

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

The Board of Supervisors of the River Hall Community Development District held a Regular Meeting on February 6, 2020, at 3:30 p.m., at the River Hall Town Hall Center, 3089 River Hall Parkway, Alva, Florida 33920.

Present were:

Joseph E. Metcalfe III	Chair
Ken Mitchell	Vice Chair
Paul D. Asfour	Assistant Secretary
Michael Morash	Assistant Secretary
Robert Stark	Assistant Secretary

Also present were:

Chuck Adams	District Manager
Cleo Adams	Assistant Regional Manager
Charlie Krebs	District Engineer
Gary Stillwell	Non-resident
George Ware	Resident
Paul Griffith	Resident
Kim Demars	Resident
Larry Greenfield	Resident
Tony Wilson	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 (3 minutes per speaker)

Mr. Gary Stillwell, a non-resident, asked about the trespassing issue. Mr. Adams stated the Board approved off-duty officers, on a trial basis, and the Sheriff liaison was working on the request. The special detail would require two officers. Discussion ensued regarding vehicle

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access on CDD property, the CDD’s authority on easements and recreational use of lakes and the conservation areas.

THIRD ORDER OF BUSINESS

Discussion: Proposals for District Counsel Services

This item was addressed after the Fourth Order of Business.

FOURTH ORDER OF BUSINESS

Consider Engagement of Woodward, Pires & Lombardo, P.A., to Provide Independent Counsel Services

Mr. Adams distributed the Limited Scope Legal Services Agreement and stated two Board Members forwarded additional inquiries to him and/or contacted Mr. Pires directly regarding the scope of service. Discussion ensued regarding Mr. Asfour’s additional questions, the scope of service, scheduling, cost and the number of documents to be reviewed.

On MOTION by Mr. Morash and seconded by Mr. Stark, with all in favor, the Limited Scope Legal Services Agreement and engagement of Woodward, Pires & Lombardo, P.A., to provide Independent Counsel Services, in a not-to-exceed amount of \$10,000, without additional Board approval, was approved.

▪ **Discussion: Proposals for District Counsel Services**

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

Mr. Adams distributed Mr. Gregory Urbancic’s bio and suggested Board Members research the firm and contact Mr. Urbancic individually with any questions. An engagement letter would be presented at a future meeting.

FIFTH ORDER OF BUSINESS

Update: Perimeter Access Control Initiatives

Mr. Krebs reported the following and responded to questions as follows:

- Work on the gate was scheduled to begin the week of February 17th.

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Photos were shown and discussion ensued regarding traffic entering from a lot owned by Lennar, north of the permanent gate, a new perimeter access gate, placement of barriers and boulders to block all-terrain vehicle (ATV) access and the trails on the south side of the preserve. Mr. Asfour stated that Sheriff Deputies would have discretion and arresting authority. Mr. Adams stated that warnings would be entered into the system and arrests could be made with Board Member authorization.

SIXTH ORDER OF BUSINESS

Update: SR 80 Waterline Drainage Issue

Mr. Krebs stated he received no response to his emails and nothing was posted on the public site, where contractors' jobs are posted.

SEVENTH ORDER OF BUSINESS

Update: Portico Recent Stormwater Permit Application Activities

Mr. Krebs stated the permit was currently listed as "off the clock", which generally happens when an applicant has minor items to address. As soon as the minor items are resolved, the permit would be officially resubmitted or put "back on the clock".

EIGHTH ORDER OF BUSINESS

Discussion: Recreational Usage Policy for Stormwater Ponds

Mr. Adams recalled discussion at the last meeting regarding people boating, kayaking, paddle boarding, etc., in the ponds. Mr. Metcalfe advised him that those activities were allowed in The Cascades before the CDD took over pond management and asked him if there was something in writing because some would likely become upset. A storm water engineer did extensive research and learned that, while the South Florida Water Management District (SFWMD) did not recommend passive boating with kayaks, canoes, paddleboards, etc., prohibitions, water quality testing and enforcement were no longer in effect for passive boating in storm water ponds. Mr. Adams did not recommend recreational usage but there was nothing in writing from another agency prohibiting it. The District has the right to adopt rules

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prohibiting recreational usage. From a liability perspective, the insurance agent advised that it was a quality of life issue that the carrier would not take issue with but it may increase premiums slightly and "Use at Your Own Risk" and alligator warning signs would be required at the gatehouse or a primary location, such as in a right-of-way (ROW). The insurance company would defend the District if it adopted a policy that did not take issue with residents using the ponds for passive boating.

Mr. Mitchell stated a 9', 500-pound alligator was removed from the pond behind his house; therefore, he would not accept a policy that could allow a serious injury to occur. Mr. Adams agreed and discussed runoff and chemicals added to ponds. Discussion ensued regarding alligators, potential dangers with people using the ponds and quality of life versus liability issues. Mr. Metcalfe stated the insurance company required posting "No Swimming" signs in The Cascades.

Mr. George Ware, a resident, stated fishing was prohibited in the ponds but he felt, if boats, canoes and kayaks were allowed, residents would use them for fishing. Discussion ensued regarding enforcement of the "No Fishing" rules and ticketing trespassers.

Mr. Paul Griffith, a resident, expressed concern about the spray in the lakes. An alligator was removed from the lake behind his house, another was one currently in the pond and some residents were careless with small children by the lake with alligators present.

Ms. Kim Demars, a resident, stated people in canoes and kayaks were drinking and making noise.

Mr. Asfour asked how rules would be enforced. Mr. Adams stated Sheriff Deputies could enforce trespassing violations if there is a policy against recreational use of the ponds and "No Trespassing" signs are posted. The maintenance easements behind homes are not for general public access, including fishing, and such trespassing is an invasion of privacy. Mr. Adams discussed fishing clubs in other Districts in which club members fish in designated areas, from the roadway or lake banks.

Mr. Mitchell stated he witnessed motorboats on the southwest lake and trucks bringing boats in on trailers.

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Mr. Larry Greenfield, a resident, felt that homeowners were fishing in their own back yards, it was not other people. He identified other areas where fishing was an issue. Discussion ensued regarding fishing in front of homes in the Country Club and access into the community, including by way of trails through the preserve.

Mr. Morash supported designating fishing locations. Mr. Asfour agreed but questioned whether people would use those locations and if there was public access to those locations. Mr. Adams would compile a list of suitable fishing locations.

NINTH ORDER OF BUSINESS

Discussion/Update: Traffic Study/Speed Reduction Request SR 80

Mr. Adams stated a letter was sent. Mr. Krebs stated a response was not yet received. Discussion ensued regarding lowering the speed limit to 45 miles per hour, which is the speed limit in the surrounding areas with traffic lights.

TENTH ORDER OF BUSINESS

Acceptance of Unaudited Financial Statements as of December 31, 2019

Mr. Adams presented the Unaudited Financial Statements as of December 31, 2019. The financials were accepted.

ELEVENTH ORDER OF BUSINESS

Approval of January 9, 2020 Regular Meeting Minutes

Mr. Adams presented the January 9, 2020 Regular Meeting Minutes. The following changes were made:

Line 240: Change "A Board Member" to "Supervisor Metcalfe"

Line 241: Insert "in The Cascades" after "allowed"

Line 51: Change "Herrington" to "Harrington"

Line 252 and 253: Change "voiced his opinion that" to "questioned how does"

Lines 253: Change "should be compensated for" to "benefit from"

On MOTION by Mr. Morash and seconded by Mr. Stark, with all in favor, the January 9, 2020 Regular Meeting Minutes, as amended, were approved.

TWELFTH ORDER OF BUSINESS

Staff Reports

A. District Engineer: *Hole Montes*

There being no report, the next item followed.

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

Mr. Adams stated the audit was in progress.

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

Mrs. Adams reported the following:

➤ Per the Board’s direction, the hog trapper began setting up today. The three-week contract would cost \$2,500.

- **NEXT MEETING DATE: March 5, 2020 at 3:30 P.M.**

- **QUORUM CHECK**

All Supervisors confirmed their attendance at the March 5, 2020 meeting.

THIRTEENTH ORDER OF BUSINESS

Public Comments: Non-Agenda Items (3 minutes per speaker)

Mr. Griffith expressed concern about parents parking on River Hall Parkway and students running between vehicles during pickup and drop off at the school. Discussion ensued regarding posting “No Parking” signs, the school’s abandoned plans to expand the parking lot, CDD versus the HOA controlled roads and the school’s inability to enforce rules off campus.

On MOTION by Mr. Mitchell and seconded by Mr. Stark, with all in favor, sending a letter to the Chair of the School Board regarding the traffic issue on River Hall Parkway, was approved.

A resident inquired about the fire station. Mr. Metcalfe stated, per the Fire Chief, they have the funds to build the station but not enough to staff it. Mr. Asfour understood there was

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the possibility of an assessment, which would increase the millage rate for the District, up for a vote on the November ballot.

Mr. Tony Wilson, a resident, stated, at his former HOA in Sarasota, trappers removed the hogs for free.

A resident asked who controls the speed limit on River Hall Parkway. Mr. Adams stated it was set by the original permit and enforced by the Sheriff.

Ms. Demars stated the sprinklers along the Boulevard were activating at 12:30 p.m., three days a week. Mrs. Adams stated a work order was submitted to change the time.

A resident asked how to view CDD information online. Mr. Adams stated District information, including GIS mapping, minutes, budget, audit and schedule, are available at riverhallcdd.org.

Mr. Stillwell asked about moving rocks in the preserve area. Mr. Adams stated the rocks would be outside the border of the conservation area. Mr. Krebs concurred.

Mr. Asfour thanked the Hampton Lakes residents for attending and encouraged them to contact Board Members with any concerns.

Mr. Tony Wilson, a resident, felt that more residents would attend evening meetings. Mr. Asfour stated, based on his experience, it was not the case; if people wanted to come, they would come.

Regarding previous questions and concerns, Mr. Mitchell stated the CDD is responsible for lakes and preserves and many of the questions pertained to HOA issues.

FOURTEENTH ORDER OF BUSINESS

Supervisors' Comments/Requests

There being Supervisors' comments or requests, the next item followed.

FIFTEENTH ORDER OF BUSINESS

Adjournment

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

On MOTION by Mr. Asfour and seconded by Mr. Morash, with all in favor, the meeting adjourned at 5:06 p.m.

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DocuSigned by:
Chuck Adams
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Secretary/Assistant Secretary

DocuSigned by:
Joseph Metcalfe
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Chair/Vice Chair