

**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, May 15, 2008 at 1:00 p.m.**, at the offices of **Heidt & Associates, 3800 Colonial Blvd., Suite 200, Fort Myers, FL 33966.**

Present and constituting a quorum were:

Terry Pye	Vice Chairman
Ilse Mayer	Assistant Secretary
Kathy Shea	Assistant Secretary

Also present were:

Chuck Adams (via telephone)	District Manager
Matt Morris	Client Services Manager
Cleo Crismond	Assistant Regional Manager
Jere Earlywine	District Counsel
Michael Neff	District Engineer

FIRST ORDER OF BUSINESS:

Call to Order/Roll Call

Mr. Morris called the meeting to order and called the roll.

SECOND ORDER OF BUSINESS:

**Discussion/Consideration of Candidates
to Fill Seat 4**

On MOTION by Ms. Mayer and seconded by Ms. Shea with all in favor, Mr. Matt Harrell was appointed to fill Seat 4, vacated by the resignation of Supervisor Jack Shea, which expires November 2009.

Mr. Morris, a Notary of the State of Florida and duly authorized, administered the Oath of Office to Mr. Harrell. Mr. Morris provided the required documents for filing with the Supervisor of Elections and a copy of the Sunshine Law/Code of Ethics.

THIRD ORDER OF BUSINESS:

Acceptance of Resignation

Mr. Morris provided a copy of the resignation letter from Ms. Kathy Jorgensen in the agenda packages.

On MOTION by Mr. Pye and seconded by Ms. Shea with all in favor of accepting the resignation of Supervisor Kathy Jorgensen.

FOURTH ORDER OF BUSINESS:

Consideration of Resolution 2008-6

Mr. Morris explained that the purpose of Resolution 2008-6 is for approving the proposed budget and setting the Public Hearing, which is scheduled for August 21, 2008 at 1:00 p.m., at this location.

Mr. Morris reviewed the budget as requested by Mr. Earlywine, noting there is little change to the budget compared to the Fiscal Year 2008 budget.

Mr. Adams clarified the gross increase in the expenses is approximately \$10,000.00; there is a minor increase in the assessment to each homeowner.

Discussion followed regarding lowering the expenses in order to avoid an increase in the homeowner's assessments.

Mr. Adams suggested using a portion of the Operating Fund reserve, approximately \$6,000.00, and applying it to the revenue funds to reduce the on roll assessments.

The Board discussed keeping the assessments the same for the upcoming year.

On MOTION by Mr. Pye and seconded by Ms. Shea with all in favor of approving Resolution 2008-6; adopting the proposed Budget, with corrections as noted, and setting the Public Hearing for August 21, 2008 at 1:00 p.m., at this location.

FIFTH ORDER OF BUSINESS:

Consideration of Resolution 2008-7

Mr. Morris explained that Resolution 2008-7 is for the purpose of extending the terms of office of all current Supervisors to coincide with the General Election.

Mr. Earlywine further explained that the District could reduce the current terms, or extend the terms, this would require additional payment to the Supervisor of Elections.

Mr. Earlywine discussed a correction to the minutes regarding the motion approving the acquisition of the infrastructure in the south parcel; the motion should include “not to exceed \$1.8 million dollars”. The Utilities in the south parcel were discussed and the amount is \$985,489.30. Mr. Earlywine stated that the motion of March 20th should be rescinded.

On MOTION by Ms. Mayer and seconded by Ms. Shea with all in favor of rescinding the motion from March 20, 2008 regarding the acquisition of infrastructure in the south parcel.

Mr. Earlywine explained that the next motion should be to acquire the water and sewer utilities in the southern portion of the District in the amount of \$985,489.30 and authorize Staff to turn over the infrastructure once acquired to the County, consistent with the improvement plan upon review by District Counsel.

On MOTION by Ms. Shea and seconded by Mr. Pye with all in favor of approving the acquisition of the water and sewer infrastructure in the southern portion in the amount of \$985,489.30 & authorizing Staff to finalize improvement transfer with the County.

Mr. Earlywine discussed the acquisition of the stormwater system in the southern portion of the District in an amount not to exceed \$1.6 million. This should be reviewed by District Counsel and District Engineer upon receipt of the appropriate documentation.

On MOTION by Ms. Mayer and seconded by Ms. Shea with all in favor of acquiring the Stormwater system in the southern portion of the District in an amount not to exceed \$1.6 million upon review by District Counsel and District Engineer of the appropriate documents.

Mr. Earlywine discussed an overcharge on the assessments last year in the amount of approximately \$34,000.00 and that this will be reviewed by the County.

On MOTION by Mr. Pye and seconded by Ms. Shea with all in favor of authorizing Staff to issue a refund to Colonial in the amount not to exceed \$35,000.00.

Mr. Earlywine discussed the controversy regarding the eastern parcel and stated our office will be discussing this further in order to resolve the issue. I will bring back a report at the next meeting.

Ms. Mayer referred to the contents of the Rarco.com Website and the false advertisement. Mr. Earlywine will also investigate this issue and report back to the Board.

b. Engineer

Mr. Neff presented a requisition for Attorney's fees in the amount of \$355.75.

On MOTION by Mr. Pye and seconded by Ms. Shea with all in favor of approving the requisition for Attorney's fees in the amount of \$355.75 subject to District Counsel review.

c. Manager

i. Unaudited financial statements as of March 31, 2008.

TENTH ORDER OF BUSINESS:

Audience Comments/Supervisors' Requests

There being none, the next item followed.

ELEVENTH ORDER OF BUSINESS:

Adjournment

There being no further business, all were in agreement with adjournment.

On MOTION by Ms. Mayer and seconded by Ms. Shea with all in favor, the meeting adjourned at 1:45 p.m.


Secretary/Assistant Secretary


Chairman/Vice Chairman