

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

The Continued Meeting of the Moody River Estates Community Development District's Board of Supervisors was held on **Wednesday, August 6, 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:

Ilse Mayer	Chairperson
Kathy Shea	Vice Chairperson
Matt Harrell	Assistant Secretary
Terry Pye	Assistant Secretary
Jeff Berry	Assistant Secretary

Also present were:

Chuck Adams	District Manager
Matt Morris	Client Services Manager
Cleo Crismond	Assistant Regional Manager
Mike Eckert (via telephone)	District Counsel
Michael Szymonowicz	WHHA
Strickland Smith	District Engineer

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

Discussion: Status of Special Assessment Methodology at East Parcel

Mr. Eckert stated, after the last meeting, our office has been in repeated contact with the Attorneys for Mood Development, the owner of the East parcel, regarding a commitment for representation in writing on whether or not they want the District to continue to keep the option of providing infrastructure on the East parcel open or whether or not they would prevent us from completing any projects on the East parcel. Mr. Eckert stated we have been unable to receive a response from their Attorney regarding a conference time or a meeting. He recommended to go ahead with the District Manager's recommendation regarding the assessments.

THIRD ORDER OF BUSINESS

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

Mr. Adams stated Mood Development has been unresponsive and the District will need to proceed with the Assessment Methodology as discussed at the last meeting. Mr. Adams explained the process of placing the assessments on platted units and acreage and reviewed the assessment totals as reflected in the proposed budget. There is an increase of approximately 28% for Fiscal Year 2009. A separate mailed notice is not required due to the increases not exceeding previously set caps. The Operating Budget included the adjustments that were previously discussed, including the contingency fund for possible increased legal fees.

Mr. Eckert stated we are not raising the Debt Assessment. We are changing the amount that we are certifying for collection so that it is consistent with the methodology that was adopted in conjunction with the Bond proceedings.

Mr. Szymonowicz concurred with Mr. Eckert's statement.

Mr. Eckert stated he will continue to pursue a resolution with Mood Development's attorney.

Ms. Mayer questioned the reason for the increases in assessments as a result of the East parcel not participating in further infrastructure.

Mr. Eckert explained the East parcel is receiving 204 units of the administrative portion of the budget, rather than landscape maintenance, pond maintenance, etc. The Debt Service Fund is following the methodology that was formerly adopted.

FOURTH ORDER OF BUSINESS

**Consideration of Resolution 2008-9,
Approving the District's Proposed Budget
for Fiscal Year 2009 and Setting a Public
Hearing Thereon Pursuant to Florida
Law**

Mr. Adams explained that Resolution 2008-9 was for the purpose of approving the District's Proposed Budget for Fiscal Year 2009 and setting a Public Hearing pursuant to Florida Law.

Because of the delay due to the Mood Development issue, the District will need to re-establish the Public Hearing. Mr. Adams suggested early September, in order to allow enough time for advertisement.

It was decided that the Public Hearing will be scheduled for Wednesday, September 10, 2008 at 1:00 p.m.

On MOTION by Mr. Pye and seconded by Ms. Mayer with all in favor of adopting Resolution 2008-9; approving the Proposed Budget for Fiscal Year 2009 and setting the Public Hearing for Wednesday, September 10, 2008 at 1:00 p.m., at this location.

FIFTH ORDER OF BUSINESS

Other Business

Mr. Adams presented a letter received from Johnson Engineering regarding the Moody River Estates CDD and the Stormwater Management System or MS-4.

Mr. Adams explained NPDES, National Pollutant Discharge Elimination System, the coverage the District may need under this program and the advantages of joining Lee County as a co-permittee.

Mr. Adams explained the responsibilities for the District as co-permittee and encouraged the Board to submit a Letter of Intent at this time. The estimated annual cost for the District is approximately \$25,000.00 and would provide the proper coverage under the NPDES program.

As District Engineer, Mr. Smith concurred with Mr. Adams' recommendation.

Discussion followed regarding the cost per homeowner for the Stormwater Management System under the NPDES permit.

On MOTION by Mr. Pye and seconded by Ms. Mayer with all in favor of authorizing the Manager to provide a Letter of Intent to Lee County to be co-permittee on the NPDES permit.

SIXTH 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

There being no report, the next item followed.

SEVENTH ORDER OF BUSINESS

**Audience
Requests**

Comments/Supervisors'

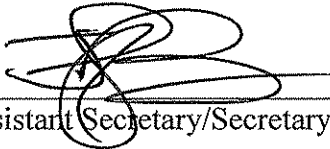
There being none, the next item followed.

EIGHTH 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 1:30 p.m.**



Assistant Secretary/Secretary


Chairperson/Vice Chairperson