

**MINUTES OF MEETING  
STONEBROOK  
COMMUNITY DEVELOPMENT DISTRICT**

The Board of Supervisors of the Stoneybrook Community Development District held a Regular Meeting on May 28, 2024 at 6:00 p.m., at the Stoneybrook Community Center, 11800 Stoneybrook Golf Boulevard, Estero, Florida 33928.

**Present were:**

Eileen Huff	Chair
Chris Brady	Vice Chair
Philip Simonsen	Assistant Secretary
Adam Dalton	Assistant Secretary
Phil Olive	Assistant Secretary

**Also present:**

Chuck Adams	District Manager
Tony Pires	District Counsel
Mark Zordan	District Engineer
John Vuknic	Golf Superintendent
Jeff Nixon	Golf Pro
Lisa Paul	Property Manager
Chris Larson	Resident

**FIRST ORDER OF BUSINESS**

**Call to Order/Roll Call**

Mr. Adams called the meeting to order at 6:01 p.m.

All Supervisors were present.

**SECOND ORDER OF BUSINESS**

**Public Comments (5 Minutes)**

Resident Chris Larson stated he is an avid golfer and read from a prepared statement expressing thanks to Mr. Nixon for his contributions to the golf program and urging the Board to promote from within and consider hiring Mr. Kyle Shulte for the Golf Professional position. He discussed Mr. Shulte's professional background, leadership abilities and positive demeanor.

**THIRD ORDER OF BUSINESS**

**Golf Course Staff Reports**

**A. Golf Superintendent**

Mr. Vuknic reported the following:

- New flowers, pine straw and mulch are being installed in various parts of the community.
- Bridge: Bridge work commenced. The #13 bridge has already been dismantled and moved. Most of the materials were delivered. He asked if it would be possible to have a dumpster on site for a few days, when the work commences on the bridge on #5.

Discussion ensued regarding where to place the dumpster, how the dumpster would be emptied and obtaining HOA permission for the dumpster.

- The Duffy's parking lot work is almost complete. Management is seeking an estimate for curbing.

Mr. Vuknic discussed the curbing project, paving, new landscaping and possible collateral damage. He asked about the closure dates.

- A \$234,000 bid was obtained from Carter Fence to install a fence around the perimeter.
- Health insurance costs tripled. An ADP employee is researching insurance quotes from Blue Cross Blue Shield (BCBS) and from other carriers. An update will be provided once the information is received.
- Waymouth: The contractor is ready to commence work. Dorman requested a deposit.

Ms. Huff stated the work can commence and reported that she recently met with Mr. Willems regarding an easement request from the Village of Estero and was assured that the easement will not impact the landscaping.

Mr. Vuknic stated that he will confer with Mr. Adams regarding leases.

Mr. Vuknic discussed his findings regarding stump grinders and responded to questions about pricing, warranties, a chipper, hurricane season and the Lancaster tree.

Discussion ensued regarding the budget, a funding source, increased insurance costs due to a chipper and a 4% cost of living adjustment for employees.

**On MOTION by Ms. Huff and seconded by Mr. Olive, with all in favor, authorizing the purchase of a stump grinder from Barrett, in a not-to-exceed amount of \$30,000, was approved.**

**B. Golf Pro**

Mr. Nixon reported the following:

- May has been a very lucrative month for the golf course; revenues went over budget for the first time in months. Compared to the previous year, revenues decreased by \$60,000 but that can be transformed by May's numbers. The cash position is over \$1 million.
- June 6, 2024 is his last day; viable candidates for his replacement were discussed.
- The golf course will be closed for two weeks, starting June 10, 2024.
- The restroom project is ongoing. The electric will be installed today.

Mr. Nixon reflected on his time as the Golf Pro, expressed that he loves the Stoneybrook community, offered to help with the re-grassing project and to train his replacement and stated it was a pleasure working with everyone.

Discussion ensued regarding the number of resumes received for Mr. Nixon's position and establishing a PGA/fact-finding committee.

Mr. Simonsen agreed to serve on the Committee.

Ms. Huff stated Mr. Nixon's service has been exemplary and it was great working with him.

**FOURTH ORDER OF BUSINESS**

**Discussion: Golf Now Program**

Mr. Dalton reported the following:

- The "Golf Now" people will be on site next week.
- He and Mr. Nixon have been coordinating on two projects, including a verification process to determine current residents to ensure that they are receiving the resident discount. It is important to differentiate between renters and owners. There is a large population of unknown residents. Verification options were provided.

➤ A hybrid method was recommended that would include having 305 residents who would like to assume resident relations roles with the golf course fill out an information form and execute them.

Referencing handouts, Mr. Dalton presented a spreadsheet with past, current and potential future fee structures and a sample Resident Rate Discount Application Form. The goal is to have a system set up to designate how much to charge residents, as opposed to a staffer. This will become the framework for future staffers so they have a platform to work from when negotiating events and resident rates. Mr. Nixon will have a few Pro Shop employees meet with the Golf Now group to discuss what the system can offer and how to implement it, so that the CDD can maximize and standardize its revenue structure.

Mr. Pires stated, since verification documents will be submitted to the CDD and will become public records, they should have a disclaimer advising that they will be public records available to the public. Staff previously created a template for individuals who qualify for certain exemptions, such as former law enforcement and judicial personnel. He suggested obtaining copies of deeds or mortgage statements.

Discussion ensued regarding the Golf Now program, resident rates, identifying residents, continuing to offer resident discounts, increasing revenue, the HOA issuing identification cards for golf and the fob system.

**FIFTH ORDER OF BUSINESS**

**Consideration of Resolution 2024-04, Approving a Proposed Budget for Fiscal Year 2024/2025 and Setting a Public Hearing Thereon Pursuant to Florida Law; Addressing Transmittal, Posting and Publication Requirements; Addressing Severability; and Providing an Effective Date**

Mr. Adams presented Resolution 2024-04.

Mr. Adams stated that the proposed Fiscal Year 2025 budget, will be reviewed in detail at the next meeting.

**On MOTION by Mr. Brady and seconded by Mr. Olive, with all in favor, Resolution 2024-04, Approving a Proposed Budget for Fiscal Year 2024/2025 and Setting a Public Hearing Thereon Pursuant to Florida Law for August 27, 2024 at 6:00 p.m., at the Stoneybrook Community Center, 11800 Stoneybrook Golf Boulevard, Estero, Florida 33928; Addressing Transmittal, Posting and Publication Requirements; Addressing Severability; and Providing an Effective Date, was adopted.**

**SIXTH ORDER OF BUSINESS**

**Consideration of Resolution 2024-05, Designating Dates, Times and Locations for Regular Meetings of the Board of Supervisors of the District for Fiscal Year 2024/2025 and Providing for an Effective Date**

Ms. Huff presented Resolution 2024-05.

Discussion ensued regarding the November 2024 meeting and when to hold a joint workshop with the HOA.

The following change was made to the Fiscal Year 2025 Meeting Schedule:

January 28, 2025, POTENTIAL DISCUSSION/FOCUS and TIME: Change “Regular Meeting” to “Joint Workshop with Homeowner’s Association” and “9:00 a.m.” to “5:30 p.m.”

**On MOTION by Ms. Huff and seconded by Mr. Brady, with all in favor, Resolution 2024-05, Designating Dates, Times and Locations for Regular Meetings of the Board of Supervisors of the District for Fiscal Year 2024/2025, as amended, and Providing for an Effective Date, was adopted.**

**SEVENTH ORDER OF BUSINESS**

**Discussion: CDD Systems and Facilities Operation and Maintenance Agreement with HOA**

Mr. Adams stated the CDD Systems and Facilities Operation and Maintenance Agreement with the HOA was amended and restated in 2020 and there was some discussion regarding Item #2 on the agreement, which reads as follows:

“The Association shall operate and maintain the following systems and facilities of the District at a minimum in compliance with all applicable statutes, ordinances, and administrative

rules and regulations, and permit requirements; roads and sidewalks, security including guardhouse, water management and drainage of surface water lines, parks and recreational areas including conservation/preserve areas.”

Discussion ensued regarding HOA responsibilities, the CDD taking on responsibility for the piping and lake bank remediation, the budget, annual inspections of the water management system and cost-sharing.

Mr. Adams will revise the budget to include new line items for expenses that the CDD will be responsible for and present a draft Revised, Amended and Restated O&M Agreement at the next meeting.

**EIGHTH ORDER OF BUSINESS**

**Consideration of Johnson Engineering, Inc. Professional Services Supplemental Agreement No. 2**

Mr. Zordan presented the Johnson Engineering, Inc. Professional Services Supplemental Agreement No. 2., including the scope of services for the three drainage issues, the driveway re-alignment and, if needed, the sub-surface utility exploration, for a total of \$74,065. The survey, design and permitting are lump sum items and the CEI is time and materials estimated at 150 hours of field inspection and 50 hours of office work.

Mr. Zordan responded to questions regarding the work order, when the project will commence, how the valley gutter repairs will be made, the number of gutters that need to be repaired and gutter repair costs.

**On MOTION by Ms. Huff and seconded by Mr. Olive, with all in favor, Johnson Engineering, Inc. Professional Services Supplemental Agreement No. 2, in the amount of \$74,065, was approved.**

**On MOTION by Mr. Dalton and seconded by Mr. Olive, with all in favor, allocating a not-to-exceed amount of \$10,000 to repair 35 sections of gutter, was approved.**

- **Staff Reports - District Engineer: Johnson Engineering, Inc.**

**This item, previously Item 12B, was presented out of order.**

Mr. Zordan reported the following:

- The punchlist work was completed and accepted on May 6, 2024.
- Change Order #1 was drafted for the 270-day time extension, with no fee increase, to keep the contract open to allow Southern Striping to perform additional work that has an established cost and to be able to submit a proposal based on Staff’s proposed design for additional work on the contract.

Mr. Adams will execute the contract and forward it to Mr. Zordan.

**Mr. Zordan left the call.**

**NINTH ORDER OF BUSINESS**

**Discussion: Duffy’s Percentage Rent**

Referencing a handout, Ms. Paul presented the Duffy’s Percentage Rent Credit letter and discussed the pertinent information, including gross sales, base rent, rate points and a provision that states part of Duffy’s monthly base rent will have a guaranteed minimum percentage rent in the amount of \$1,666 per month or \$20,000 per year. For the last few years, due to the sale in August 2022, the credit towards Duffy’s percentage rent payment was not given, which would have been for five months, and they are owed a refund of \$8,000.

A Board Member voiced their opinion that the contract is poorly-written.

Discussion ensued regarding adjusting the contract when the lease expires in 2028, Duffy’s revenues, if the CDD can place a lien on Duffy’s liquor license, market rates, total net position, triple net, exemptions, insurance and real estate taxes.

**On MOTION by Ms. Huff and seconded by Mr. Brady, with all in favor, accepting the credit letter regarding the percentage rent owed to Duffy’s, was approved.**

**TENTH ORDER OF BUSINESS**

**Acceptance of Unaudited Financial Statements as of April 30, 2024**

Ms. Huff presented the Unaudited Financial Statements as of April 30, 2024. She stated everything seems to be in order, except an uncoded item for \$14,000. Ms. Huff will contact Accounting.

**On MOTION by Mr. Dalton and seconded by Ms. Huff, with all in favor, the Unaudited Financial Statements as of April 30, 2024, were accepted.**

**ELEVENTH ORDER OF BUSINESS**

**Approval of April 23, 2024 Regular Meeting Minutes**

Ms. Huff presented the April 23, 2024 Regular Meeting Minutes.

**On MOTION by Mr. Dalton and seconded by Mr. Brady, with all in favor, the April 23, 2024 Regular Meeting Minutes, as presented, were approved.**

**TWELFTH ORDER OF BUSINESS**

**Staff Reports**

**A. District Counsel: Tony Pires, Esquire**

Mr. Pires reported the following:

- Per the Village of Estero website, the Corkscrew Pines plat will be approved on May 15, 2024.
- He conferred with Bond Counsel regarding the concept of allowing another entity to lease the golf course and was told that, as long as the bonds are outstanding, that is an issue.

Asked if there are any updates regarding the condos on Lancaster, Mr. Pires stated nothing yet.

**B. District Engineer: Johnson Engineering, Inc.**

This item was presented during the Eighth Order of Business.

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

**I. Irrigation Reports**

- a. High Irrigation Users
- b. Irrigation Disconnect



These items were included for informational purposes.

**II. NEXT MEETING DATE: June 25, 2024 at 9:00 AM**

- **1,740 Registered Voters in District as of April 15, 2024**
- **Reminder: Qualifying Period: Noon, June 10, 2024 - Noon, June 14, 2024**
- **QUORUM CHECK**

**THIRTEENTH ORDER OF BUSINESS**

**Supervisors' Requests**

Mr. Simonsen stated he will research purchasing new tables and chairs.

Ms. Huff stated there will be luncheon for Mr. Nixon on June 5, 2024 at 1:00 p.m., under the tent.

**FOURTEENTH ORDER OF BUSINESS**

**Adjournment**

**On MOTION by Ms. Huff and seconded by Mr. Simonsen, with all in favor, the meeting adjourned at 8:10 p.m.**

[SIGNATURES APPEAR ON THE FOLLOWING PAGE]

  
Secretary/Assistant Secretary

  
Chair/~~Vice~~ Chair