

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

The Board of Supervisors of the River Hall Community Development District held a Public Hearing and Regular Meeting on August 3, 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 (via telephone)	Assistant Secretary
Paul D. Asfour	Assistant Secretary
Michael Morash	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
Robert Rewis	Fire Chief
Greg Urbank	Resident

FIRST ORDER OF BUSINESS

Call to Order/Roll Call

Mr. Adams called the meeting to order at 3:31 p.m. Supervisors Mitchell, Stark, Morash and Asfour were present. Supervisor Block attended via telephone.

On MOTION by Mr. Mitchell and seconded by Mr. Stark, with all in favor, authorizing Mr. Block's attendance and full participation, via telephone, due to exceptional circumstances, was approved.

SECOND ORDER OF BUSINESS

Public Comments (3 minutes per speaker)

Resident Greg Urbank discussed ongoing destruction caused by hogs at his residence. He presented photographs of the damage, noting that several neighboring residences on Apple Blossom Drive, abutting the preserve, are having similar issues. Mr. Mitchell stated that he and Mr. Urbank exchanged emails regarding the matter. Mr. Willis stated traps were set in the area and dogs are run twice a week and but, recently, only one hog was caught. Mr. Urbank discussed additional measures he undertook but to no avail, including a motion light detector, siren, wildlife cameras, hog deterrent, garlic powder and cayenne pepper.

Discussion ensued regarding the ongoing wild hog issue, current and potential means of eliminating the hogs and the tendency of the hogs to destroy sod.

Mr. Willis noted that hogs are intelligent and they return to locations where they have eaten before. He cautioned residents against shooting hogs in residential areas. Mr. Block stated that, per Florida Statute, people are not permitted to shoot firearms on private property of homes in residential neighborhoods where land is less than one acre.

The consensus was that residents can consider engaging trappers directly for additional trapping on their private property, with HOA approval.

Mr. Willis will email the trappers' information to the Board and to Mr. Urbank.

THIRD ORDER OF BUSINESS

Developer Update

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

A Board Member requested an update about the Queen Street entrance where the gates are gone and no progress has been observed for many months. He asked about the practice range where the silt fence was taken down and no progress has been made.

Mr. Adams will relay the questions to Mr. Miars.

FOURTH ORDER OF BUSINESS

**Public Hearing on Adoption of Fiscal Year
2023/2024 Budget**

A. Affidavit of Publication

B. Consideration of Resolution 2023-10, Relating to the Annual Appropriations and Adopting the Budget for the Fiscal Year Beginning October 1, 2023, and Ending September 30, 2024; Authorizing Budget Amendments; and Providing an Effective Date

Mr. Adams presented Resolution 2023-10. He reviewed the proposed Fiscal Year 2024 budget, which was unchanged since last presented and anticipates keeping assessments the same, year-over-year. Expenses increased just under \$40,000 and the anticipated \$44,892 increase to fund balance will adjust the year-end fund balances to \$145,000 for assigned operating capital and \$250,000 for assigned disaster recovery. Unassigned fund balance will total approximately \$559,000.

Discussion ensued regarding fountain repairs.

Mr. Adams recalled the decision was made to continue maintaining the fountains and stated that additional maintenance is anticipated. Mrs. Adams stated, while the east fountain LED lights are under warranty until November 2023, the west fountain needs repairs and is no longer under warranty.

Mr. Adams stated the addition to fund balance of just under \$45,000 will fund maintenance obligations.

Mr. Adams opened the Public Hearing.

No members of the public spoke.

Mr. Adams closed the Public Hearing.

On MOTION by Mr. Asfour and seconded by Mr. Morash, with all in favor, Resolution 2023-10, Relating to the Annual Appropriations and Adopting the Budget for the Fiscal Year Beginning October 1, 2023, and Ending September 30, 2024; Authorizing Budget Amendments; and Providing an Effective Date, was adopted.

FIFTH ORDER OF BUSINESS

Consideration of Resolution 2023-11, Making a Determination of Benefit and Imposing Special Assessments for Fiscal Year 2023/2024; Providing for the Collection and Enforcement of Special

Assessments, Including, but not Limited to Penalties and Interest Thereon; Certifying an Assessment Roll; Providing for Amendments to the Assessment Roll; Providing a Severability Clause; and Providing an Effective Date

Mr. Adams presented Resolution 2023-11. This is the Assessment Levying Resolution that takes into consideration the budget that was just adopted and the assessment levels contained therein. It directs Staff to prepare a lien roll and transmit the on-roll lien roll to the Tax Collector for placement of the assessments on the property tax bill and sets forth a direct bill schedule for off-roll assessments.

On MOTION by Mr. Stark and seconded by Mr. Morash, with all in favor, Resolution 2023-11, Making a Determination of Benefit and Imposing Special Assessments for Fiscal Year 2023/2024; Providing for the Collection and Enforcement of Special Assessments, Including, but not Limited to Penalties and Interest Thereon; Certifying an Assessment Roll; Providing for Amendments to the Assessment Roll; Providing a Severability Clause; and Providing an Effective Date, was adopted.

SIXTH ORDER OF BUSINESS

Update: Roadside Catch Basin Ownership Responsibility

Mr. Krebs stated had no update, as he has not received anything from the Developer. He will review files as they are received.

Mr. Urbancic stated he received no response.

Discussion ensued regarding sand collecting in catch basins and the need for silt blocks during construction.

Mr. Adams stated the Lee County Building Department is responsible for enforcing compliance with the National Pollutant Discharge Elimination System (NPDES) permit requirements during construction.

SEVENTH ORDER OF BUSINESS

Discussion/Consideration of Agreement with Lee County Sheriff's Department for Patrolling Certain Areas

Mr. Willis stated he received the paperwork and completed the portion he was able to complete; the contract was forwarded to Mr. Urbancic for review late last week. Mr. Urbancic stated he will review the contract further.

Mr. Willis stated the Sheriff's Department will be engaged for traffic control and will patrol two days per week during school hours, on rotating shifts from 6:00 a.m. to 5:00 p.m.

Discussion ensued regarding managing construction traffic.

Mr. Urbancic recommended the Agreement be provided to Egis to ensure that Section 18 does not present an issue. Mr. Willis will send the Agreement to Egis for review.

EIGHTH ORDER OF BUSINESS

Continued Discussion/Consideration of Proposals for the Portico Fence Hedge

Mr. Willis stated the agenda item title is misleading, as the hedge was previously approved. He presented proposals for a one-mile fence and an 800' fence, noting that the proposal includes a generic location; the one mile of fencing can be moved as the Board directs.

Mr. Willis stated the final proposal for installation of the Portico fence hedge provides 7-gallon sized Clusia for approximately \$48,000; the project can commence in a few weeks.

Mr. Mitchell noted that, although both bond issuances include funds for perimeter security, homeowners end up paying for security, rather than the Developer.

Mr. Krebs stated the area designated for a fence is ineligible for use of bond funds.

Discussion ensued regarding the cost, purpose and justification for installing a hedge in front of the proposed fence.

On MOTION by Mr. Morash and seconded by Mr. Asfour, with Mr. Mitchell, Mr. Morash and Mr. Asfour in favor and Mr. Stark and Mr. Block opposed, deferring installation of the Portico fence for one year, was approved. [Motion passed 3-2]

Mr. Stark voiced his opinion that waiting one year is a long time to defer. It was noted that the deferral can be revisited.

▪ **Discussion/Consideration of Proposals for the Sagittaria Lane Fence**

This item was an addition to the agenda.

Discussion ensued regarding the fencing proposals, proposed locations, permitting and observations regarding pedestrians, wildlife and ATV traffic in the area.

Mr. Willis noted that large gaps enable vehicles to pass through and enter the community, which was the reason for the 850’ fence proposal.

On MOTION by Mr. Asfour and seconded by Mr. Morash, with Mr. Mitchell, Mr. Block, Mr. Morash and Mr. Asfour in favor and Mr. Stark opposed, Carter Fence Estimate #50583 for 850’ of fencing on Sagittaria Lane, in the amount of \$17,229.50, was approved. [Motion passed 4-1]

NINTH ORDER OF BUSINESS

Acceptance of Unaudited Financial Statements as of June 30, 2023

Mr. Adams presented the Unaudited Financial Statements as of June 30, 2023. He believes the “Due to Developer” line item, on Page 1, is related to an overpayment of assessments in a previous year.

The financials were accepted.

TENTH ORDER OF BUSINESS

Approval of July 6, 2023 Regular Meeting Minutes

The following change was made:

Line 22: Change “Sonia” to “Sonja”

On MOTION by Mr. Morash and seconded by Mr. Asfour, with all in favor, the July 6, 2023 Regular Meeting Minutes, as amended, were approved.

ELEVENTH ORDER OF BUSINESS

Staff Reports

A. District Engineer: Hole Montes

Mr. Krebs reported the following:

- The parking signs were installed.
- Berm repairs along the Florida Power & Light (FPL) easement are partially completed but the contractor has not been able to access to a second area. Mr. Krebs will cut the chain and install a new chain and lock. Work was completed outside Hampton Lakes but sod might die due to lack of rain. The area will be photographed when the repairs are complete.
- A proposal from Collier Paving for the road project is pending; Collier is very busy.

B. District Counsel: Coleman, Yovanovich & Koester

Mr. Urbancic discussed his findings related to an inquiry about eminent domain.

Mr. Urbancic stated he will follow up with the attorney regarding River Hall Country Club landscape maintenance. He will email a copy of the letter to Mr. Asfour.

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

- **NEXT MEETING DATE: September 7, 2023 at 3:30 PM**
 - **QUORUM CHECK**

All Supervisors confirmed their attendance at the September 7, 2023 meeting.

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

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

- The west fountain has been out of service for one month. There is no warranty and the reason for the issue is unknown. No quotes for the repairs have been received.

Mr. Mitchell suggested turning the fountains off for one month to see if comments are received from residents. He noted that the fountains cost a lot, on an annual basis, but the Developers cite them as a selling feature; therefore, in his opinion, the Developers should pay to maintain them. Mr. Asfour noted that homeowners will end up paying for repairs if the budget must be increased to include future fountain repairs.

The consensus was to turn the fountains off until the next meeting.

- Staff is currently obtaining proposals. A Request for Proposals (RFP) for lake maintenance will be on the next agenda.

Mr. Willis reported that the HOA is still not maintaining the landscape parcels. He spoke with residents who are very dissatisfied due to the very poor condition of the areas.

TWELFTH ORDER OF BUSINESS

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

Fire Chief Robert Rewis reported that the Fire Station construction is nearing completion. A Grand Opening is tentatively planned for August 30, 2023, pending confirmation of the fire truck delivery. When confirmation is received, information will be disseminated.

THIRTEENTH ORDER OF BUSINESS

Supervisors' Comments/Requests

Mr. Asfour stated he asked Mr. Minor for a unit count of planned units in the Country Club several months ago and Mr. Minor was asked again last month but it is unclear if this information was provided.

Mr. Asfour stated there is an apparent conflict between the Statute previously discussed and the Florida Fish and Wildlife Conservation Commission (FWC), which states that "wild hogs may be trapped and hunted year-round with landowner permission; a hunting license is not required and a permit is not required to take wild hogs at night with a gun and light, with landowner permission."

Mr. Mitchell asked if the CDD has any influence in controlling traffic flow on River Hall Parkway, given that 400 units are planned between the Fire Station and the elementary school. Mr. Urbancic stated the CDD does not have permitting or zoning authority but property owners can participate in discussions.

Discussion ensued regarding the additional units planned, zoning changes, concerns about traffic congestion and an upcoming public meeting.

Mr. Asfour noted that additional units on CDD properties will be assessed.

Mr. Mitchell stated he received numerous complaints about River Hall Parkway, including crumbling concrete, broken sidewalks, dead trees and bushes and broken fences. Mr. Krebs stated a proposal was requested from Collier Paving for grinding sidewalks and for asphalt repairs; the portion pertaining to curbing repairs was removed.

Mrs. Adams stated the annual landscape enhancement projects have been postponed due to the adding of additional signage; she knows of no dead trees. She encouraged Board Members to forward such complaints to Staff, who will address them directly.

Mr. Asfour voiced his opinion that, as the entity responsible for maintaining the road, the CDD should go on record stating that the CDD is not in favor of the proposed additional development increasing from 1,999 to 3,500 units. Mr. Krebs noted that additional traffic signal improvements could be needed but he is unsure of additional arguments that can be made.

Discussion ensued regarding roadway conditions, the need to ensure access for emergency vehicles, school traffic, traffic improvements that can be required and the use of traffic counts to justify traffic signal improvements.

Mr. Stark feels that one set of traffic lights approaching the fire station, that would be green until a button is pressed, is needed.

Discussion ensued regarding traffic control devices and uncertainty regarding the locations of future EMS Stations.

Mr. Stark discussed ongoing issues in Hampton Lakes, where youths are confronting residents and claiming they have the right to access easements to fish from residents' yards. He observed three youths with fishing poles and cellphones riding on one motorbike. He suggested re-addressing fishing, as a joint effort with the HOAs, and suggested fishing be limited to designated areas, as the HOAs have enforcement capabilities that the CDD does not.

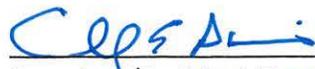
Discussion ensued regarding trespassing on easements.

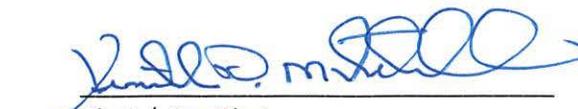
FOURTEENTH ORDER OF BUSINESS

Adjournment

On MOTION by Mr. Stark and seconded by Mr. Asfour, with all in favor, the meeting adjourned at 5:07 p.m.

[SIGNATURES APPEAR ON THE FOLLOWING PAGE]


Secretary/Assistant Secretary


Chair/Vice Chair