

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

The Board of Supervisors of the River Hall Community Development District held a Regular Meeting on July 29, 2021, at 3:30 p.m., at River Hall Town Hall Center, located at 3089 River Hall Parkway, Alva, Florida 33920.

**Present were:**

Ken Mitchell	Chair
Robert Stark	Vice Chair
Paul D. Asfour	Assistant Secretary
Michael Morash	Assistant Secretary
Michael Hagan	Assistant Secretary

**Also present were:**

Chuck Adams	District Manager
Cleo Adams	Assistant District Manager
Shane Willis	Wrathell, Hunt and Associates, LLC
Greg Urbancic	District Counsel
John Baker	District Engineer
Peter Dame (via telephone)	Bond Counsel
Elaine Orbey	Ashton Oaks 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)**

No members of the public spoke.

**THIRD ORDER OF BUSINESS**

**Consideration of FMSbonds, Inc., Rule G-17  
Disclosure Letter for Series 2021 Bonds**

Mr. Adams presented the FMSbonds, Inc., Rule G-17 Disclosure Letter for the Series 2021 Bonds. The letter is standard in nature and indicates that the Underwriter is not acting as a financial advisor, along with other disclosures.

**On MOTION by Mr. Morash and seconded by Mr. Asfour, with all in favor, the FMSbonds, Inc., Rule G-17 Disclosure Letter for the Series 2021 Bonds, was approved.**

**FOURTH ORDER OF BUSINESS**

**Presentation of Third Supplemental Special Assessment Methodology Report**

Mr. Adams reviewed the Third Supplemental Special Assessment Methodology Report and discussed the proposed refunding of the 2011 Bonds. The amount being issued on the 2021A-1 Bonds is \$9,205,000 and the amount being issued on the 2021A-2 Bonds is \$10,675,000. He discussed the Report Overview, Benefit Allocation, Lienability Tests, Appendix Tables on Pages 8 and 9, cost-savings as a result of the 2021A-1 and A-2 bonds and the lien rolls.

Asked if this is a cash-out refinancing, Mr. Adams stated the transaction takes out the existing bonds and replaces them with the 2021 bonds; the adjustment is in the interest rates.

**FIFTH ORDER OF BUSINESS**

**Consideration of Resolution 2021-08, Authorizing the Issuance of its Capital Improvement Refunding Revenue Bonds, Series 2021A-1 and Series 2021A-2 in an Aggregate Principal Amount Not Exceeding the Outstanding Principal Amount of the District’s Capital Improvement Refunding Revenue Bonds, Series 2011A-1 (The “2011A-1 Bonds”) and Capital Improvement Refunding Revenue Bonds, Series 2021A-2 in an Aggregate Principal Amount Not Exceeding \$10,675,000, for the Principal Purpose of Refunding all of the 2011A-1 Bonds and the District’s Outstanding Capital Improvement Revenue Bonds, Series 2011A-2 (Collectively, the “Refunded Bonds”); Delegating to the Chairman or Vice**

**Chairman of the Board of Supervisors of the District, Subject to Compliance with the Applicable Provisions Hereof, the Authority to Award the Sale of Such Bond to FMSbonds, Inc. by Executing and Delivering to Such Underwriter a Bond Purchase Contract and Approving the Form Thereof; Approving the Form of and Authorizing the Execution of a Fourth Supplemental Trust Indenture; Approving U.S. Bank National Association as the Trustee, Bond Registrar and Paying Agent for Such 2021A Bonds; Making Certain Findings; Approving the Form of Such Bonds; Approving the Form of the Preliminary Limited Offering Memorandum and Authorizing the Use by the Underwriter of the Preliminary Limited Offering Memorandum and the Limited Offering Memorandum and the Execution of the Limited Offering Memorandum; Approving the Form of the Continuing Disclosure Agreement and Authorizing the Execution Thereof; Authorizing Certain Officials of the District and Others to Take All Actions Required in Connection with the Issuance, Sale and Delivery of Said Bonds; Providing Certain Other Details with Respect to Said Bonds; and Providing an Effective Date**

**Exhibit A: Fourth Supplemental Trust Indenture**

**Exhibit B: Bond Purchase Contract**

**Exhibit C: Preliminary Limited Offering Memorandum**

**Exhibit D: Continuing Disclosure Agreement**

Mr. Adams presented Resolution 2021-08. He stated a red-lined version and a clean version of the resolution that incorporates the edits and changes needed were forwarded to Bond Counsel.

Mr. Dame stated Bond Counsel's function is to draft the Resolution and accompanying documents and authorize the issuance of the bonds. He reviewed the corrections made in the

red-lined version of the Resolution and explained that the Resolution accomplishes the following:

- Sets forth approval for Staff to proceed with the sale and marketing of the bonds.
- Broadly authorizes Staff and District Officers to take the necessary actions to facilitate the issuance of the bonds.
- Authorizes the Chair and Vice Chair to execute the Bond Purchase Contract.
- Approves the Fourth Supplemental Trust Indenture, the Bond Purchase Contract, the Preliminary Offering Memorandum (PLOM) and the Continuing Disclosure Agreement.

Discussion ensued regarding the 10-year callable protection for the investor, principal maturity and prepayment by the builders.

**On MOTION by Mr. Morash and seconded by Mr. Stark, with all in favor, Resolution 2021-08, Authorizing the Issuance of its Capital Improvement Refunding Revenue Bonds, Series 2021A-1 and Series 2021A-2 in an Aggregate Principal Amount Not Exceeding the Outstanding Principal Amount of the District's Capital Improvement Refunding Revenue Bonds, Series 2011A-1 (The "2011A-1 Bonds") and Capital Improvement Refunding Revenue Bonds, Series 2021A-2 in an Aggregate Principal Amount Not Exceeding \$10,675,000, for the Principal Purpose of Refunding all of the 2011A-1 Bonds and the District's Outstanding Capital Improvement Revenue Bonds, Series 2011A-2 (Collectively, the "Refunded Bonds"); Delegating to the Chairman or Vice Chairman of the Board of Supervisors of the District, Subject to Compliance with the Applicable Provisions Hereof, the Authority to Award the Sale of Such Bond to FMSbonds, Inc. by Executing and Delivering to Such Underwriter a Bond Purchase Contract and Approving the Form Thereof; Approving the Form of and Authorizing the Execution of a Fourth Supplemental Trust Indenture; Approving U.S. Bank National Association as the Trustee, Bond Registrar and Paying Agent for Such 2021A Bonds; Making Certain Findings; Approving the Form of Such Bonds; Approving the Form of the Preliminary Limited Offering Memorandum and Authorizing the Use by the Underwriter of the Preliminary Limited Offering Memorandum and the Limited Offering Memorandum and the Execution of the Limited Offering Memorandum; Approving the Form of the Continuing Disclosure Agreement and Authorizing the Execution Thereof; Authorizing Certain Officials of the District and Others to Take All Actions Required in Connection with the Issuance, Sale and Delivery of Said Bonds; Providing Certain Other Details with Respect to Said Bonds; and Providing an Effective Date, was adopted.**

- **Consideration of Resolution 2021-09**

**This item was an addition to the agenda.**

Mr. Adams stated Mr. Urbancic prepared Assessment Resolutions to commence the assessment process in advance of the Public Hearing on September 9, 2021.

Mr. Urbancic stated, because the 2021A-2 Bonds will increase to \$10,675,000 from the amount today, Staff must go through the assessment process of notifying those who will receive an increase in principal but a decrease in payments. Resolution 2021-09 declares that two assessments would be levied at the level of \$10,675,000 and adopts the assessment rolls referenced in the Methodology Report.

Discussion ensued regarding explaining the reason for the assessment to residents in laymen's terms, Board approval of a draft letter to property owners and Table 2 in Section 4 on Page 9 of the Methodology.

**On MOTION by Mr. Asfour and seconded by Mr. Morash, with all in favor, Resolution 2021-09, authorizing Staff to commence the assessment process to notify property owners that two assessments will be levied, was adopted.**

- **Consideration of Resolution 2021-10**

**This item was an addition to the agenda.**

Mr. Urbancic presented Resolution 2021-10. The purpose of this Resolution is to set the public hearing with regard to the Series A-2 Bonds.

**On MOTION by Mr. Asfour and seconded by Mr. Stark, with all in favor, Resolution 2021-10, Setting the Public Hearing for September 9, 2021 at 3:30 p.m., at the River Hall Town Hall Center, located at 3089 River Hall Parkway, Alva, Florida 33920, pursuant to Florida Law, was adopted.**

- **Discussion: Draft Fiscal Year 2022 Budget**

**This item was an addition to the agenda.**

Mr. Stark proposed utilizing the cost savings from the bond refinance and increasing assessments across the board to increase the miscellaneous fund. Asked how much additional revenue would be yielded from his proposal, Mr. Asfour stated approximately \$10,000.

Referencing a handout of a letter he drafted, Mr. Asfour proposed imposing a 5% assessment increase and voiced his opinion that it is important to notify and educate residents about what the Board is doing and why. He read the following paragraph into the record:

“The amount of the annual operation and maintenance assessment is analyzed and set each year at an amount that will ensure that CDD property is maintained at a level that all residents expect and deserve. With that in mind, the Board of Supervisors will continue to guarantee that your assessments are used responsibly.”

Discussion ensued regarding increasing the Reserve Fund, the level of increase, the cost of living, the operation and maintenance (O&M) fee in the Cascades, combining the increase with the bond reduction payment and the surplus fund balance. Mr. Stark motioned to increase the assessments by 5%.

**On MOTION by Mr. Stark and seconded by Mr. Asfour, with all in favor, imposing a 5% increase in the O&M assessments, to be allocated to the Miscellaneous Contingency, was approved.**

Resident Elaine Orbey felt that it was good timing on the 5% assessment increase, especially in light of the 100% increase at a nearby community; she doubted that there would be any pushback from River Hall residents.

**SIXTH ORDER OF BUSINESS**

**Continued Discussion: Legislative Updates Regarding Advertising Rules**

Mr. Urbancic stated there was no update.

Mr. Adams asked about the “Needs Assessment Analysis” requirement. Mr. Urbancic would perform a “Needs Assessment” and report his findings at a future meeting. He explained that recent legislation will require all Special Districts to perform a “Stormwater Needs Analysis” for submission to the County by June 30, 2022. Mr. Adams stated the analysis is primarily an engineering function with an accounting portion.

**SEVENTH ORDER OF BUSINESS**

**Continued Discussion: Hog Removal**

Mr. Asfour reported the following:

- He contacted the County and South Florida Water Management District (SFWMD) and there is no law against hog eradication.
  - He conferred with Mr. Wesley Roberts, a hog trapper, who advised him that there is no charge for a hog over 60 pounds but the charge is \$35 per hog for any hog under 60 pounds.
  - Mr. Roberts trapped 800 hogs in Lee County in the previous year.
  - With the Board’s approval, Mr. Roberts could commence setting traps by Monday.
- Discussion ensued regarding obtaining a contract, Lee County, how best to contact Mr. Roberts, Hog Works, the Ashton Oaks HOA, the Cascades and photo documentation of hogs.
- Mr. Willis would contact Lee County and follow up.

**EIGHTH ORDER OF BUSINESS**

**Discussion with Lee County Sheriff’s Department Regarding Road Right-of-Way, Deterring ATV Riders and Trespassers from Entering Access Road and Construction Area and Increasing Traffic in the Community**

This item was deferred.

**NINTH ORDER OF BUSINESS**

**Acceptance of Unaudited Financial Statements as of June 30, 2021**

Mr. Adams presented the Unaudited Financial Statements as of June 30, 2021. The financials were accepted.

**TENTH ORDER OF BUSINESS**

**Approval of July 1, 2021 Regular Meeting Minutes**

Mr. Mitchell presented the July 1, 2021 Regular Meeting Minutes.

The following changes were made:

Line 15: Insert “Michael Hagen” as a “Supervisor Appointee”

Line 30: Delete “Michael Hagen” and “Resident”

Line 81: Change “Mr. Stark” to “Mr. Morash”

Line 83: Change “Mr. Morash” to “Mr. Stark”

**On MOTION by Mr. Stark and seconded by Mr. Asfour, with all in favor, the July 1, 2021 Regular Meeting Minutes, as amended, were approved.**

**ELEVENTH ORDER OF BUSINESS****Staff Reports****A. District Engineer: *Hole Montes***

Mr. Morash stated that there were several stop signs in the golf course maintenance shop that are in good condition and could save the CDD thousands of dollars.

Mr. Baker would inform Mr. Krebs.

**B. District Counsel: *Coleman, Yovanovich & Koester***

There was no report.

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

- **NEXT MEETING DATE: September 2, 2021 at 3:30 P.M. (Adoption of FY 2022 Budget)**

- **QUORUM CHECK**

Mr. Adams requested a motion to change the date of the next meeting.

**On MOTION by Mr. Asfour and seconded by Mr. Morash, with all in favor, changing the next meeting date from September 2, 2021 to September 9, 2021, was approved.**

Mr. Adams reported that Staff received an email request from a resident at 16095 Palmetto Prairie Drive requesting approval to install a fence on both sides of the home, which would encroach 7 ½' onto the CDD easement and the HOA drainage pipe. The HOA would likely approve the specifications. Discussion ensued. The consensus was to approve the request.

**On MOTION by Mr. Morash and seconded by Mr. Stark, with all in favor, the request to install a fence at 16095 Palmetto Prairie Drive, notwithstanding encroachment into the drainage easement, was approved.**

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

- **Monthly Status Report – Field Operations**
  - **Update - Carter Fence Installation**



Mrs. Adams reported the following:

- The fence was tentatively scheduled to be shipped on August 23, 2021.
- Pressure cleaning/spot treatment on sidewalks: Mr. Willis would obtain proposals.
- Lake Bank Restoration: Staff is working on having two areas remediated.

**TWELFTH ORDER OF BUSINESS**

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

No members of the public spoke.

**THIRTEENTH ORDER OF BUSINESS**

**Supervisors' Comments/Requests**

Mr. Asfour stated a Realtor claimed that the County is asking all Realtors to inform potential buyers in River Hall that the extension from Sunshine Boulevard, in Lehigh, is coming through River Hall, and not Highway 80. Discussion ensued.

The Board and Staff discussed a fence installation by Portico, fence along the border of Hampton Lakes, the existence of a 12' gap between the CDD fence and the property line, asking the Developer to fill the 12' gap, the Mustang Station on the north side, cattle gates, acquiring a permit from Lee County to install barriers, Grady Miars, and legal liability in case the easement is accessed.

**FOURTEENTH ORDER OF BUSINESS**

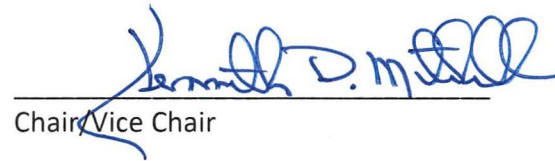
**Adjournment**

There being nothing further to discuss, the meeting adjourned.

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

[SIGNATURES APPEAR ON THE FOLLOWING PAGE]

  
Secretary/Assistant Secretary

  
Chair/Vice Chair