

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

The Board of Supervisors of the Moody River Estates Community Development District held Virtual Public Hearings and Regular Meeting on August 20, 2020 at 1:00 p.m., via Zoom, at <https://us02web.zoom.us/j/81956146368> and 1-929-205-6099, Meeting ID 819 5614 6368.

**Present at the meeting were:**

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

**Also present were:**

Chuck Adams	District Manager
Cleo Adams	Assistant District Manager
Tammie Smith	Operations Manager
Mike Eckert	Hopping Green & Sams, P.A. (HG&S)
Wes Kayne	District Engineer
Racquel McIntosh	Grau & Associates
Terri Silva	HOA President

**FIRST ORDER OF BUSINESS**

**Call to Order/Roll Call**

Mrs. Adams called the meeting to order at 1:02 p.m. All Supervisors were present. In consideration of the COVID-19 pandemic, this meeting was being held virtually, via Zoom, and telephonically, as permitted under the Florida Governor's Executive Orders, allowing local governmental public meetings to occur by means of communication media technology, including virtually and telephonically. The meeting was advertised to be held virtually and telephonically and the meeting agenda was posted on the District's website.

**SECOND ORDER OF BUSINESS**

**Public Comments (*agenda items*)**

There being no public comments, the next item followed.

**THIRD ORDER OF BUSINESS****Presentation of Audited Financial Report  
for the Fiscal Year Ended September 30,  
2019, Prepared by Grau & Associates**

Ms. McIntosh presented the Audited Financial Report for Fiscal Year Ended September 30, 2019 and described the information that could be found on each page. This was a clean, unqualified audit with no findings or instances of noncompliance.

Mr. Geltner submitted questions regarding Page 18, Note 6, Long Term Liabilities, and redeeming the 2017 bonds prior to maturity, and asked if the District could reposition its investments to receive a higher rate of return, given the current financial conditions. Mr. Adams explained that the District renegotiated debt in 2017 and it included a 10-year no call provision. The bonds could be redeemed prior to maturity but only if certain events, as outlined in the Bond Indenture, occur. Mr. Geltner asked that the investments are reconsidered on an annual basis to ensure the District receives a higher rate of return, despite the District being confined to invest public funds in money markets and treasury backed investments, as high risk investments are not recommended.

**FOURTH ORDER OF BUSINESS****Consideration of Resolution 2020-06,  
Hereby Accepting the Audited Financial  
Report for the Fiscal Year Ended  
September 30, 2019**

Mr. Adams presented Resolution 2020-06.

**On MOTION by Ms. Keeler and seconded by Mr. Keeler, with all in favor, Resolution 2020-06, Accepting the Audited Financial Report for the Fiscal Year Ended September 30, 2019, was adopted.**

**FIFTH ORDER OF BUSINESS****Public Hearing on Adoption of Fiscal Year  
2020/2021 Budget****A. Proof/Affidavit of Publication**

The affidavit of publication was provided for informational purposes.

**B. Consideration of Resolution 2020-07, Relating to the Annual Appropriations and  
Adopting the Budget for the Fiscal Year Beginning October 1, 2020, and Ending**

**September 30, 2021; Authorizing Budget Amendments; and Providing an Effective Date**

As directed, assessment levels remained the same across the board, as in prior years, with the exception of the East Property, which increased slightly. Mr. Adams stated that, at the direction of District Counsel, he emailed a revised assessment table to the Board, with the added column "Maximum Assessments". The mailed notices showed a slightly larger increase to avoid having to notice and hold public hearings for slight annual increases.

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

No members of the public spoke.

**On MOTION by Mr. Geltner and seconded by Mr. Jenner, with all in favor, the Public Hearing was closed.**

Mr. Adams presented Resolution 2020-07.

**On MOTION by Mr. Jenner and seconded by Mr. Keeler, with all in favor, Resolution 2020-07, Relating to the Annual Appropriations and Adopting the Budget for the Fiscal Year Beginning October 1, 2020, and Ending September 30, 2021; Authorizing Budget Amendments; and Providing an Effective Date, was adopted.**

**SIXTH ORDER OF BUSINESS**

**Public Hearing to Hear Comments and Objections on the Imposition of Maintenance and Operation Assessments to Fund the Budget for Fiscal Year 2020/2021, Pursuant to Florida Law**

**A. Proof/Affidavit of Publication**

The affidavit of publication was provided for informational purposes.

**B. Mailed Notice(s) to Property Owners**

A copy of the Mailed Notice was included for informational purposes.

**C. Consideration of Resolution 2020-08, Making a Determination of Benefit and Imposing Special Assessments for Fiscal Year 2020/2021; Providing for the Collection and Enforcement of Special Assessments; Certifying an Assessment Roll; Providing for Amendments to the Assessment Roll; Providing a Severability Clause; and Providing an Effective Date**

Mr. Adams stated that a revised version of Resolution 2020-08 was emailed to the Board, as Section 2 of Resolution 2020-08, was revised to reference the column that was added to the assessment table.

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

No members of the public spoke.

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

Mr. Adams presented Resolution 2020-08.

**On MOTION by Ms. Keeler and seconded by Mr. Keeler, with all in favor, Resolution 2020-08, Making a Determination of Benefit and Imposing Special Assessments for Fiscal Year 2020/2021; Providing for the Collection and Enforcement of Special Assessments; Certifying an Assessment Roll; Providing for Amendments to the Assessment Roll; Providing a Severability Clause; and Providing an Effective Date, was adopted.**

**SEVENTH ORDER OF BUSINESS**

**Update: Moody River Estates Community Association, Inc., Request to Participate in Lawsuit Against Developers**

Mr. Eckert stated that HOA's Counsel responded and, after reviewing the various agreements that the District entered into with the Developer, the HOA was no longer asking the District to join in the lawsuit or consider this at this time.

**EIGHTH ORDER OF BUSINESS**

**Consideration of Resolution 2020-09, Designating Dates, Times and Locations for Regular Meetings of the Board of Supervisors of the District for Fiscal Year 2020/2021 and Providing for an Effective Date**

Mrs. Adams presented Resolution 2020-09.

**On MOTION by Mr. Geltner and seconded by Mr. Jenner, with all in favor, Resolution 2020-09, Designating Dates, Times and Locations for Regular Meetings of the Board of Supervisors of the District for Fiscal Year 2020/2021 and Providing for an Effective Date, was adopted.**

**NINTH ORDER OF BUSINESS**

**Acceptance of Unaudited Financial Statements as of June 30, 2020**

Mrs. Adams presented the Unaudited Financial Statements as of June 30, 2020. The Financial Highlights Report was provided to the Board prior to the meeting. Next year the Board should discuss whether to continue with the unbudgeted expense of mailing the annual newsletter, which caused the "Postage" line item to exceed budget, or consider reverting back to posting it on the CDD website and having the HOA e-blast it to residents. She reviewed the water management related projects that were placed on hold due to impending weather conditions and noted that costs would appear on next month's financial statements. Mrs. Adams introduced Ms. Tammie Smith, the new District Operations Manager. The Unaudited Financial Statements were accepted.

**TENTH ORDER OF BUSINESS**

**Approval of May 21, 2020 Virtual Public Meeting Minutes**

Mrs. Adams presented the May 21, 2020 Virtual Public Meeting Minutes.

**On MOTION by Mr. Keeler and seconded by Ms. Keeler, with all in favor, the May 21, 2020 Virtual Public Meeting Minutes, as presented, were approved.**

- **Action Items**

Items 43, 44, 46, 47, 39 were completed.

Item 46: Regarding meetings with SOLitude's on-site technicians, Mr. Hoffman stated that the technician he observed appeared to be doing a good job. Mrs. Adams would have SOLitude notify Mr. Hoffman and Mr. Geltner when aeration and fountain technicians would be on site to perform repairs or conduct inspections.

Mrs. Adams would confirm whether the fountain lights at Lake #15 were repaired.

Item 47: Management was unable to comply with Mr. Geltner's request to provide real-time revenue collection data to the Board.

## ELEVENTH ORDER OF BUSINESS

### Staff Reports

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

Mr. Eckert reported the following:

- The Governor's Executive Order allowing virtual and telephonic meetings was extended to October 1, 2020.
- As the Florida Legislature's Spring Session would deal with the second part of Amendment 12, which would be to end elected officials as lobbyists for other people going in front of any other government, Board Members who represent people that should have development approval from local, state and federal government boards contact him, so he can provide the information and requirements for Amendment 12

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

There being no report, the next item followed.

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

- **NEXT MEETING DATE: October 15, 2020 at 1:00 P.M.**
  - **QUORUM CHECK**

All Supervisors confirmed their attendance at the October 15, 2020 meeting.

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

Mrs. Adams presented proposals to cut down a tree in the conservation area that the Arborist deemed healthy but was evidently hit by lightning or to trim the branches that extend over Mr. Geltner's property posing a potential threat of property damage in a storm event. Mr. Eckert stated he advised Mrs. Adams to have Mr. Geltner file Form 8B - Memorandum of Voting Conflict and refrain from any discussion or voting on this matter and suggested having the tree trimmed to avoid potential disputes. Mrs. Adams asked for direction regarding protocol, as

homeowners typically are responsible for trimming overhanging trees. Mr. Adams agreed with Mr. Eckert's position and explained protocol, which is that the District is responsible for addressing trees along the edge of a preserve that threaten to cause property damage to homeowners' property but homeowners are responsible when there is no threat of damage. Mr. Geltner filed Form 8B and abstained from discussion and voting on this matter.

**On MOTION by Mr. Hoffman and seconded by Mr. Keeler, with Mr. Hoffman, Mr. Keeler, Ms. Keeler and Mr. Jenner in favor and Mr. Geltner abstaining, authorizing Staff to proceed with the Lumberjacks Inc. Tree Service proposal to trim the limbs threatening Mr. Geltner's property, in a not-to-exceed amount of \$550, was approved. [Motion passed 4-0]**

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

The above items were included for informational purposes.

#### **TWELFTH ORDER OF BUSINESS**

#### **Public Comments (*non-agenda items*)**

There being no public comments, the next item followed.

#### **THIRTEENTH ORDER OF BUSINESS**

#### **Supervisor's Requests**

There being no Supervisors' requests, the next item followed.

#### **FOURTEENTH ORDER OF BUSINESS**

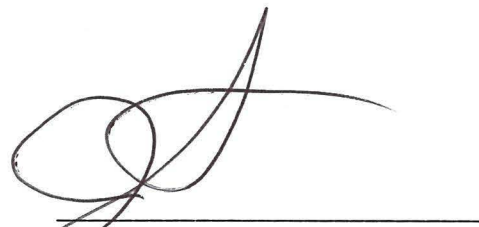
#### **Adjournment**

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

**On MOTION by Mr. Geltner and seconded by Mr. Hoffman, with all in favor, the meeting adjourned at 1:54 p.m.**

[SIGNATURES APPEAR ON THE FOLLOWING PAGE]

  
Secretary/Assistant Secretary

  
Chair/~~Vice Chair~~