

**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 6, 2023 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
Daniel J. Block	Assistant Secretary
Paul D. Asfour	Assistant Secretary

Also present were:

Chuck Adams	District Manager
Cleo Adams	District Manager
Shane Willis	Operations Manager
Greg Urbancic (via telephone)	District Counsel
Charlie Krebs	District Engineer
Sonja Mitchell	Resident

FIRST ORDER OF BUSINESS

Call to Order/Roll Call

Mr. Adams called the meeting to order at 3:30 p.m. Supervisors Mitchell, Stark, Block and Asfour were present. Supervisor Morash was not present.

SECOND ORDER OF BUSINESS

Public Comments (3 minutes per speaker)

No members of the public spoke.

THIRD ORDER OF BUSINESS

Developer Update

Mr. Adams stated that Mr. Miars was unable to attend; he will inform him of any issues.

Mr. Willis stated he will email Mr. Miars to advise that construction crews were observed washing their tools and buckets in the lake behind some homes under construction on Southern Lakes Court. While he informed them to stop, he wanted to ensure that nothing was lost in translation. Mr. Adams suggested directing the email to Mr. Robert Nelson.

FOURTH ORDER OF BUSINESS**Discussion: Letter from the HOA Regarding Landscaping Services**

Mr. Adams distributed copies of the original Phase 1 Plat from 2005, when the Country Club was referred to as Hawk's Haven. He discussed highlighted dedication language from Paragraph 4, on the front page, in which non-exclusive easements in and to Tracts D-1 through D-10 are dedicated to the Association "for drainage, lake access and landscape purposes, including installation of irrigation and lighting, and reserving unto owner, its successors and assigns, non-exclusive easements in and to such tracts for the foregoing purposes. The Association shall be responsible for the maintenance and repair of such tracts. Such tracts are subject to the terms and conditions of the Declaration of Covenants and restrictions for River Hall Country Club."

Mr. Adams distributed and reviewed the drawings of the plats which identified the parcels and Tracts D1 through D10. He thinks it is important to note that most of these tracts are at the entrances to neighborhoods, intended to be outside of the Right-of-Way (ROW) for which the Association is already responsible as Tract A, and it is intended so that the landscape and other maintenance are all maintained by the same entity, regardless of the underlying ownership, which resides with the CDD.

Mr. Adams presented statements from the HOA's Declarations and Covenants, Article VII, "Maintenance" and "General", relating to common areas and open spaces, of which these Tracts are identified as both. He opined that these documents put to rest with the Association who has the responsibility for the maintenance, regardless of ownership.

Mr. Asfour read from the definition included Item R "Common Maintenance Areas" that states "Common Maintenance Areas may or may not be owned by the Association and may or may not be located within the property. Common maintenance areas may include lands no longer controlled by the CDD or other governmental entities."

Mr. Urbancic asked who conveyed the plats to the CDD. Mr. Adams stated the transfer would have come from Hawks Haven Joint Development, LLC.

Mr. Urbancic asked if there was an Assignment of Dedication in connection with the deed. Mr. Stark stated the documents are on the Clerk's website. Mr. Adams stated the deeds should be included in the file transfer from Mr. Dan Cox, as they were received from the prior Manager and prior District Counsel. Mr. Urbancic located the Warranty Deed that applies to

Deeds 1 through 10. He wants to look at whether there are any companion Assignments of Dedication or agreements that might undo the dedications as listed on the plats.

Mr. Adams stated the documents restate the same thing in several locations. He supported Mr. Urbancic searching to determine if a subsequent document invalidated the language. He believes the issue arose in 2010, due to the recession, and that a special purpose entity was set up to manage the assets until it came out of a distressed setting. Mr. Asfour stated he did not recall any such documentation in the bankruptcy filing for Hawks Haven; Hawks Haven filed Chapter 11 but maintained ownership of the property until it was sold to GreenPointe with the approval of the bankruptcy court.

Mr. Adams stated, while the HOA might want the CDD to maintain these tracts for financial reasons, the documents assign the responsibility to the HOA. In his opinion, it makes the most sense and offers the greatest benefit for one entity to manage the ROWs and the adjacent Tracts, entrances and signage package parcels that should be maintained to the same level and on the same schedules. Mr. Asfour suggested the HOA abide by the documents.

Discussion ensued regarding possible agreements, the Declaration language, the HOA's position and the CDD's response.

Mr. Willis stated the HOA stopped maintaining these tracts and he received emails demanding the CDD repair broken sprinkler heads and other irrigation issues which the District landscaper cannot accomplish without control of the pump house or an isolation valve.

Asked if there is a designation, Mr. Krebs stated those are usually included on the plat. Mrs. Adams stated it is designated on the plat. Mr. Adams will email the document to Mr. Urbancic, who will respond to the letter received from Roetzel, accordingly.

Asked about the new subdivisions, Mr. Adams stated this same model was used in other communities; the language was the same in Hampton Lakes and the Country Club. Mr. Krebs stated the storm drain is identified on the plat.

FIFTH ORDER OF BUSINESS

Continued Discussion/Consideration of Assignment Agreement for District Owned Property Within the Gates of River Hall

A. Consideration of MRI Inspection, LLC, Estimate #4217 for Country Club Non-District Pipes Inspection

Mrs. Adams stated the estimate will be sent to the HOA, as a courtesy.

SIXTH ORDER OF BUSINESS

Continued Discussion/Consideration of Grant of Easement [River Hall Country Club Homeowners Association, Inc.]

On MOTION by Mr. Stark and seconded by Mr. Asfour, with all in favor, the River Hall Country Club Homeowners Association, Inc., Grant of Easement, was approved.

SEVENTH ORDER OF BUSINESS

Update: Roadside Catch Basin Ownership Responsibility

Mr. Krebs stated he has no update. He will review files as they are received.

EIGHTH ORDER OF BUSINESS

Consideration of Resolution 2023-09, Designating Dates, Times and Locations for Regular Meetings of the Board of Supervisors of the District for Fiscal Year 2023/2024 and Providing for an Effective Date

Mr. Mitchell presented Resolution 2023-09.

The following will be inserted into the Fiscal Year 2024 Meeting Schedule:

DATES: Insert "July 11"

On MOTION by Mr. Stark and seconded by Mr. Block, with all in favor, Resolution 2023-09, Designating Dates, Times and Locations for Regular Meetings of the Board of Supervisors of the District for Fiscal Year 2023/2024, as amended, and Providing for an Effective Date, was adopted.

NINTH ORDER OF BUSINESS

Discussion: Fiscal Year 2024 Budget

Mr. Adams stated the proposed Fiscal Year 2024 budget, as presented, has a very healthy unassigned fund balance and anticipates keeping assessments level, year-over-year. As presented, the addition to fund balance of just under \$45,000 would be used up by maintenance obligations. Expenditures over that amount would require a Budget Amendment to roll up some of the unassigned fund balance, which is projected to be \$560,000.

The consensus was to keep assessments flat for Fiscal Year 2024 and increase the budget in Fiscal Year 2025 to accommodate expenditures.

TENTH ORDER OF BUSINESS

Acceptance of Unaudited Financial Statements as of May 31, 2023

Mr. Adams presented the Unaudited Financial Statements as of May 31, 2023. He noted that the CDD is doing well, overall. The Year-to-Date appropriate percentage would be 67%. Total expenditures are 55% and all on-roll and off-roll assessment levy revenue is collected. Principal and interest repayments in the Debt Service Fund are 100% complete.

The financials were accepted.

ELEVENTH ORDER OF BUSINESS

Approval of June 1, 2023 Regular Meeting Minutes

Mr. Mitchell presented the June 1, 2023 Regular Meeting Minutes.

On MOTION by Mr. Block and seconded by Mr. Asfour, with all in favor, the June 1, 2023 Regular Meeting Minutes, as presented, were approved.

TWELFTH ORDER OF BUSINESS

Staff Reports

A. District Engineer: Hole Montes

Mr. Krebs reported the following:

- The parking signs and poles from Lykins-Signtek are all made. An Exhibit showing locations for installation was submitted and an installation date will be determined.
- While he was on vacation, MRI emailed to advise that they will be on site to prepare berms on the Florida Power & Light (FPL) easement and Hampton Lakes. He will inspect and photograph those locations.

Asked how many signs were ordered, Mr. Krebs stated the Board requested 11 signs. Mrs. Adams stated a total of 22 signs were ordered. Mr. Krebs described the installation locations and noted that “NO STANDING PER THE CDD RESOLUTION” stickers have been installed on existing signs.

B. District Counsel: Coleman, Yovanovich & Koester

There was no report.

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

- **NEXT MEETING DATE: August 3, 2023 at 3:30 P.M. [Budget Adoption Hearing]**
 - **QUORUM CHECK**

Supervisors Asfour, Mitchell, Stark and Block confirmed their attendance at the August 3, 2023 meeting.

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

Mrs. Adams presented the Field Operations Report and noted the following:

- The resident that attended the last meeting submitted a letter for work that was completed in 2020. She did not respond to the CDD’s letter from 2021. Mr. Grimes visited the area to determine what is needed and will provide a proposal. Mr. Willis will advise the homeowner and provide another letter as a follow up.

Mr. Willis reported the following:

- A proposal for the chain link fence to close the gap on Sagittarius Street is pending. An estimate of approximately \$17,000 for 850’ of 6’ chain link fence was received.

Mr. Asfour stated a resident reported that an ATV came from the east and trespassers were on the FPL easement.

Mr. Stark discussed the best locations for the fence, a second street that will be requesting a barrier, gopher tortoise infestations on the bank and where trespassers are entering.

Mr. Krebs suggested installing the fence on the berm, on the CDD’s side of the swale, and noted that it might be necessary to inform FPL.

Discussion ensued regarding access points, areas that need a fence to restrict access and less expensive fencing options.

Mr. Asfour voiced his opinion that, although this work should have been done by GreenPointe, residents should have some protection.

Mr. Krebs stated the cost per linear foot was much cheaper when the cattle fence was installed on the eastern half.

Mr. Willis stated the prices he mentioned are for residential code fencing and, although the cost would decrease by not using residential code fence, maintenance costs would increase due to replacing sections over time; in the long run, residential fencing is the most economical.

Installing fence sections in phases and possible budget increases were discussed.

Mr. Willis will request proposals for fencing both 850’ and one-mile sections.

➤ The decorative concrete fence slats at the entry to the community keep breaking. Coastal Concrete advised that they have about eight sections left, and they do not manufacture them anymore. Tim with Coastal Fencing recommended vinyl replacement, which will look exactly as it does now and will greatly reduce the replacement costs.

Mr. Willis will obtain samples of vinyl fencing.

THIRTEENTH ORDER OF BUSINESS

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

A member of the public estimated that Fire House 82 will be completed in late August or in September.

Resident Sonya Mitchell noted that, at certain times, vehicles going to the school park all along the sidewalk leading to the Fire Station.

Mr. Willis stated, at the last meeting, the Board authorized him to engage an off-duty deputy to patrol that area. He will obtain the schedule from the school and coordinate those dates with the deputy. The Agreement with the Sheriff’s Department cannot be executed until late July; it will be presented for approval in August.

Mr. Asfour asked that it be reinforced with the school.

FOURTEENTH ORDER OF BUSINESS

Supervisors’ Comments/Requests

In response to Mr. Stark’s inquiry, Mr. Urbancic stated he has not yet contacted Counsel for the County regarding eminent domain; he will do so as soon as possible and report his findings.

FIFTEENTH ORDER OF BUSINESS

Adjournment

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

[SIGNATURES APPEAR ON THE FOLLOWING PAGE]


Secretary/Assistant Secretary


Chair/Vice Chair