

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

The Board of Supervisors of the River Hall Community Development District held a Regular Meeting on March 2, 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
Paul D. Asfour	Assistant Secretary
Michael Morash	Assistant Secretary
Daniel J. Block	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
Andy Kasl	Resident
Other residents	

**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.

**SECOND ORDER OF BUSINESS**

**Public Comments (3 minutes per speaker)**

Resident Andy Kasl asked about the fence separating Hampton Lakes from Portico. Mr. Willis stated Grady Minor is working with Portico to have their fence permit removed from records so the CDD's permit can be approved. Mr. Adams stated removal is in process, which will pave the way for the CDD's permit.

Mr. Willis stated he spoke with Carter Fence and Carter Fence agreed to honor the price from when the Agreement was signed, despite their cost rising 6% to 7%. The hurricane continues affecting numerous City and County permit processes.

**THIRD ORDER OF BUSINESS**

**Developer Update**

There was no report.

**FOURTH ORDER OF BUSINESS**

**Acceptance of Unaudited Financial Statements as of January 31, 2023**

Mr. Adams presented the Unaudited Financial Statements as of January 31, 2023.

Discussion ensued regarding the “Entry & walls maintenance” and “Street sign repair & replacement” line items, which represented unbudgeted expenses.

**On MOTION by Mr. Morash and seconded by Mr. Stark, with all in favor, the Unaudited Financial Statements as of January 31, 2023, were accepted.**

**FIFTH ORDER OF BUSINESS**

**Approval of February 2, 2023 Regular Meeting Minutes**

Mr. Mitchell presented the February 2, 2023 Regular Meeting Minutes. The following changes were made:

Line 29: Delete entire line

Line 54: Change “Resident” to “Mr.”

Line 297: Change “Morash” to “Mitchell”

**On MOTION by Mr. Morash and seconded by Mr. Stark, with all in favor, the February 2, 2023 Regular Meeting Minutes, as amended, were approved.**

**SIXTH ORDER OF BUSINESS**

**Staff Reports**

**A. District Engineer: *Hole Montes***

Mr. Krebs stated the proof was received from Lykins for the stickers needed to change the existing signs to add the words "OR STANDING" and the reference number. The proof was returned to Lykins and an updated delivery date for the signs will be requested.

Mr. Krebs stated the main road was inspected and a report was submitted to Mrs. Adams and Mr. Willis. Several signs need to be addressed; some are leaning and several are missing panels. When the next signs are fabricated, exhibits will be sent and proposals requested. This item will be included on the next agenda.

Mr. Mitchell stated, one morning this week, he observed Sheriff officers present during student drop off at the school. No parents were parked on the streets and traffic was being routed around the building. The consensus was that construction traffic is not backing up at the main gate before 7:00 a.m. A Board Member stated he observed most of the construction traffic entering the gate before 7:00 a.m., in the right-hand lane, not obstructing resident entry on the left-hand side.

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

Mr. Urbancic discussed legislation he is monitoring that might affect CDDs.

▪ **Discussion resumed: Engineer: *Hole Montes***

Mr. Krebs stated that uneven sidewalk surfaces that need repairs, such as grinding, were sprayed orange. Proposals will be requested from Collier Paving.

Asked about filling the depression on the old railroad right-of-way (ROW), Mr. Krebs stated he is trying to find a contractor that will submit a proposal and perform the work. He noted the job could be addressed in conjunction with culvert cleaning or earthwork, given that it is a small project and contractors are busy.

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

- **NEXT MEETING DATE: April 6, 2023 at 3:30 P.M.**

- **QUORUM CHECK**

All Supervisors confirmed their attendance at the April 6, 2023 meeting.

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

Mr. Willis presented the Field Operations Report and noted the following:

➤ A meeting was held with The Cascades' Property Manager and the Board Treasurer. They were upset because the CDD billed them for last year's hog trapping in January and they received a bill for 2023 at the same time. He explained that, although they received the bill for the year, the Agreement allows for monthly payments. They were more upset that the 2022 invoice was received after their budget was closed and asked for the CDD to share the cost.

Mrs. Adams stated the CDD has an executed Agreement with each HOA and they are aware of the expense and the amount. The Comptroller advised that the CDD does not invoice monthly for this. The Cascades owes \$2,311.67 for 2022. Mr. Willis stated he will advise The Cascades of the Board's consensus that the CDD is already sharing the expense.

A Board Member stated extensive hog damage was observed on #13. Mr. Willis stated he took pictures of the damage and he will send the pictures to Swine Solutions.

➤ A proposal for treatment of weeds and removal of downed trees along the fence adjacent to Windsor Way is pending. A repair quote was received from Carter Fence on Tuesday; an Agreement will be prepared.

Mrs. Adams reported the following:

- A check was received from GulfScapes for the \$1,170 overpayment.
- Streetlight bulb outages were resolved on Saturday, February 4, 2023.
- The light pole is scheduled to ship for delivery on April 14, 2023; it should be installed by the end of April.
- A "Protected Species" sign was ordered to replace the hurricane-damaged sign. Insurance does not cover the \$2,040 expense and the hurricane deductible is \$10,200. The Federal Emergency Management Agency (FEMA) will not cover the expense, either.

Mr. Willis stated the cost of the Windsor Way fence repairs is \$1,502.

Mr. Mitchell advised Mr. Willis that the Facilities Manager repairs signs on the Parkway. Mr. Mitchell stated the CDD does not want him to do that. Mr. Willis agreed. Mr. Mitchell noted the Facilities Manager also asked for the CDD to purchase "No Parking" signs and install them on Hampton Boulevard, to which he responded that is an HOA matter, not a CDD matter.

Regarding a parking issue, Mr. Willis stated he emailed the Lykins contact information; it was also sent to the Hampton's Property Manager.

Mr. Mitchell stated the company engaged to address the Berm Restoration Project did not meet the E-Verify requirements.

**SEVENTH ORDER OF BUSINESS**

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

Resident Anthony Wilson voiced his opinion that, if services were provided by the CDD, The Cascades should have established a reserve to pay the expense.

**EIGHTH ORDER OF BUSINESS**

**Supervisors' Comments/Requests**

Mr. Asfour asked Mr. Urbancic if the CDD has a legal insurance policy that would cover the cost of filing a breach of contract lawsuit. Mr. Urbancic stated the CDD does not and noted that contracts often include provisions that allow the prevailing party to recover legal fees. He responded to questions about coverage provided to the Supervisors and legal considerations.

Mr. Block asked about having Lennar or Pulte assume responsibility for the entry fountains. Mr. Mitchell stated he did not hear from Lennar or Pulte but most of the residents he spoke with are against having the fountains turned off. He did not believe Lennar or Pulte will be willing to pay for it.

Mr. Stark withdrew the open motion to shut off the entry fountains, which was pending from the last meeting.

Mr. Block asked about the map identifying responsibility for specific catch basins. Mr. Krebs stated the data was provided to the GIS system contractor to input. While no effort was made to estimate the cost to maintain non-CDD inlets, they will be clearly shown on the map.

Mr. Stark believes there are discrepancies between the existing overlay and what will be the new overlay adding additional drains to the CDD. Mr. Krebs does not believe the number of inlets maintained by the CDD will increase much, if anything. Some inlets were transferred by plats. The GIS maps will reflect the additional land and where it came from.

Mr. Stark asked if small portions of existing isolated CDD property, such as slivers of land at the end of streets and entering into neighborhoods, will be indicated on the maps.

Mr. Willis stated The Cascades wants to continue maintaining those small portions inside The Cascades and would like an Agreement from the CDD allowing them to do so. They do not want reimbursement from the CDD; they only want the right to maintain them.

Mr. Mitchell asked if the CDD is responsible for mowing all the way up to the gate.

Discussion ensued regarding the median and the entry to The Country Club.

Mr. Stark noted that the last 300' is the CDD's responsibility. The monument is the HOA's responsibility. In his opinion, the CDD should mow up to the gate but not necessarily maintain the monument.

Mr. Mitchell stated the Facilities Manager complains often that the CDD is not mowing up to the gate and, when he told them it is not the CDD's responsibility, the Facilities Manager stated it is CDD property. Mr. Stark noted the need to define each entities responsibilities.

Mr. Willis displayed the map of the area in question.

Discussion ensued regarding the map, small strips of land owned by the CDD and the maintenance of those portions.

Mr. Stark recalled, from the last meeting, that Mr. Barraco had his staff send drawings for the south gate for the bridge or markups but no actual drawings were received but landscaping and palm trees were installed. Mr. Robert Nelson indicated that they were going to try filling the area in with Clusia. Asked if people still enter through the area, Mr. Stark stated the area is fairly well-sealed off on the CDD side but on the Hampton Lakes side of the canal; going west, it is still open.

Mr. Stark stated the Levines advised him that a lot of trash is visible in the lakes because of the low water levels, and that they previously notified CDD Staff about the debris but did not receive a response to their initial contact. Mr. Willis stated, if they are the same people from last month, he observed trash on his initial inspection and SOLitude picked it up the next day.

Discussion resumed regarding portions of land on the GIS map.

Mrs. Adams stated an Exhibit in the Assignment Agreement will include the areas in question.

Mr. Stark noted part of the preserve, between Western Manor and Walnut Run, has been a mowed area. The area was identified as Wetlands 34. Mrs. Adams stated the area will

need to be restored and asked who has been mowing it. Mr. Krebs stated he will inspect the area and install appropriate signage; he noted that drainage structures might exist in the areas. Mr. Stark stated he previously reported an underground electrical vault in the area.

Mr. Stark asked if anyone did anything or heard from Lennar regarding the lockbox to be installed for the Fire Department. A resident stated he was called about a lock to be installed on the fence. Mr. Stark stated the lock in question is for the emergency exit that runs parallel to the canal, at the south end of the white fence in Hampton Lakes; it has been unlocked and residents are complaining.

Mr. Stark stated residents received a letter from the Florida Fish and Wildlife Conservation Commission (FWC) regarding reducing nitrates. He noted that Juniper services both The Cascades and the CDD and the Golf Course services quite a bit of area. In his opinion, they should be asked if they have any statistics or programs in place to reduce the load. Mr. Adams stated the guidelines generally apply to individual use, given that licensed contractors are required to follow the Lee County Fertilizer Ordinance and best management practices. Golf courses are more responsible with fertilizer use as they manage 150 to 175 acres of golf course. Mr. Stark estimated that those two entities service two-thirds or three-quarters of the CDD and Hampton Lakes is the only neighborhood with individual, homeowner landscaping.

Discussion ensued regarding the guidelines.

Mr. Adams stated the target is agricultural property upstream and old septic tanks, not new communities such as the CDD, which are constructed to new standards. In his response to the FWC, he indicated that there was no change year-over-year.

**NINTH ORDER OF BUSINESS**

**Adjournment**

**On MOTION by Mr. Morash and seconded by Mr. Stark, with all in favor, the meeting adjourned at 4:18 p.m.**

[SIGNATURES APPEAR ON THE FOLLOWING PAGE]

  
Secretary/Assistant Secretary

  
Chair/Vice Chair