

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

The Regular Meeting of the Moody River Estates Community Development District's Board of Supervisors was held on **Thursday, July 17, 2008 at 1:00 p.m.**, at the offices of **Heidt & Associates, 3800 Colonial Boulevard, Suite 200, Fort Myers, Florida 33966.**

Present and constituting a quorum were:

Terry Pye	Vice Chairperson
Kathy Shea	Assistant Secretary
Ilse Mayer	Assistant Secretary
Matt Harrell (via telephone)	

Also present were:

Matt Morris	Client Services Manager
Cleo Crismond	Assistant Regional Manager
Chuck Adams (via telephone)	District Manager
Jeff Berry	Supervisor Elect
Mike Eckert	District Counsel
Mike Neff	District Engineer
Michael Szymonowicz (via telephone)	WHHA

FIRST ORDER OF BUSINESS

Call to Order/Roll Call

Mr. Morris called the meeting to order at 1:00 p.m., and called the roll.

SECOND ORDER OF BUSINESS

Administration of Oath of Office to Newly Appointed Supervisor Jeff Berry

Mr. Morris, a Notary of the State of Florida and duly authorized, administered the Oath of Office to newly appointed Supervisor Jeff Berry. Mr. Morris also provided the necessary documents for filing with the County and the State, as well as a copy of the Sunshine Law/Code of Ethics for Public Officers.

Mr. Eckert clarified the process of storing CDD records as required by Florida Law and discussed the right to accept compensation for serving on the Board of Supervisors.

Mr. Berry stated he would accept compensation.

THIRD ORDER OF BUSINESS

Discussion: Status of Special Assessment Methodology at East Parcel

****This agenda item, formerly the fifth order of business, was presented out of order.****

Mr. Eckert explained the Assessment process and development plan for the District. The Engineer's Report included cost estimates for the main area of the District as well as Moody East.

Mr. Eckert discussed the initial Bond issuance and the litigation between Meritage and Mood Development Corp./Moody East. Moody East is questioning the benefits of current improvements and whether they will participate in the Capital Improvement Plan of the District in the future. District Counsel has been researching this to determine what the proper allocation of benefit is and if it should change at all.

Mr. Eckert explained the assessments in the Supplemental Assessment Methodology and stated we need to ask Moody East if they want the District to work towards completing the original infrastructure, the sale of additional Bonds and the levy of additional assessments on their property. If they say no, then we need to revisit the benefit analysis because the benefit may be limited to the amount of the sewer, storm water management and etc., that benefits the Moody East property.

Mr. Eckert requested direction from the Board as to how to proceed with Moody East to avoid over-assessing property owners for the planned improvements that may have changed.

Ms. Mayer expressed concern regarding the amenities and the associated easements that would have been provided by the Moody East property.

Mr. Eckert encouraged the Board to consider this issue at this time to avoid larger legal difficulties in the future.

Discussion followed regarding the assessment levied on the East parcel.

Mr. Eckert recommended continuing this discussion to a special meeting so that all the information is available for consideration; the special meeting was scheduled for August 6, 2008 at 1:00 p.m.

FOURTH ORDER OF BUSINESS

Continued Discussion of the District's Proposed Budget for Fiscal Year 2009

****This agenda item, formerly the third order of business, was presented out of order.****

Mr. Morris stated that the one (1) modification is for the \$35,000 addition for potential legal costs, as discussed at last month's meeting, and the assessments have been adjusted to reflect that addition.

FIFTH ORDER OF BUSINESS

Consideration of Resolution 2008-8, Re-Designating the Officers of the Moody River Estates Community Development District

****This agenda item, formerly the fourth order of business, was presented out of order.****

Mr. Morris explained that Resolution 2008-8 is for the purpose of re-designating the Officers of the Moody River Estates Community Development District.

The Slate of Officers was decided as follows:

Ilse Mayer: Chairperson; Kathy Shea: Vice Chairperson; Chuck Adams: Secretary; Craig Wrathell: Treasurer; Chuck Adams: Assistant Treasurer; Matt Morris: Assistant Secretary; all other Board members will serve as Assistant Secretaries.

On MOTION by Mr. Pye and seconded by Ms. Shea with all in favor of re-designating the Slate of Officers of Moody River Estates CDD as stated.

SIXTH ORDER OF BUSINESS

Approval of June 19, 2008 Regular Meeting Minutes

On MOTION by Mr. Pye and seconded by Ms. Mayer with all in favor of approving the June 19, 2008 Regular Meeting Minutes as presented.

SEVENTH ORDER OF BUSINESS

Other Business

There being no Other Business, the next item followed.

EIGHTH ORDER OF BUSINESS

Staff Reports

a. Attorney

There being no report, the next item followed.

b. Engineer

There being no report, the next item followed.

c. Manager

i. Unaudited Financial Statements as of June 30, 2008

NINTH ORDER OF BUSINESS

**Audience
Requests**

Comments/Supervisors'


The District's website is complete and the address is: www.moodyriver.cdd.net

TENTH ORDER OF BUSINESS

Adjournment

There being no further business, all were in agreement with continuing the meeting to Wednesday, August 6, 2008 at 1:00 p.m.

On MOTION by Ms. Shea and seconded by Mr. Pye with all in favor, the meeting was continued to Wednesday, August 6, 2008 at 1:00 p.m.


Secretary/Assistant Secretary


Chairperson/Vice Chairperson