

# Moody River Estates Community Development District

6131 Lyons Road, Suite 100 • Coconut Creek, FL 33073

Phone (954) 426-2105 • Fax (954) 426-2147 • Toll-free: (877) 276-0889

November 1, 2007

Board of Supervisors  
Moody River Estates Community Development District

Dear Board Members:

The Auditor Selection Committee and Regular Meeting of the Board of Supervisors of the Moody River Estates Community Development District will be held on **Tuesday, November 6, 2007**, immediately following the Landowners Meeting scheduled for **1:00 P.M.**, at the offices of **Heidt & Associates, 3800 Colonial Blvd., Suite 200, Fort Myers, Florida 33966**. The following is the advance agenda for this meeting:

1. Roll Call
2. Administer Oath of Office to the newly elected Supervisors, with the following to be provided in a separate package
  - Overview of District Responsibilities
  - Guide to the Sunshine Amendment and Code of Ethics
  - Form 1 – Statement of Financial Interests
  - Form 1X – Amendment to Form 1 - Statement of Financial Interests
  - Form 1F – Final Statement of Financial Interests
3. Consideration of **Resolution 2008-3** Canvassing and Certifying the Results of the Landowners Election
4. Consideration of **Resolution 2008-4** Re-Designating the Officers of the Moody River Estates Community Development District
5. Proof of newspaper advertisements for Publication for Notice to Bidders - Request for Proposals for Professional Auditing Services, Notice of Auditor Selection Committee Meeting and Regular Board Meeting, Notice of Landowners Meeting and Regular Meeting, and Notice of Rescheduled Auditor Selection Committee and Regular Board Meeting
6. Consideration of Award of Contract for Professional Auditing Services with Board of Supervisors sitting as Auditor Selection Committee – *deferred from October 18, 2007 meeting*
7. Continued discussion and consideration of **Resolution 2008-2** relating to the assumption of responsibility for the surface water management system by the District and providing an effective date [*presented at June 12, 2007 meeting, deferred from July 24, 2007 meeting and requested to be carried onto this agenda for continued discussions as additional permitting issues need to be addressed*]


8. Consideration of Amendment to Agreement between Moody River Estates CDD and Wrathell, Hart, Hunt and Associates, LLC for Management Advisory Services to include Special Assessment Services
9. Approval of the **October 18, 2007** meeting minutes
10. Other Business
11. Staff Reports
  - a. Attorney
  - b. Engineer
  - c. Manager
12. Supervisors' Requests and Audience Comments
13. Adjournment

The sixth order of business is the consideration of Award of Contract for professional auditing services. A request for proposals (RFP) was recently advertised for Certified Public Accountant firms to audit financial statements for the Fiscal Year ending September 30, 2007, and for each Fiscal Year thereafter through September 30, 2012. The Board will officially rank the qualified respondents, utilizing the ranking sheet supplied. Based upon the rankings, negotiations will commence with the number one ranked firm.

The seventh order of business is continued discussion and consideration of Resolution 2008-2 relating to the assumption of responsibility for the surface water management system by the District and providing an effective date. This item was deferred from the June 12, 2007 and July 24, 2007 meetings, and requested to be carried over onto this agenda for discussion purposes only.

The balance of your agenda is routine in nature. In the meantime, if you have any questions or concerns, please do not hesitate to contact me directly.

Sincerely,

  
Chesley E. Adams, Jr.  
District Manager

CA:dg

For anyone unable to attend in person, but who wishes to participate via telephone, we have established a toll-free call-in number of 1-866-238-1579.

For all participants, please input the participant code of 820076. Once the host calls in, all parties will be joined on the same phone line.

Should anyone have any questions or concerns with regard to this matter, please contact Mr. Chuck Adams on his cell at (239) 464-7114.



**RESOLUTION 2008-3**

**A RESOLUTION CANVASSING AND CERTIFYING THE RESULTS OF THE LANDOWNERS ELECTION OF SUPERVISORS HELD PURSUANT TO SECTION 190.006(2), FLORIDA STATUTES**

WHEREAS, pursuant to Section 190.006(2), Florida Statute, a landowners meeting is required to be held within 90 days of the District's creation and every two years following the creation of a Community Development District for the purpose of electing Supervisors to the Board of Supervisors of the District; and

WHEREAS, following proper publication of notice thereof, such landowners meeting was held November 6, 2007, at which the below recited person was duly elected by virtue of the votes cast in his favor; and

WHEREAS, this resolution canvasses the votes, and declares and certifies the results of said election;

**NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF THE MOODY RIVER ESTATES COMMUNITY DEVELOPMENT DISTRICT;**

1. The following persons are found, certified, and declared to have been duly elected as Supervisors of and for the District, having been elected by the votes cast in his favor as shown, to wit:

_____	_____ Votes
_____	_____ Votes
_____	_____ Votes

2. In accordance with said statute, and by virtue of the number of votes cast for the respective Supervisors, they are declared to have been elected for the following term of office:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

four (4) year term  
four (4) year term  
two (2) year term

3. Said terms of office shall commence immediately upon the adoption of this Resolution.

PASSED AND ADOPTED THIS \_\_\_\_ DAY OF \_\_\_\_\_, 2007.

\_\_\_\_\_  
Chair

\_\_\_\_\_  
Secretary



**RESOLUTION 2008-4**

**A RESOLUTION RE-DESIGNATING THE OFFICERS OF  
THE MOODY RIVER ESTATES COMMUNITY  
DEVELOPMENT DISTRICT, LEE COUNTY, FLORIDA**

WHEREAS, the Board of Supervisors of the Moody River Estates Community Development District desire to appoint the below recited person(s) to the offices specified.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF THE MOODY RIVER ESTATES COMMUNITY DEVELOPMENT DISTRICT:

1. The following persons are appointed to the offices shown:

Chair	_____
Vice Chair	_____
Secretary	_____
Assistant Secretary	_____
Treasurer	_____
Assistant Secretary	_____
Assistant Secretary	_____
Assistant Secretary	_____

PASSED AND ADOPTED this \_\_\_\_\_ day of \_\_\_\_\_, 2007.

\_\_\_\_\_  
Chair/Vice-Chair

\_\_\_\_\_  
Secretary/Assistant Secretary





**NEWS-PRESS**

Published every morning - Daily and Sunday

Fort Myers, Florida

**Affidavit of Publication**

STATE OF FLORIDA  
COUNTY OF LEE

Before the undersigned authority, personally appeared

**Kathy Allebach**

who on oath says that he/she is the

**Legal Assistant**

of the News-Press, a

daily newspaper, published at Fort Myers, in Lee County, Florida; that the attached copy of advertisement, being a

**Notice of Meeting**

In the matter of

**Meeting on November 6, 2007**

In the court was published in said newspaper in the issues of

**October 23, 2007**

Affiant further says that the said News-Press is a paper of general circulation daily in Lee, Charlotte, Collier, Glades and Hendry Counties and published at Fort Myers, in said Lee County, Florida and that said newspaper has heretofore been continuously published in said Lee County, Florida, each day, and has been entered as a second class mail matter at the post office in Fort Myers in said Lee County, Florida, for a period of one year next preceding the first publication of the attached copy of the advertisement; and affiant further says that he/she has never paid nor promised any person, firm or corporation any discount, rebate, commission or refund for the purpose of securing this advertisement for publication in the said newspaper.

*Kathy Allebach*

Sworn to and subscribed before me this

23rd day of October 2007 by

**Kathy Allebach**

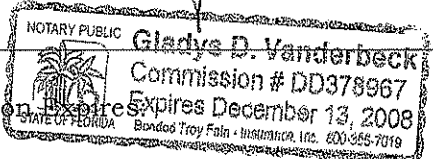
personally known to me or who has produced

as identification, and who did or did not take an oath.

Notary Public

*Gladys D. Vanderbeck*

Print Name



My commission expires

**NOTICE OF RE-SCHEDULED AUDITOR SELECTION COMMITTEE MEETING MOODY RIVER ESTATES COMMUNITY DEVELOPMENT DISTRICT**  
The Auditor Selection Committee of the Moody River Estates Community Development District will hold a rescheduled meeting during the regular business meeting to be held on Tuesday, November 6, 2007 at 1:00 p.m. at the office of Heidt & Associates, 3800 Colonial Blvd., Suite 200, Fort Myers, Florida 33966.  
The purpose of this rescheduled meeting is for the Committee to select an auditing firm to perform Professional Auditing Services on behalf of the District. The meeting is open to the public and will be conducted in accordance with the provisions of Florida Law for Community Development Districts.  
This meeting may be continued to a date, time and location specified on the record at the regular business meeting.  
In accordance with the provisions of the Americans with Disabilities Act, any person requiring special accommodations or an interpreter to participate at these meetings should contact the District Manager at (239) 498-9020, at least five (5) days prior to the date of the meetings.  
If any person decides to appeal any decision made with respect to any matter considered at this meeting, such person will need a record of the proceedings and such person may need to ensure that a verbatim record of the proceedings is made at their own expense and which record includes the testimony and evidence on which the appeal is based.  
District Manager  
Moody River Estates Community Development District  
Oct 23 No. 1235321

**NEWS-PRESS**

Published every morning - Daily and Sunday

Fort Myers, Florida

**Affidavit of Publication**

STATE OF FLORIDA  
COUNTY OF LEE

Before the undersigned authority, personally appeared

**Kathy Allebach**

who on oath says that he/she is the

**Legal Assistant** of the News-Press, a daily newspaper, published at Fort Myers, in Lee County, Florida; that the attached copy of advertisement, being a

**Notice of Meeting**

In the matter of

**Meeting on November 6, 2007**

In the court was published in said newspaper in the issues of

**October 15, 22, 2007**

Affiant further says that the said News-Press is a paper of general circulation daily in Lee, Charlotte, Collier, Glades and Hendry Counties and published at Fort Myers, in said Lee County, Florida and that said newspaper has heretofore been continuously published in said Lee County, Florida, each day, and has been entered as a second class mail matter at the post office in Fort Myers in said Lee County, Florida, for a period of one year next preceding the first publication of the attached copy of the advertisement; and affiant further says that he/she has never paid nor promised any person, firm or corporation any amount, rebate, commission or refund for the purpose of securing this advertisement for publication in the said newspaper.

Sworn to and subscribed before me this

22nd day of October 2007 by

**Kathy Allebach**

personally known to me or who has produced

as identification, and who did or did not take an oath.

Notary Public

Print Name

NOTARY PUBLIC  
  
Gladys D. Vanderbeck  
Commission # DD378967  
Expires December 13, 2008  
Bonds of Troy Pain - Insurance, Inc. 800-385-7018

My commission expires

**MOODY RIVER ESTATES COMMUNITY DEVELOPMENT DISTRICT NOTICE OF LANDOWNERS MEETING AND REGULAR BOARD MEETING**  
NOTICE IS HEREBY GIVEN that the Landowners Meeting of the Moody River Estates Community Development District will be held at 1:00 p.m. on Tuesday, November 6, 2007 at the offices of Heidt & Associates, 3800 Colonial Blvd., Suite 200, Fort Myers, Florida 33966.  
The primary purpose of the Landowners Meeting is to elect three (3) Supervisors of the Moody River Estates Community Development District.  
Immediately thereafter, the District's Regular Board Meeting will take place. The purpose of this meeting is for the Board to consider any business which may properly come before it. The meeting is open to the public and will be conducted in accordance with the provisions of Florida Law for Community Development Districts.  
Said meetings may be continued from time to time, as deemed necessary.  
A copy of the agendas for these meetings may be obtained by contacting the District's Management office by phoning (877) 276-0889 at least five (5) days prior to the date of the meetings.  
If any person decides to appeal any decision made with respect to any matter considered at this meeting, such person will need a record of the proceeding and such person may need to insure that a verbatim record of the proceeding is made at his or her own expense and which record includes the testimony and evidence on which the appeal is based.  
In accordance with the provisions of the Americans with Disabilities Act, any person requiring special accommodations or an interpreter to participate at this meeting should contact the District Manager by telephone at (877) 276-0889 at least seven (7) days prior to the date of the particular meeting.  
District Manager  
Moody River Estates Community Development District  
Oct 15, 22 No. 1233511

**NEWS-PRESS**

Published every morning - Daily and  
Sunday

Fort Myers, Florida

**Affidavit of Publication**

STATE OF FLORIDA  
COUNTY OF LEE

Before the undersigned authority, personally appeared

**Kathy Allebach**

who on oath says that he/she is the

**Legal Assistant**

of the News-Press, a

daily newspaper, published at Fort Myers, in Lee County,  
Florida; that the attached copy of advertisement, being a

**Notice of Meeting**

In the matter of

**Meeting on October 18, 2007**

In the court was published in said newspaper in the  
issues of

**October 11, 2007**

Affiant further says that the said News-Press is a paper of  
general circulation daily in Lee, Charlotte, Collier, Glades

and Hendry Counties and published at Fort Myers, in said Lee  
County, Florida and that said newspaper has heretofore been  
continuously published in said Lee County, Florida, each day,  
and has been entered as a second class mail matter at the post  
office in Fort Myers in said Lee County, Florida, for a period of  
one year next preceding the first publication of the attached copy

of the advertisement; and affiant further says that he/she has  
either paid nor promised any person, firm or corporation any  
discount, rebate, commission or refund for the purpose of  
securing this advertisement for publication in the said  
newspaper.

*Kathy Allebach*

Sworn to and subscribed before me this

11th day of October 2007 by

**Kathy Allebach**

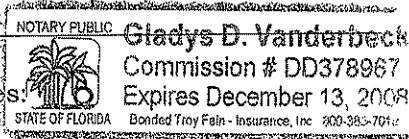
personally known to me or who has produced

\_\_\_\_\_ as identification, and who did or did not take an  
oath.

Notary Public

*Gladys D. Vanderbeck*

Print Name

NOTARY PUBLIC  
  
STATE OF FLORIDA  
Bonded Troy Fahn - Insurance, Inc. 900-383-7012

My commission Expires:

**NOTICE OF AUDITOR SELECTION COMMITTEE MEETING AND REGULAR BOARD MEETING MOODY RIVER ESTATES COMMUNITY DEVELOPMENT DISTRICT**

The Auditor Selection Committee of the Moody River Estates Community Development District will hold a Meeting on Thursday, October 18, 2007 at 1:00 p.m. at the office of Heldt & Associates, 3800 Colonial Blvd., Suite 200, Fort Myers, Florida 33966.

The purpose of this meeting is for the Committee to select an auditing firm to perform Professional Auditing Services on behalf of the District. The meeting is open to the public and will be conducted in accordance with the provisions of Florida Law for Community Development Districts.

Immediately following, the Board of Supervisors will hold a regularly scheduled Board meeting at which the Board will consider any business that may properly come before it. These meetings may be continued to a date, time and location specified on the record at the meetings.

In accordance with the provisions of the Americans with Disabilities Act, any person requiring special accommodations or an interpreter to participate at these meetings should con-

tact the District Manager at (239) 498-9020, at least five (5) days prior to the date of the meetings.

If any person decides to appeal any decision made with respect to any matter considered at this meeting, such person will need a record of the proceedings and such person may need to ensure that a verbatim record of the proceedings is made at their own expense and which record includes the testimony and evidence on which the appeal is based.

District Manager  
Moody River Estates  
Community Development District  
10/11 No.1231039

**NEWS-PRESS**  
Published every morning - Daily and  
Sunday  
Fort Myers, Florida  
**Affidavit of Publication**

STATE OF FLORIDA  
COUNTY OF LEE

Before the undersigned authority, personally appeared  
**Kathy Allebach**  
who on oath says that he/she is the  
**Legal Assistant** of the News-Press, a  
daily newspaper, published at Fort Myers, in Lee County,  
Florida; that the attached copy of advertisement, being a  
**Request for Bids**

In the matter of  
**Professional Audit Services**  
In the court was published in said newspaper in the  
issues of  
**September 18, 2007**

Affiant further says that the said News-Press is a paper of  
general circulation daily in Lee, Charlotte, Collier, Glades  
and Hendry Counties and published at Fort Myers, in said Lee  
County, Florida and that said newspaper has heretofore been  
continuously published in said Lee County, Florida, each day,  
and has been entered as a second class mail matter at the post  
office in Fort Myers in said Lee County, Florida, for a period of  
one year next preceding the first publication of the attached copy  
of the advertisement; and affiant further says that he/she has  
neither paid nor promised any person, firm or corporation any  
unt, rebate, commission or refund for the purpose of  
ing this advertisement for publication in the said  
newspaper.



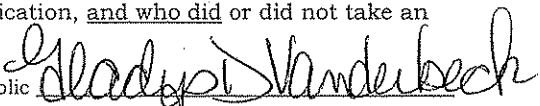
Sworn to and subscribed before me this

18th day of September 2007 by

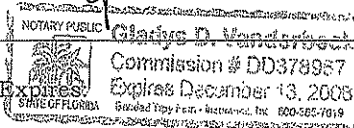
**Kathy Allebach**  
personally known to me or who has produced

as identification, and who did or did not take an  
oath.

Notary Public



Print Name



My commission Expires

**Notice to Bidders  
Request for  
Proposals  
for  
Professional Auditing  
Services  
Moody River Estates  
Community  
Development District**  
**NOTICE IS HERE-  
BY GIVEN** that the  
Moody River Estates  
Community Develop-  
ment District, locat-  
ed in Lee County,  
Florida, is requesting  
proposals from qual-  
ified firms of certi-  
fied public account-  
ants, licensed to  
practice in the State  
of Florida, to audit  
its financial state-  
ments for the fiscal  
year ending Septem-  
ber 30, 2007, and for  
each fiscal year  
thereafter through  
September 30, 2012.  
There is no ex-  
pressed or implied  
obligation for the  
District to reimburse  
responding firms for  
any expenses incur-  
red in preparing pro-  
posals in response to  
this request.  
A copy of the Re-  
quest for Proposals  
package may be ob-  
tained by contacting  
the District Manag-  
er's office, whose  
phone number is  
(954) 426-2105.  
Sealed technical  
and dollar cost pro-  
posals will be re-  
ceived by the District  
Manager's office un-  
til 10:00 a.m. on Mon-  
day, October 15, 2007,  
at the District's Of-  
fice, c/o Wrathell,  
Hart, Hunt and Assoc-  
iates, L.L.C. located  
at 6131 Lyons Road,  
Suite 100, Coconut  
Creek, Florida 33073.  
Proposals received  
after this time will be  
returned unopened.  
The Proposer shall  
submit a sealed and  
clearly marked enve-  
lope with one (1)  
original and seven  
(7) copies of a Tech-  
nical Proposal to be  
marked as follows:  
"Technical Proposal  
for Professional Au-  
diting Services, Moo-  
dy River Estates  
Community Develop-  
ment District."  
The Proposer shall  
also submit a sepa-  
rate sealed and  
clearly marked enve-  
lope with one (1)  
original and seven  
(7) copies of a Dollar  
Cost Proposal to be  
marked as follows:  
"Dollar Cost Proposal  
for Professional Au-  
diting Services, Moo-  
dy River Estates  
Community Develop-  
ment District."  
Technical Proposals  
will then be opened  
in the Office of the  
District Manager at  
11:00 a.m. on Mon-  
day, October 15, 2007.  
The District re-  
serves the right to  
reject any or all pro-  
posals submitted.  
The District reserves  
the right to retain all  
proposals submitted  
and to use, without  
compensation, any  
ideas in a proposal  
regardless of wheth-  
er that proposal is  
selected. Submission  
of a proposal indi-  
cates acceptance by  
the firm of the condi-  
tions contained in  
this request for pro-  
posals, unless clearly  
and specifically not-  
ed in the proposal  
submitted and con-  
firmed in the con-  
tract between the  
District of and the  
firm selected.  
District Manager  
Moody River Estates  
Community  
Development District  
Sept 18 No. 1226026



**RESOLUTION NO 2008-2**

**A RESOLUTION OF THE BOARD OF SUPERVISORS OF THE MOODY RIVER ESTATES COMMUNITY DEVELOPMENT DISTRICT, OF LEE COUNTY, FLORIDA, RELATING TO THE ASSUMPTION OF RESPONSIBILITY FOR THE SURFACE WATER MANAGEMENT SYSTEM BY THE DISTRICT; PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, the Moody River Estates Community Development District, hereinafter referred to as "District", was established in 2004 by Lee County Ordinance #04-20, pursuant to Chapter 190 of the Florida Statutes as amended; and

**WHEREAS**, the District has agreed to accept responsibility for the operation and maintenance of the surface water management system associated with Application # \_\_\_\_\_; and

**WHEREAS**, THIS Resolution will be relied upon by South Florida Water Management District in reviewing application # \_\_\_\_\_.

**NOW, THEREFORE**, be it resolved by the Board of Supervisors of the Moody River Estates Community Development District that:

1. This resolution is adopted pursuant to the provisions of Chapter 190, Florida Statutes.
2. The District hereby acknowledges and affirms that it will accept responsibility for the operation and maintenance of the surface water management system associated with Application # \_\_\_\_\_.
3. This Resolution shall take effect immediately upon its adoption.

**PASSED AND ADOPTED** this \_\_\_\_ day of \_\_\_\_\_, 2007.

Attest:

**BOARD OF SUPERVISORS OF THE  
MOODY RIVERS ESTATES  
COMMUNITY DEVELOPMENT  
DISTRICT**

\_\_\_\_\_  
Name: \_\_\_\_\_  
Title: Secretary/Assistant Secretary

By: \_\_\_\_\_  
Printed Name: \_\_\_\_\_  
Title: Chair/Vice Chair

**STATE OF FLORIDA  
COUNTY OF LEE**

The foregoing instrument was acknowledged before me this \_\_\_\_ day of \_\_\_\_\_, 2007 by \_\_\_\_\_, as Chairman/Vice Chairman of the Moody Rivers Estates Community Development District. He/She is personally known to me or has produced \_\_\_\_\_ as identification.

[SEAL]

\_\_\_\_\_  
Notary Public  
Printed Name: \_\_\_\_\_

**STATE OF FLORIDA  
COUNTY OF LEE**

The foregoing instrument was acknowledged before me this \_\_\_\_ day of \_\_\_\_\_, 2007 by \_\_\_\_\_, as Secretary/Assistant Secretary of the Moody River Estates Community Development District. He/She is personally known to me or has produced \_\_\_\_\_ as identification.

[SEAL]

\_\_\_\_\_  
Notary Public  
Printed Name: \_\_\_\_\_





**AMENDMENT TO AGREEMENT BETWEEN  
MOODY RIVER ESTATES COMMUNITY DEVELOPMENT DISTRICT AND  
WRATHELL HART, HUNT AND ASSOCIATES, LLC  
FOR MANAGEMENT ADVISORY SERVICES  
TO INCLUDE SPECIAL ASSESSMENT SERVICES**

**SPECIAL ASSESSMENT SERVICES**

**PROJECT DESCRIPTION:** Special assessment professional services associated with, necessary for and/or incidental to the maintenance of the Moody River Estates Community Development District Special Assessment Lien Book and preparation of the annual special assessment roll for capital and maintenance special, non-ad valorem assessments.

**I. SCOPE OF SERVICES:**

1. **Assessment Lien Book:** Prepare and maintain the official Moody River Estates Community Development District Special Assessment Lien Book. The Lien Book will be based on the official property ownership information obtained from the Lee County Property Appraiser:
  - Annually review all parcel information and compare it to same from the preceding year.
  - Periodically update the Lien Book for activities such as transfer of title, recording of plat, density and product changes, payment of annual assessment, prepayment of principal.
  - Calculate and collect density reduction payments based on changes in the development plan.
  - Provide pay off information upon request to property owners, realtors and title companies.
  - Release assessment liens upon prepayment or full payment at maturity.
  
2. **Assessment Roll Preparation:** Prepare annual non-ad valorem assessment roll for capital and maintenance special assessments. The assessment roll will be based on the official property ownership information obtained from the Lee County Property Appraiser:
  - Allocate capital assessments according to the adopted special assessment methodology. Continually monitor and make modifications to the allocations due to changes in land uses and/or product densities.
  - Prepare the required annual debt service fund budgets as part of the overall annual District budget.
  - Reviewed and compare information received from the Lee County Property Appraiser to prior years' rolls to insure that the CDD rolls are in compliance with the law and that all pertinent information required in order to prepare accurate special assessment rolls has been obtained.
  - Periodically update the database for activities such as transfer of title, payment of annual assessment, prepayment of principal.

- After the adoption of the annual District Budget and before September 15th of each year, prepare, certify and transmit the annual assessment roll to Lee County Property Appraiser.
- Invoice developers for assessments which are not collected on the Lee County Tax Collector's annual real estate tax bill.
- Act as the primary contact to answer property owner questions regarding special assessments.

**II. BASIS OF COMPENSATION:**

The special assessment services fees outlined below are effective starting one fiscal year prior to the fiscal year when the assessments are to be collected for special assessments collected on the tax rolls and in the year they are collected for developer assessments.

**1. Assessments on Tax Rolls:**

Operations: Base annual fee for general funds once debt service fund assessments are collected (per fund) - \$2,500

Debt Service: Base annual fee for debt service fund (per bond issue) - \$10,000

PASSED AND ADOPTED THIS \_\_\_\_ DAY OF \_\_\_\_\_, 2007.

---

Chair/Vice Char

---

Secretary/Assistant Secretary



**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 Jorgenson	Vice Chairperson
Kathy Shea	Assistant Secretary
Isle Mayor	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. Isle Mayor 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.**



**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 New 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.**

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Secretary/Assistant Secretary

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Chairman/Vice Chairperson