board members at the meeting on Thursday.

I would also state that there are still some issues with the SFWMD Permit as to the off-site flows and the responsibility for the "Texas Crossing", but those are with the SFWMD and not in your bailiwick, as they were consummated long before the CDD became the CDD.

Respectfully,

Gary Stilwell"

Mr. Asfour was unaware of some language in this email, in particular, a "Texas Crossing". Mr. Krebs explained that a "Texas Crossing" is essentially a ford for the water to flow over, which is stabilized the gravel; where there is a break in the berm that is stabilized with gravel and water is allowed to pass from one end to another.

A Board Member stated that, in addition to Mr. Stilwell's email, he published something on "River Hall Next Door", which was sent to some of the neighbors. He thought this should be added to the Minutes, as well.

THIRD ORDER OF BUSINESS

Continued Discussion: Drainage Issues Control Structure Elevations Review and FPL Easement Drainage Culvert(s)

Mr. Krebs stated that all the field work and surveying of the structures were completed and all the as-built exhibits were being put together to show that each one was constructed according to plans, which he had not reviewed yet. At the next meeting, he would give a final

review of all the structures. Regarding the pipes on the Florida Power & Light (FPL) Easement, as Mr. Stilwell indicated in his letter, the information he found in the South Florida Water Management District (SFWMD) Permit, the 1999 Application and in the 2005 Application, both referenced culverts and other improvements that were in there as existing conditions. He was able to find that and relay the information to SFWMD. SFWMD reviewed it and that is why he had a meeting on site, with Mr. Mark White, to review the existing conditions. From that meeting, Mr. White stated that the District was in compliance with the permit and that the improvements were ones that were installed or in existence when the CDD was developed.

In response to a question regarding if SFWMD was satisfied with the 30" versus 24" pipes, since they initially were dissatisfied, Mr. Krebs replied that, if one looked at the difference in the 1999 and 2005 Applications, there is a 30" corrugated, metal pipe that is supposed to be there. There were also other pipes that were there in 1999 but were not there now, from 2004 to the present; he had no idea who was responsible for swapping pipes out between 1999 and 2005. From what Mr. Stilwell was saying, he believed that the work that was there in 2014 was related to FPL crews doing work on the lines and they may have repaired many of those culverts or swapped them out because they were crushed, no longer operable or were creating a crossing problem for them and their heavy equipment. In response to a question regarding Mr. Stilwell's inference that the District was in violation because the pipe was 30" and Mr. Krebs' statement that it was not, Mr. Krebs replied, "right"; speaking about being elliptical, there were other crossings but those were farther to the west and those pipes were not part of the discussion. As far as the 2005 Application, if he was remembering correctly, the three structures were supposed to be a 30' corrugated metal pipe, a 36" corrugated metal pipe and the Texas Crossing; they were east of the FPL access coming off Hickey Creek. The 36" pipe could not be located but, come April, when USA Grading, Inc. (USA) mows, Mr. Krebs would see if he could find it. If it was located, he would relay the location to SFWMD. It was noted that Mr. Stilwell must be informed because it was a 30" corrugated pipe but Mr. Stilwell did not say that in his comments on Nextdoor River Hall. Mr. Krebs replied that Mr. Stilwell knew it was 30"; he thought that Mr. Stilwell's question was about the Texas Crossing and that it looked like it was replaced with the 36" pipe; Mr. Krebs could not find a 36" pipe. The concern seemed to be about more flow coming across than the amount that should and what was related to Mr. Stilwell and what Mr. White tried to relate to him was that the only restriction on River Hall was that water was coming out of the control structure. There is no restriction on the flow of water that falls in the preserve

area or any of the land between River Hall and their community. Nothing impedes that water down at a certain discharge rate; only what falls inside the CDD and goes through the control structures has any restrictions on it.

Discussion ensued regarding issues with what was occurring in the river, the aftermath of Hurricane Irma, water discharging down the Caloosahatchee River, Lee and Hendry County phone calls to Mr. White about higher water elevations moving up the tributaries all created from the discharge, normal discharge out of the community, etc. It may have not been reflected in Mr. Stilwell's letter but he had a better understanding of how the system was supposed to operate and, from SFWMD's point of view, there was nothing that River Hall did that has caused more water to come out.

Mr. Morash stated that this was prompted by an email he received from Mr. John Cassini, who lives just to the north of the CDD; he indicated that this was installed in 2014. The District then began to check and Mr. Stilwell attended the last meeting, where the Board advised that the District had no record of this and did not know who installed it. Mr. Adams checked the 2013 and 2014 Minutes and found nothing that gave permission. Mr. Morash checked the financial records and there was nothing. Mr. Krebs followed up after Mr. White told Mr. Cassini that it was not permitted, which set off this firestorm. Then Mr. Krebs, not the SFWMD, found out that everything was permitted. The SFWMD helped create this situation since they did not go far enough back in their records to determine that they were permitted properly. Mr. Morash hoped this would resolve the matter but had questions regarding the drainage and sent Mr. Krebs an email about the Hampton Lake situation for those two lakes. The resident indicated that his home was flooded because there was a weir between the two lakes.

Discussion ensued regarding:

- The location of the resident's house
- The location of the preserve and the two lakes on a map
- One lake being lower than another during the storm
- Water not flowing and Mr. Braden Roberts' comment that, if it happened again, he and his neighbors would breach it
- A control structure that should put the water over to another location and Mr. Krebs reviewing that location
- Preserve water being lower than the lake
- Improper flow

- Another control structure
- The lake abutting the Cascades
- The lake north of the ridge flowing north
- The two lakes at different elevations with two different basins
- The long lake having the control structure and it being done a few years ago
- Going through the applications for control structures and comparing permits and whether they matched up
- Conservation easements on the roadway area
- Different outfalls along the FPL Easement

In response to an inquiry, Mr. Krebs responded that the CDD is responsible for stormwater inside the boundaries of the CDD, for the lakes and Preserves that it owns. A Board Member voiced his opinion that the District would have a case if anything negatively impacted the system and caused flooding; however, that would be a question for Mr. Cox. He questioned if the District would have a cause of action if something caused flooding in the CDD that was not anticipated and was not mitigated for.

Mr. Krebs replied, no; the issue was that there were two 100-hundred year events that occurred back-to-back and the system was not designed to handle that situation. If there was 13" less, the system could probably handle it but, when there is more than that, the design parameters are exceeded and water goes wherever. It was designed to hold up to a 25-year, three-day storm event, internally and then water should be allowed to flow from one basin to another and go across perimeter berms to leave the community and into adjacent property. If higher stages occur, they must determine if there was a blockage in the control structure from debris, or if berms needed to be lowered.

Mr. Asfour stated that there were 700 more units planned that are south. Water flows from the south to the north and, if built, there would be concrete and asphalt, which do not absorb water, as the preserves do. If Greenpoint builds the units and exacerbates the flooding issue, he wanted to know if the District had a cause of action against Greenpoint; which was a question for Mr. Cox. He asked if the water would flow directly to his house, to the north, if those 700 units were built, as Mr. Morash mentioned several years ago, as his house was very close to that south property. Mr. Morash replied affirmatively; if the preserve filled up it would go in his yard.

Ms. Barbara Sangiuliano, a resident, referred to discussion of a control structure, divers in the lake, no connectivity with the lake behind her house, no control structure and overflows and asked if there was additional information. Mr. Krebs replied that he had not reviewed all the control structures but thought the drainage plans it showed it going one way but it actually cut through the golf course and then back across. Mr. Adams stated he was showing the Certification Plan and he did not think so; the Certification Plans better be accurate. Mr. Krebs would review the Certification Plans. Discussion ensued regarding the divers checking the pipe work, less than 5% when running the submarine through, which pipes were clear, control structure issues, typical designs, SFWMD approving drainage, lakes being connected with underground piping and drain pipes from the golf course, drainage basins restricted by discharge rates, cascading systems to the final outfall, the discharge rate being a combination of all of the discharge rates and the sum of those equaling all the upper area drainage and the water management system designed to hold water back without creating flooding issues so it could discharge out.

Mr. Adams stated that there was language in every permit requiring remediation of any adverse downstream impacts, as the permit holder. Although the modeling may indicate it would work if, for some reason it did not work and creates an adverse impact, SFWMD would require remediation.

Mr. Krebs stated that anything he found that must be addressed would be sent to Mr. Adams to be included on the next agenda. If necessary, he could obtain pricing for a correction to comply with the permit.

FOURTH ORDER OF BUSINESS

Update/Continued Discussion: Traffic Signal Reimbursement from RH Ventures, LLC

Mr. Adams stated that there were no developments but he would continue to carry it on the agenda until he had something to report.

FIFTH ORDER OF BUSINESS

Update/Discussion: Perimeter Access Control Initiatives

Mr. Krebs stated that the easement was mowed last week and the surveyors staked it. Now that it has been cleared and the property line was determined, he would have Carter Fence

Company (Carter) install the fence in along the FPL Easement. Nothing was heard regarding the WCI property.

A Board Member suggested that, if Board Members view the end points of the fence and think Mr. Krebs went too far into the woods, they should call Mr. Krebs. Mr. Krebs hoped the stakes were correct; it was staked towards the platted line that was supposed to be in the FPL Easement. The Board Member asked how far the end points were extended. Mr. Krebs responded that he thought there was 100' on either side of the woods and the lake, so there was a good overlap that no one could easily drive around, on the CDD property, beyond the frontage and into the Preserve.

Discussion ensued about clearing, stake positioning for the fencing, moving the berm up and keeping it at the toe, work starting soon, potentially contacting the surrounding communities and Mr. Stilwell advising that swamp buggies used that area.

SIXTH ORDER OF BUSINESS

Update: SR 80 Waterline Drainage Issue

There being no update, the next item followed.

SEVENTH ORDER OF BUSINESS

Acceptance of Unaudited Financial Statements as of September 30, 2017

Mr. Adams presented the Unaudited Financial Statements as of September 30, 2017. Assessment revenue collections were at 102% and expenditures were 79%.

A Board Member inquired why the "Mitigation/wetland area monitoring" was so high, at 249%. Mr. Adams replied that it looked like two categories were booked to one; therefore, under "Mitigation/wetland area maintenance", it was at 0%. \$35,000 of the "Mitigation/wetland area monitoring" line item belongs in "Mitigation/wetland area maintenance", since it was the physical maintenance and the other category was for the actual reporting, monitoring and submitting the reports. Despite being inadvertently lumped together, the expenses were well within the combined budget amount.

EIGHTH ORDER OF BUSINESS

Approval of October 5, 2017 Regular Meeting Minutes

Mr. Adams presented the October 5, 2017 Regular Meeting Minutes and asked for any additions, deletions or corrections.

Ms. Sangiuliano referred to a Board Member's comments in the Minutes about new development and the potential additional complication of flooding. Mr. Adams stated that he thought the same was heard again today. Mr. Asfour stated that he brought that up before and Mr. Adams replied that he was not aware of it. Ms. Sangiuliano noted that, Page 4, Line 136, stated "A Board Member noted that the Developer wanted to install another 600 units....." Mr. Asfour stated that he made the statement. Mrs. Adams reminded the Board Members to say their name when they speak. Mr. Asfour asked if it was 600 or 700 units; he thought it was 700 units and Mrs. Adams confirmed that he said 700 today. Mr. Asfour thought he may have the number wrong; it would be 800 next month.

The following changes were:

Line 59: Change "neighboring resident at Hickey Creek" to "resident"

Line 76: Change "did not appear to match what the 2004 permit" to "did not match the 2004 permit."

Line 79: Change "60 to 70" to "16 or 17"

Line 80: Change "District owner" to "District owns"

Line 97: Change "Mr. Morash be only" to "Mr. Morash only"

Line 136: Change "A Board Member" to "Mr. Asfour"

Line 148: Change "debris was at was 10%" to "debris was at 10%"

Line 159: Change "construction" to "specification"

On MOTION by Mr. Metcalfe and seconded by Mr. Asfour, with all in favor, the October 5, 2017 Regular Meeting Minutes, as edited, were approved.

NINTH ORDER OF BUSINESS

Staff Reports

A. District Counsel: *Daniel H. Cox, P.A.*

There being no report, the next item followed.

B. District Engineer: *Hole Montes*

There being no report, the next item followed.

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

i. NEXT MEETING DATE: December 7, 2017 at 3:30 P.M.

The next meeting will be held on December 7, 2017 at 3:30 p.m., at this location.

TENTH ORDER OF BUSINESS

Public Comments (Non-Agenda Items)

There being no public comments, the next item followed.

ELEVENTH ORDER OF BUSINESS

Supervisors' Comments/Requests

A Board Member commended Mr. Adams and GulfScapes Landscape Management Services (GulfScapes) for getting the storm damage cleaned up; the community looked like the storm did not happen.

Mrs. Adams stated that another contractor would be hired to removed the few remaining piles, since the regular contractor could not locate the equipment required to pick it up, which was why it sat there for so long. The uprights for the entry were on backorder and she did not know when they would be received. The Christmas lights would be installed after pressure cleaning and replacing one feature oak on the left side, as well as after trimming. Gator Landscaping (Gator) would replace the oak for \$3,500.

Mr. Adams stated that three or four other trees went down, which would be replaced with 200-gallon oaks, as previously discussed. Because they were not in a row, it would be okay to have smaller tree sizes.

Mrs. Adams reported the following:

- Pine bark and mulch installation were scheduled for December 2
- Palm pruning would be during the last week of November or first week of December and hardwoods would be pruned during the first week of January
- The perimeter sign was reinstalled
- Pressure cleaning would commence on Monday
- Contractors would inspect the entry monument for needed repairs
- Street sweeping was scheduled for December 4
- A flower change out was scheduled for red begonias with a white border; impatiens could not be obtained.
- The current flowers were installed after Hurricane Irma so, if anyone complained they should be advised that those were temporary.

Mr. Adams stated that a flower rotation was already scheduled for December 1; therefore, it would be moved up a bit but the rotations was already part of the contract.

Mrs. Adams stated that there was an oak, at the entry pond, which would remove at no charge. Landscape Hurricane Irma damage was \$4,680, not including replacement. A Board Member asked if, with the landscaping, the cost would be \$15,000. Mrs. Adams replied no.

Discussion ensued regarding hurricane-related costs, two traffic lanes with insufficient radius, alleviating the traffic issues, the Lee County Department of Transportation (DOT), temporary lanes and Mr. Krebs evaluating the conditions.

Mr. Asfour stated that, without objection, he would have Mr. Cox review the issue he brought up today. He recalled that residents filed a lawsuit after Lee County changed the land use claiming that River Hall was not rural because it did not appear rural; therefore, they would ignore the overriding public necessity, which would let them build the additional units. The Administrative Judge ruled in the residents' favor and it went to the Governor and Cabinet. Each Cabinet Member had received, based upon public records, tens of thousands of dollars from the Developer, who happened to be at the Cabinet meeting. The District then appealed that decision to the First District Court of Appeals. That decision came down today, "Per Curiam – Affirmed", meaning the residents lost; an email would be sent to the people on the list. An opinion for the ruling was not given and an opinion is not required; it simply stated "Per Curiam", which means the Court. Mr. Asfour was not pleased with the outcome.

Discussion ensued regarding:

- The drain that Mr. Asfour brought up
- The District being well within its rights to seek a traffic light
- Thanking Mr. Krebs for doing a great job
- The traffic pattern at the school and Mr. Adams contacting the school
- Mud coming from trucks in the CDD on Sunday at 4:00 p.m., providing the Sheriff's Department with license plate information and filing a Police Report
- Property lines, parcels, towers, roads, the bell tower and ancillary CDD issues related to what Mr. Asfour spoke of earlier

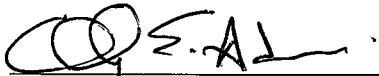
TWELFTH ORDER OF BUSINESS

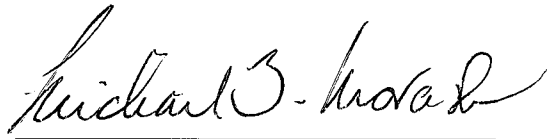
Adjournment

There being no further business to discuss, the meeting adjourned.

On MOTION by Mr. Mitchell and seconded by Mr. Lundquist, with all in favor, the meeting adjourned at 4:23 p.m.

[SIGNATURES APPEAR ON THE FOLLOWING PAGE]


Secretary/Assistant Secretary


Chair/Vice Chair