

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

The Board of Supervisors of the Moody River Estates Community Development District held a Public Hearing and Regular Meeting on January 9, 2020 at 6:00 p.m., in the Clubhouse at Moody River Estates, 3050 Moody River Blvd., North Fort Myers, Florida 33903.

Present and constituting a quorum were:

Chris Jenner	Chair
Elizabeth Keeler	Vice Chair
William Keeler	Assistant Secretary
Paul Hoffman	Assistant Secretary

Also present were:

Chuck Adams	District Manager
Cleo Adams	Assistant Regional Manager
Sarah Sandy (via telephone)	District Counsel
Wes Kayne	District Engineer
John Teckorius	Resident
Teresa Silva	HOA President

FIRST ORDER OF BUSINESS

Call to Order/Roll Call

Mrs. Adams called the meeting to order at 6:02 p.m. Supervisors Jenner, Hoffman, William Keeler and Elizabeth Keeler were present, in person. Supervisor Geltner was not present.

SECOND ORDER OF BUSINESS

Public Comments (*agenda items*)

There being no public comments, the next item followed.

THIRD ORDER OF BUSINESS

Public Hearing to Hear Public Comments and Objections to the Adoption of the

**Amended and Restated Rules of Procedure,
Pursuant to Sections 190.11(5), 190.011(15)
and 190.035, Florida Statutes (2019)**

Ms. Sandy presented the Amended and Restated Rules of Procedure, which were discussed at the last meeting.

On MOTION by Ms. Keeler and seconded by Mr. Keeler, with all in favor, the Public Hearing was opened.

No members of the public spoke.

On MOTION by Mr. Keeler and seconded by Ms. Keeler, with all in favor, the Public Hearing was closed.

A. Affidavits of Publication

- **Notice of Rule Development**
- **Notice of Rule Making**

The affidavits of publication were included for informational purposes.

B. Consideration of Resolution 2020-02, Adopting Amended and Restated Rules of Procedure; Providing a Severability Clause; and Providing an Effective Date

Mrs. Adams stated that Mr. Geltner advised her that he had numerous questions about the Rules of Procedure and wanted the Chair to consider deferring this item to another date. Mr. Jenner felt that it was best to proceed because District Counsel was previously engaged to make the proposals. Discussion ensued regarding the Resolution, questions raised at the previous meeting and Mr. Geltner's request. Mr. Adams stated that the Rules of Procedure could be revisited if there are lingering concerns or anything material that was not satisfactorily answered.

Mr. Jenner presented Resolution 2020-02.

On MOTION by Mr. Keeler and seconded by Ms. Keeler, with all in favor, Resolution 2020-02, Adopting Amended and Restated Rules of Procedure; Providing a Severability Clause; and Providing an Effective Date, was adopted.

MOODY RIVER ESTATES CDD

January 9, 2020

FOURTH ORDER OF BUSINESS

Discussion: CDD Newsletter

Mr. Jenner asked if a motion was necessary regarding the CDD newsletter. Mrs. Adams stated a motion is not required because the newsletter was implemented three years ago and, since then, Staff has produced the annual newsletter. The Board recently asked to include resident articles in the newsletter, which is distributed every March. All articles should be forwarded to Management by the end of January. A Board Member pointed out a typographical error in the “Lake Bank Restoration Program” section of the newsletter and asked if a map link of the property could be inserted in future newsletters. The following changes were made:

Page 2, Lake Bank Restoration Program, first paragraph: Change “6-19” to “16-19”

Page 2, Lake Bank Restoration Program: Add a link to CDD maps.

FIFTH ORDER OF BUSINESS

Acceptance of Unaudited Financial Statements as of November 30, 2019

Mrs. Adams presented the Unaudited Financial Statements as of November 30, 2019. Assessment revenue collections were at 26%.

On MOTION by Ms. Keeler and seconded by Mr. Keeler, with all in favor, the Unaudited Financial Statements as of November 30, 2019, were accepted.

SIXTH ORDER OF BUSINESS

Approval of October 17, 2019 Regular Meeting Minutes

14:11 Mrs. Adams presented the October 17, 2019 Regular Meeting Minutes. The following changes were made:

Line 25 and throughout: Change “Walker” to “Wachter”

Line 28: Change “Patty Wacher” to “Patti Wachter”

Line 29: Insert “Teresa S.”

Line 50: Insert “all”

Line 158: Change “District Counsel” to “Mr. Kayne”

District Counsel additionally read comments into the record.

On MOTION by Mr. Keeler and seconded by Ms. Keeler, with all in favor, the October 17, 2019 Regular Meeting Minutes, as amended, were approved.

- **Action Items**

Items 24, 26, 29, 30, 35 and 40 were completed.

Items 1, 2, 3, 9 and 39 were ongoing.

In response to a Board Member's question, Mrs. Adams stated that the lake bank restoration projects were not scheduled yet but would be reflected once scheduled. The fountains and aeration schedules are prepared periodically and reflected on a spreadsheet.

SEVENTH ORDER OF BUSINESS

Staff Reports

A. District Counsel: *Hopping Green & Sams, P.A.*

Ms. Sandy reported the following:

➤ Regarding liability/fire hazards in the preserves, the SFWMD advised that there was no formal permission needed to remove fire hazard from the conservation areas, as it would be considered maintenance. But, if a gap was left, the CDD would have to replant. It is advised the District meet the SFWMD representative onsite to confirm.

Mrs. Adams stated that, in her experience, the South Florida Water Management District (SFWMD) has never allowed individuals to enter a preserve to remove any vegetation or debris without an Engineer's Report. Mr. Kayne clarified that the SFWMD's Environmental Enforcement agent for the area stated that it is allowable for CDDs or HOAs to engage contractors who know what vegetation can and cannot be removed from the preserves, with regard to fuel load debris. He recommended that Management invite a SFWMD agent to inspect the area, prior to having any debris removed. Discussion ensued regarding debris removal in the preserves, replanting costs, the fire zone, etc.

B. District Engineer: *Barraco & Associates, Inc.*

There being no report, the next item followed.

C. District Manager: *Wrathell, Hunt & Associates, LLC*

MOODY RIVER ESTATES CDD

January 9, 2020

- **NEXT MEETING DATE: March 12, 2020 at 6:00 P.M.**
 - **QUORUM CHECK**

D. Operations Manager: *Wrathell, Hunt & Associates, LLC*

- **Monthly Status Report – Field Operations**
 - **Key Activity Dates**

Mrs. Adams presented the January 2020 Key Activity Dates and pointed out that a perimeter berm review was scheduled for February 3, 2020 at 9:00 a.m., at the Clubhouse. Mr. Keeler was designated to join Mr. and Mrs. Adams in overseeing the review.

Supervisors Jenner, Hoffman, William J. Keeler and Elizabeth Keeler confirmed their attendance at the March 12, 2020 meeting.

Mr. Adams stated the audit was underway and would be presented at the May meeting.

EIGHTH ORDER OF BUSINESS

Public Comments (*non-agenda items*)

There being no public comments, the next item followed.

NINTH ORDER OF BUSINESS

Supervisor’s Requests

Ms. Keeler stated that two residents were in attendance, including the HOA President, and noted that, due to a conflict, she could not attend the next HOA meeting.

TENTH ORDER OF BUSINESS

Adjournment

There being no further business to discuss, the meeting adjourned.

On MOTION by Mr. Keeler and seconded by Mr. Hoffman, with all in favor, the meeting adjourned at 6:45 p.m.

[SIGNATURES APPEAR ON THE FOLLOWING PAGE]

MOODY RIVER ESTATES CDD

January 9, 2020

DocuSigned by:

Chuck Adams

1567A2305DF3492...

Secretary/Assistant Secretary

DocuSigned by:

Chris Jenner

AE9AE8FC4F204AF...

Chair/Vice Chair