

**MINUTES OF MEETING
MOODY RIVER ESTATES
COMMUNITY DEVELOPMENT DISTRICT**

The Regular Meeting of the Board of Supervisors of the Moody River Estates Community Development District was held on Thursday, October 18, 2007 at 2:10 p.m., at the offices of Heidt & Associates, 3800 Colonial Boulevard, Suite 200, Fort Myers, Florida 33966.

Present and constituting a quorum were:

Jack Shea	Chairman
Kathy Jorgensen	Vice Chairperson
Kathy Shea	Assistant Secretary
Ilse Mayer	Assistant Secretary
Terry Pye	Assistant Secretary

Also present were:

Corinne Norton	Assistant Regional Manager
Chuck Adams	District Manager
Cleo Crismond	Assistant Regional Manager
Mike Neff	District Engineer
Jere Earlywine	District Counsel

FIRST ORDER OF BUSINESS:

Roll Call

Ms. Norton called the meeting to order and called the roll.

SECOND ORDER OF BUSINESS:

Discussion of possible Candidates.

Ms. Norton stated at this time we would like to consider nominations of candidates to fill the unexpired terms of Supervisor Peggy Siebert and Supervisor Fred Weidig, who have resigned from the Board.

On MOTION by Mr. Shea and seconded by Ms. Jorgensen with all in favor of appointing Ms. Ilse Mayer to fill the unexpired term of Supervisor Peggy Siebert which will expire November 2009.

On MOTION by Mr. Shea and seconded by Ms. Jorgensen with all in favor of appointing Mr. Terry Pye to fill the unexpired term of Supervisor Fred Weidig which will expire November 2007.

Ms. Norton, a Notary of the State of Florida and duly authorized, administered the Oath of Office to Ms. Mayer and Mr. Pye. Ms. Norton provided the necessary forms to file with the State and a copy of the Sunshine Law.

Mr. Earlywine discussed the Sunshine Law and Code of Ethics with the new Board members and informed the members of their right to compensation.

Mr. Adams reminded the Board of the Landowner’s Election to be held on November 6, 2007 at 1:00 p.m., at this location to be followed by a regular meeting.

THIRD ORDER OF BUSINESS: **Consideration of Resolution 2008-1 Re-designating the Officers of the District**

Ms. Norton explained that Resolution 2008-1 is for the purpose of re-designating the Officers of the District in order to conduct District business.

On MOTION by Ms. Jorgensen and seconded by Ms. Shea with all in favor of appointing Mr. John Shea as Chairman of the Moody River Estates C.D.D.

On MOTION by Mr. Shea and seconded by Ms. Shea with all in favor of appointing Ms. Jorgensen as Vice Chairperson of Moody River Estates C.D.D.

On MOTION by Mr. Shea and seconded by Mr. Pye with all in favor of accepting Resolution 2008-1; re-designating the Officers of the District.

The Slate of Officers is approved as follows:

- | | |
|----------------------|-----------------|
| Chairman: | Jack Shea |
| Vice Chairperson: | Kathy Jorgensen |
| Assistant Secretary: | Ilse Mayer |
| Assistant Secretary: | Terry Pye |
| Assistant Secretary | Kathy Shea |
| Treasurer: | Craig Wrathell |
| Assistant Treasurer: | Chuck Adams |
| Secretary: | Chuck Adams |
| Assistant Secretary: | Craig Wrathell |

FOURTH ORDER OF BUSINESS: Affidavits of Publication

Copies of the Affidavits of Publication were included within the Agenda Packages pertaining to the Publication for Notice to Bidders for Professional Auditing Services.

FIFTH ORDER OF BUSINESS: Consideration of Award of Contract for Professional Auditing Services

This item was deferred to the next scheduled meeting.

SIXTH ORDER OF BUSINESS: Approval of August 29, 2007 Meeting Minutes

On MOTION by Mr. Shea and seconded by Ms. Jorgensen with all in favor of approving the August 29, 2007 Meeting Minutes as amended.

SEVENTH ORDER OF BUSINESS: Other Business

Mr. Adams provided under separate cover a copy of Resolution 2008-2; for the purpose of designating an Office of Record for Official Notices. District Counsel has recommended that the Office of Record be Wrathell, Hart, Hunt & Associates.

On MOTION by Ms. Shea and seconded by Ms. Jorgensen with all in favor of approving Resolution 2008-2; appointing Wrathell, Hart, Hunt & Associates as the Office of Record for Moody River Estates C.D.D.

EIGHTH ORDER OF BUSINESS: Staff Reports.

A. Attorney

Mr. Earlywine discussed a letter received from Meritage Homes at the last meeting. The letter states that Mood Development Corporation may be filing a claim against the District; the claim being that they don't feel they were properly included in the District; not given the correct notices and therefore not subject to assessments levied by the District. Mr. Earlywine stated we do not agree with that argument; it appears that the District was properly established; the assessments

that are levied were properly levied and the landowners were given the correct notices. Meritage asked that portions of the construction fund be held back until this potential claim is resolved. There are no infrastructure improvements that are completed out there now and no claim has been filed against the District at this time. Mr. Earlywine stated let's wait to see if an actual claim is filed and see what happens with completion of the infrastructure so we will know how to proceed.

Discussion followed regarding the area involved with this potential claim.

Mr. Earlywine stated the District's Fiscal Year has come to an end and there are still some delinquent assessments; the statutory period is a year before filing a lawsuit. This item will be further discussed at the next meeting.

B. Engineer

There being no report, the next item followed.

C. Manager

The unaudited financial statements as of September 30, 2007 were provided in the Agenda Packages.

The approved Meeting Schedule for Fiscal Year 2008 was distributed.

Ms. Norton reminded the Board of the November 6, 2007 Landowner's Election and Regular Meeting.

Mr. Adams reviewed the format of the Landowner's Election and explained the Regular meeting will immediately follow.

NINTH ORDER OF BUSINESS:

Supervisors Requests and Audience Comments

There being no Supervisors' Requests and no Audience present, the next item followed.

TENTH ORDER OF BUSINESS:

Adjournment

There being no further business, all were in favor of adjournment.

On MOTION by Mr. Shea and seconded by Ms. Jorgensen with all in favor, the meeting was adjourned.

She H. Mayer
Secretary/Assistant Secretary

John M. She
Chairman/Vice Chairperson