

**MINUTES OF MEETING
STONEBROOK
COMMUNITY DEVELOPMENT DISTRICT**

The Board of Supervisors of the Stoneybrook Community Development District held a Regular Meeting on January 23, 2024 at 9:00 a.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

Also present:

Chuck Adams	District Manager
Cleo Adams	Wrathell, Hunt and Associates LLC
Tony Pires	District Counsel
John Vuknic	Golf Superintendent
Jeff Nixon	Golf Pro
Lisa Paul	Property Manager
Justin Lucas	Estate Landscaping & Lawn Management
John Detterbeck	Resident
John Riley	Resident
Sharon Fenstermaker	Resident
Other residents	

FIRST ORDER OF BUSINESS

Call to Order/Roll Call

Mr. Adams called the meeting to order at 9:01 a.m.

Supervisors Huff, Brady, Simonsen and Dalton were present. Supervisor Olive was not present.

SECOND ORDER OF BUSINESS

Public Comments (5 Minutes)

Referencing handouts, resident John Detterbeck presented photographs and a written request for the CDD to re-establish the drainage lines running from the lot line of his property

to the pond on Hole #17. He noted that, when it rains, at least 3” of water pools between the houses in his area for a few days so drainage is needed. He stated that he previously secured approval from the Architecture Review Committee (ARC) for drainage repairs and is now appealing to the CDD. Mr. Detterbeck discussed the grading, a power box in between the houses, gravel that was added to the ponds a few years ago and roots from a tree that was removed. Ms. Huff stated, as long as the water is just rain water and the lake bank will not be compromised, the Board will approve the project. She asked Mr. Vuknic to inspect the area in question and oversee the drainage repairs.

THIRD ORDER OF BUSINESS

Golf Course Staff Reports

A. Golf Superintendent

Mr. Vuknic reported the following:

- Pine straw was recently installed.
- Violet, white and pink petunias will be delivered today and installed the following week.
- The common grounds are being steadily-maintained.
- Staffing: Two individuals were recently hired for the common grounds crew; one started yesterday and the other started today. A Superintendent/Foreman for that crew is still needed. Interviews are scheduled and are pending.

Discussion ensued regarding turnover, promoting one employee to crew leader and demoting another, salary increases, payroll taxes and how to proceed if it does not work out.

- Regarding the restrooms and ice machines, there are few minor drainage issues. A plumber is scheduled to make the repairs.

Discussion ensued regarding having shutters installed on the restroom windows prior to the ice machine installation, facilitating electricity and repairing restroom tiles.

- An employee accidentally struck and damaged the panels on a brand-new gate; proposals are being sought for the repairs.
- Upon his research, Mr. Vuknic located a 3’-wide ball picker for approximately \$1,800. It can be attached to the back of golf carts. The crew could use it to pick up and retrieve golf balls before the lawn is mowed and before tee times.

Ms. Huff urged Mr. Vuknic to proceed with the purchase.

- The hedges are being trimmed along the Coquina Pass and other areas and new sod is being installed. Working on the area near Hole #18 will commence.
- With the new sidewalk installations, there is a concern about irrigation lines and possible root damage along the path; thus far, damage has been fairly minimal.

Ms. Huff stated the contractor is responsible for any damages to irrigation or tree roots.

- Proposals were received for the landscaping and the bridges.

Resident Sharon Fenstermaker asked if the \$1 million landscaping project was complete.

Ms. Huff replied that the project is not completed.

Discussion ensued regarding expanding the forthcoming landscaping renovations, flattening Holes #17 and #18 and moving a path, specifically on #17, over to the resident side and expanding the green out on the west side.

B. Golf Pro

Mr. Nixon reported the following:

- Due to inclement weather, revenue decreased in the last 45 days. Staff is working hard to manage it as best as possible.
- Supervisor Dalton had a rubric to report that provides a snapshot of how to generate funds, which has been helpful with the cooler weather and downturn in business.
- Resident play has increased. This slightly affects the golf courses' bottom line because rates increased by 20% across all categories except for the resident rates, which stayed the same for the past four or five years. He suggested increasing resident rates in Fiscal Year 2025.

Ms. Huff stated the Board previously discussed increasing/adjusting the rates once the bonds are paid off since, by then, homeowners will have paid off their portion of the bond.

- According to the forecasts, the next ten days will be nice. How the season will go will be better known once the weather improves.
- Duffy's reported that business is down by 10%.

Asked if the payables are up to date, Mr. Nixon replied affirmatively.

Ms. Huff stated the CDD's cash balance as of last Friday was \$484,000 and, with payables being zero, this is the highest the amount has been since she started tracking it in

2016. In her opinion, the CDD is in good financial shape. She commended Mr. Nixon and Mr. Vuknic for their hard work and dedication.

➤ An event on February 9, 2024 is scheduled with ESPN radio live remote from 2 to 6 p.m., for the Super Bowl kickoff, followed by a live band from 6 to 8 p.m., on the Duffy’s patio.

In response to a question regarding fencing, Ms. Paul stated the most affordable proposal for two handrails and a fence on both sides of the patio is \$13,000. Asked about the cost for three railings, Ms. Paul replied \$3,250.

On MOTION by Mr. Brady and seconded by Mr. Simonsen, with all in favor, authorizing installation of a fence and handrails in the patio behind the CDD Clubhouse, in a not-to-exceed amount of \$13,000, was approved.

A resident stated the parking lot lights at Duffy’s disturb his sleep and asked if they can be dimmed. Ms. Huff stated Staff will research placing a shade over the lights.

Mr. Dalton stated Duffy’s was supposed to install lights on the patio and has not, which he believes creates a safety concern. He suggested the CDD take control and install string lighting. Ms. Paul and Mr. Vuknic will coordinate having lights installed on the Duffy’s patio without compromising the patio or the roof.

FOURTH ORDER OF BUSINESS

Consideration of Award of Contract for Landscape Maintenance Services

Ms. Huff stated Estate Landscaping & Lawn Management (Estate) was the only respondent. Rather than going with the one bid for the amount proposed, she is comfortable with Mr. Vuknic and his team doing the landscaping. Mr. Pires stated, if that is the Board’s desire, the appropriate action is for the Board to reject the proposal and the bid and not readvertise.

Mr. Justin Lucas, of Estate, stated his company provides services to neighboring communities, has been in business for 30 years and would have an on-site presence. Estate believes in partnerships and would be a good partner with Mr. Vuknic and his team.

Mr. Brady voiced his appreciation of Mr. Lucas’ presentation and suggested tabling this item for consideration in the future.

On MOTION by Mr. Dalton and seconded by Mr. Brady, with Mr. Dalton, Mr. Brady and Ms. Huff in favor and Mr. Simonsen dissenting, rejecting the landscape maintenance services proposal/bid from Estate Landscaping & Lawn Management, was approved. (Motion passed 3-1)

FIFTH ORDER OF BUSINESS

Discussion/Consideration of Plans for Landscape Renovation Along Corkscrew Rd.

Mr. Vuknic presented plans and landscape designs for the Corkscrew Road landscape renovation project from Dorman & Morse Landscaping (Dorman) and Juniper. He compared the plans and discussed the difference in plantings, the oak trees and raising the berms.

Discussion ensued regarding the proposals, fence, plant types and sizes, approved bushes, the Village and County, Florida Power & Light (FPL), Juniper’s pricing and project timing.

Mr. Dalton noted that the Corkscrew Road landscape renovation project seems to address all the concerns of Waymouth residents.

SIXTH ORDER OF BUSINESS

Consideration of Carter Fence Company, Inc. Revised Estimate #51862

This item will be removed from the agenda.

SEVENTH ORDER OF BUSINESS

Consideration of Links Bridges USA, Inc. Proposals to Demo/Install Fiberglass Bridges

Referencing the proposals, Mr. Vuknic stated he and Mr. Dalton went to Links Bridges USA headquarters and he was very impressed. Mr. Dalton stated that two companies are involved; the first is Links Bridges, represented by Mr. Donald Ferrar, which builds fiberglass bridges in modular pieces, and the second company, represented by Mr. Jacinto Navarro, of CC

Concrete, would demolish and install the bridges. Asked for his recommendation, Mr. Vuknic stated there is no question because of the ease of maintenance and ease of installation.

The Board and Staff discussed the proposals, the need for two separate contracts, total cost, taking out a loan to fund the project and loan terms and rates.

Mr. Adams will research obtaining a \$550,000 loan from Synovus Bank.

Mr. Vuknic will contact the two companies, obtain bids and secure separate contracts.

On MOTION by Ms. Huff and seconded by Mr. Dalton, with all in favor, authorizing Management to pursue a term sheet for a net loan amount of \$550,000, and obtain two quotes for supplies and installation, was approved.

EIGHTH ORDER OF BUSINESS

Consideration of Resolution 2024-02, Implementing Section 190.006(3), Florida Statutes, and Requesting that the Lee County Supervisor of Elections Begin Conducting the District’s General Elections; Providing for Compensation; Setting for the Terms of Office; Authorizing Notice of the Qualifying Period; and Providing for Severability and an Effective Date

Ms. Huff presented Resolution 2024-02. Seats 1, 2 and 3, currently held by Mr. Simonsen, Mr. Brady and Mr. Olive, respectively, will be up for election at the November 2024 General Election. Mr. Adams stated the Supervisor of Elections (SOE) will handle the election. The candidate qualifying period is from noon on June 10, 2024 to noon on June 14, 2024.

On MOTION by Ms. Huff and seconded by Mr. Simonsen, with all in favor, Resolution 2024-02, Implementing Section 190.006(3), Florida Statutes, and Requesting that the Lee County Supervisor of Elections Begin Conducting the District’s General Elections; Providing for Compensation; Setting for the Terms of Office; Authorizing Notice of the Qualifying Period; and Providing for Severability and an Effective Date, was adopted.

NINTH ORDER OF BUSINESS

Update: Road Resurfacing and Sidewalk Repair Project

Ms. Huff reported the following:

- The roadway and sidewalk repairs are progressing smoothly.
- The concrete work on all the streets commenced.
- Once the concrete work is completed, the roadwork will commence.
- The project is anticipated to be completed in early March.

Ms. Huff and Mr. Adams responded to questions about the gutters, Johnson Engineering, the Project Engineer, parking, how best to report drainage issues and unsightly areas, root remediation, pathway safety and cone removal. Per Ms. Huff, Mr. Adams will confirm the roadwork schedule with Johnson Engineering and report his findings.

TENTH ORDER OF BUSINESS

Update: Letter from Waymouth Run Residents Regarding Corkscrew Road Noise and Stoneybrook Golf Drive Security

This item was addressed and can be removed from future agendas.

ELEVENTH ORDER OF BUSINESS

Update: Development Order, Zoning and Permit Matters Relating to Commercial Parcel in Northeast Portion of Community [Corkscrew Pines]

Mr. Pires stated he received an e-mail from Mr. Jim Hart, of the Village of Estero, and the Village is still awaiting a revised plat or plans from Mr. Cioffi and/or his development company and/or his Engineer.

This item will be carried over to the next agenda.

- **Staff Reports - District Counsel: Tony Pires, Esquire**
 - **Update as to Research Regarding Lancaster Run Ownership**

This item, previously Item 14A, was presented out of order.

Mr. Pires distributed and presented a Memorandum regarding the ownership of Lancaster Run. He discussed the pertinent data including the accompanying exhibits, platted tracts, quit claim deed, the Declaration of Condominium for Pinecrest I, II, III and IV at Stoneybrook, the car ports, parking spaces and District Roads. He concluded that the CDD only

owns tract A, which is Lancaster Run. The other areas that are used for ingress and egress are not designated as streets or roads and are not owned or controlled by the CDD, which, in his opinion, means that the CDD does not have any right of ingress or egress over those areas other than any easements that may exist or any facilities that have drainage or public utility easements. If the Board is inclined to want to obtain use rights for its easements or other use rights in the ingress/egress way in the four condominiums, the first determination would be to determine if they exceed the applicable specifications of Lee County. Ms. Huff summarized that the roads would have to conform to the Lee County specifications or would have to be brought up to those specifications in order for the CDD to take them over, if it chooses.

Resident John Riley voiced his opinion that there was an error in the deeding process with US Homes. The resident documents state that the common elements are owned and maintained by the HOA of Stoneybrook, a golf community but, when condo residents asked the HOA to repair the roads, they were directed to the CDD. He opined that condo residents pay HOA fees and CDD assessments and, since the CDD is doing roadwork, this should be resolved.

Discussion ensued regarding the Master Board, US Homes, pros and cons of owning/leasing the roads, which entity owns the walking paths, title searches, the Lee County Property Appraiser, common elements, parking spaces, ownership of the Lancaster pool, public access, which entity controls the ingress/egress, the Post Orders and a possible solution.

Ms. Huff stated the Board will continue reviewing the situation; the roadwork will continue and the work schedule will be updated and circulated to residents. Until there is a resolution with the attorneys, the CDD will do Lancaster Run, as it is noted on the paperwork. Mr. Pires will email the Memorandum so it can be emailed to Pinecrest Condominium residents to forward to their attorneys. Ms. Fenstermaker will transmit paperwork to the CDD stipulating that condo residents are not responsible for the streets and Mr. Pires will follow up. Ms. Huff will provide Mr. Pires with contact information for the four Condominium Association representatives and the Master, so that the Memorandum can be emailed to them as well.

A resident expressed their belief that it seems as though the CDD has additional funds and asked the Board to be decent and use those funds to include the condo area in the roadway work. Ms. Huff stated the CDD cannot use government funds to repair roads that the

CDD does not own. It is a legal matter but, if it is determined that the CDD owns the roads in question, the funds will be available to repave the roads. Mr. Dalton stated that condo residents can assist in solving this by getting all four Pinecrest representatives together with Mr. Pires and the Master Board to work together to solve the roadwork matter. CDD Board Members are elected to adhere to Florida laws.

The meeting recessed briefly and reconvened.

TWELFTH ORDER OF BUSINESS

Acceptance of Unaudited Financial Statements as of December 31, 2023

Ms. Huff presented the Unaudited Financial Statements as of December 31, 2023.

Mr. Adams responded to questions regarding the “Trustee fees – series 2014 resident” line item, at 142%, on Page 2; the “Total operating revenues” line item at 19%, on Page 3; the fund balances on Page 4 and the “Irrigation” line item and credit card fees on Page 15.

On MOTION by Mr. Dalton and seconded by Mr. Simonsen, with all in favor, the Unaudited Financial Statements as of December 31, 2023, were accepted.

THIRTEENTH ORDER OF BUSINESS

Approval of December 12, 2023 Regular Meeting Minutes

Ms. Huff presented the December 12, 2023 Regular Meeting Minutes.

The following changes were made:

Line 24 and throughout: Change “Friar” to “Frerrar”

Lines 126 - 127: Change “Duffy’s does not have a liquor license to offer cocktails on the golf course” to “Duffy’s liquor license cannot be used to offer cocktails on the golf course”

Lines 173 - 174: Change “It appears that Mr. Cioffi is more informed than the Village regarding what is going on and he emailed copies” to “It appears that Mr. Cioffi emailed copies”

Line 249: Change “Mr. Brady” to “Mr. Dalton”

On MOTION by Mr. Dalton and seconded by Ms. Huff, with all in favor, the December 12, 2023 Regular Meeting Minutes, as amended, were approved.

FOURTEENTH ORDER OF BUSINESS

Staff Reports

A. District Counsel: Tony Pires, Esquire

- **Update as to Research Regarding Lancaster Run Ownership**

This item was addressed following the Eleventh Order of Business.

B. District Engineer: Johnson Engineering, Inc.

There was no report.

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: February 27, 2024 at 6:00 PM

- **QUORUM CHECK**

FIFTEENTH ORDER OF BUSINESS

Supervisors' Requests

Discussion ensued regarding the need to renovate the Clubhouse restrooms, Village of Estero approval for certain upgrades and the Duffy's patio cover.

Mr. Vuknic will obtain pricing for the Clubhouse restroom renovations.

Mr. Nixon will research the cost of a patio cover for Duffy's.

Mr. Dalton reported that he and Mr. Vuknic met with the Duffy's Regional Manager to discuss Duffy's serving or using its liquor license on the golf course. Although he seemed receptive and eager to implement it on January 1, 2024, thus far, there has been no follow up. Mr. Dalton shared his observations regarding Duffy's, as follows:

- There does not seem to be much of a reception and leadership related to the CDD gifting Duffy's with the patio.

➤ In his opinion, if Duffy’s does not want to make improvements to the patio, the CDD should consider taking back control of the patio and converting it to an outdoor sports bar serving mixed drinks, in accordance with amending the lease.

Regarding meeting with a contractor to purchase a voiceover ID phone system, Mr. Nixon stated this will allow him to link directly with Mr. Vuknic and his team and new phones are needed anyway.

Mr. Dalton stated that Mr. Vuknic previously advised of a few account payable issues with health insurance for his employees. This item needs to be addressed promptly. Mr. Adams stated the Accounting Department is aware of and is addressing the payables.

Mr. Brady commented that golfers are being charged \$200 to play on the golf course, yet they cannot get a cup of water.

SIXTEENTH ORDER OF BUSINESS

Adjournment

On MOTION by Ms. Huff and seconded by Mr. Dalton, with all in favor, the meeting adjourned at 12:17 p.m.

[SIGNATURES APPEAR ON THE FOLLOWING PAGE]


Secretary/Assistant Secretary


Chair/Vice-Chair