

**MINUTES OF MEETING  
STONEBROOK  
COMMUNITY DEVELOPMENT DISTRICT**

A Regular Meeting of the Stoneybrook Community Development District's Board of Supervisors was held on Tuesday, February 27, 2018 at 6:00 p.m., at the Stoneybrook Community Center, 11800 Stoneybrook Golf Drive, Estero, Florida 33928.

**Present and constituting a quorum were:**

|               |                     |
|---------------|---------------------|
| Ed Harland    | Chair               |
| John Blakeley | Vice Chair          |
| Chris Brady   | Assistant Secretary |
| Lewis Frith   | Assistant Secretary |
| Eileen Huff   | Assistant Secretary |

**Also present were:**

|                                       |                     |
|---------------------------------------|---------------------|
| Chuck Adams                           | District Manager    |
| Dan Cox ( <i>via telephone</i> )      | District Counsel    |
| John Vuknic                           | Golf Superintendent |
| Jeff Nixon                            | Golf Pro            |
| Jack Mancini ( <i>via telephone</i> ) | Realtor             |
| Gene Michael                          | Resident            |
| Bill Reynolds                         | Resident            |

**FIRST ORDER OF BUSINESS**

**Call to Order/Roll Call**

Mr. Adams called the meeting to order at 6:01 p.m. Supervisors Huff, Blakeley and Harland were present, in person. Supervisors Brady and Frith were not present at roll call.

**SECOND ORDER OF BUSINESS**

**Public Comments: (5 Minutes)**

Mr. Bill Reynolds, a resident, requested the CDD remove the finials at the front gate and along the fence on Miramar Road because another deer was impaled by the fence. He was surprised this was happening because the finials are made of plastic, have a rounded tip and no sharp edges. Mr. Harland confirmed that the finials would be removed.

Mr. Gene Michael, a resident, asked whether the CDD or the HOA was responsible for maintaining roads within Stoneybrook. Mr. Harland replied the CDD. Mr. Michael requested an update on the canal behind his home, with regard to the District Engineer evaluating what was

causing the bank to erode so quickly. Mr. Adams stated the District Engineer was not able to visit yet but he and the District Engineer would visit in the next week or two.

Discussion ensued regarding the recent storm causing a lanai screen to fly across the street. A request was made to have the item pulled into the street, near the bank, so that it could be cut into pieces. Discussion ensued about educating residents, some residents using the area as a landfill and what entity was responsible for the lake beds. Ms. Huff suggested emailing residents about these issues.

***\*\*\*Supervisors Frith and Brady arrived at the meeting at 6:06 p.m.\*\*\****

**THIRD ORDER OF BUSINESS**

**Discussion/Update: Hurricane Irma Recovery**

Mr. Adams stated the Federal Emergency Management Agency (FEMA) Consolidated Resource Center (CRC) requested additional information, which was sent last week. Most was related to the quantification of the materials hauled out of the District, by the waste hauler, including the dump tickets and the disposal location. Funding is expected within the next few weeks; he will email everyone, when the funds are received.

Mr. Adams submitted the insurance claim for the chain-link fence repairs to the District's Insurance. The CDD and HOA insurance adjusters resolved the matter of which was responsible for paying the claims submitted by the CDD; funding should arrive within the next 10 days.

**FOURTH ORDER OF BUSINESS**

**Continued Discussion: Stoneybrook Golf Sign and Sponsorship Layout**

Mr. Nixon stated the scoreboard signs were installed and they were finishing some final touches, including painting the wood and installing shrubbery around it. He thanked Mr. Mancini for the donation. In response to whether the phrase, "Donated by Jack Mancini" would be added at the bottom, Mr. Nixon stated that it was possible and would have it added.

**FIFTH ORDER OF BUSINESS**

**Continued Discussion: Potential Selling Alcohol from Beverage Carts**

Mr. Nixon stated, from his discussions with Mr. Cox, they were still working on some issues with the State. The State currently recognizes the CDD and Duffy's as residing in the same building; however, it was explained to the State that they were two separate entities with

separate addresses. Mr. Cox confirmed the issue with the State and stated that only municipal-owned golf courses were exempt from obtaining a liquor license; the CDD was not exempt and must purchase a liquor license. To help prove to the Federal Bureau of Alcohol, Tobacco, and Firearms (ATF) that the CDD and Duffy's are two at separate premises, with different addresses, he requested a copy of the paperwork Duffy's submitted for their liquor license. Discussion ensued regarding the costs incurred seeking the license becoming a deterrent. Mr. Cox explained that the address dispute would only be relevant if the CDD wanted to go forward with the lottery liquor license, instead of trying to fall under the exemption; an exemption was very unlikely. When that gets decided, the next step would be to purchase the license and then clear up the address issue. The process is costly and it would take a lengthy amount of time to recoup the costs.

In response to the question of whether the CDD could work under Duffy's liquor license and give them a portion of the proceeds, Mr. Cox stated that he was researching the possibility of contracting with Duffy's to run the liquor cart operation, which would require modifying their license to include the description of CDD's property. Discussion ensued regarding what the State would require from Duffy's, whether the revenue stream would be significant enough, and potential staffing issues from the lag-time between the golf course and Duffy's opening for business. Ms. Huff suggested inquiring about how much of the receipts Duffy's would want. Mr. Cox thought that route was not going to be a viable alternative, when comparing how much Duffy would require against how much revenue the CDD would take in, and then adding the time and effort it would take. This item was deferred.

**SIXTH ORDER OF BUSINESS**

**Continued Discussion: Stoneybrook Preserve Turnover**

Mr. Adams stated he was directed by Commissioner & Chairman Cecil Pendergrass' office, to speak with Mr. Bob Clemens, Director of Lands in Lee County, regarding the turnover. Mr. Clemens told him that the County did something similar a few years ago under the Conservation 20/20 program but it was improperly managed and remains an issue. He would not recommend that the County take over this preserve; however, he would discuss this matter with the Commissioners and notify the District of their decision. Mr. Adams did not expect this item to go forward.

**SEVENTH ORDER OF BUSINESS**

**Continued Discussion: Road Leading to Pinewoods Elementary**

After speaking with Mr. David Willems, Village of Estero Public Works Director, Mr. Adams stated there were no updates from The Village regarding how the street turnovers and adjacent landscaping would be treated. He attended a workshop that included local Stormwater Managers and, present focus is on assessing the Regional Stormwater review, with the South Florida Water Management District (SFWMD) and the County, and not in making other types of decisions yet. Other new communities have an interest in this; updates would be provided, as they occur.

Mr. Blakeley suggested the CDD stay on top of this matter so that the CDD does not wind up paying for any repairs since the road is used heavily. Discussion ensued regarding the condition of the road, existing potholes, when the road was paved, potential expectation for the CDD to pay for the repairs, sharing assessments between parties and not just the CDD and trucks carrying heavy loads potentially damaging the road. Mr. Adams suggested an inspection and obtaining a proposal to restore it to a suitable condition. Mr. Cox stated that it was reasonable for the CDD to expect the School Board to pay a higher percentage of the cost than what the residents would pay. The District should open a dialogue with the School Board to determine what they are willing to do, since they agreed to work with the River Hall CDD. Mr. Adams will obtain a rough proposal and then reach out to the Assistant Superintendent. In response to a Board Member who recalled previous discussions about sharing costs, Mr. Adams stated, from a legal perspective, he was not certain whether other parties were obligated to join.

In response to the question of how many times the gate opens within a 24-hour period, Mr. Reynolds stated he must confirm whether there is a counter on the gate and, if so, he would obtain the number. The County was discussing the possibility of installing longer storage lanes on that road. Mr. Adams explained that the road was constructed and acquired by the District; it becomes a public road and if it is outside the gate, they have the right to use it and the CDD has the title underneath it. He mentioned prior discussions about adding near the preserve, additional lanes for additional stacking off the road and onto their property or adjacent to it, similar to what was done at River Hall.

**EIGHTH ORDER OF BUSINESS**

**Notice of General Election: November 6, 2018**

- **Official Candidate Qualifying Period: Noon, June 18, 2018 – Noon, June 22, 2018**
  - i. **Candidates May Pre-Qualify Beginning June 4, 2018 at 10:00 a.m.**

Mr. Adams gave an overview of the candidate qualifying and pre-qualifying periods and processes for the upcoming November 6, 2018 General Election. Seats 4 and 5, currently held by Supervisors Frith and Huff, respectively, were up for election.

- **Consideration of Resolution Implementing Section 190.006(3)(A)(2)(C), Florida Statutes, and Instructing the Lee County Supervisor of Elections to Conduct the District’s General Election**

- i. **Resolution 2018-01, *Stoneybrook Community Development District* [Seats 4 & 5]**

Mr. Adams presented Resolution 2018-01.

**On MOTION by Ms. Huff and seconded by Mr. Brady, with all in favor, Resolution 2018-01, Implementing Section 190.006(3)(A)(2)(C), Florida Statutes, and Instructing the Lee County Supervisor of Elections to Conduct the District’s General Election, was adopted.**

Mr. Harland stated any person interested in running for office should contact the SOE’s office and speak with Ms. Vicky Fernandez.

**NINTH ORDER OF BUSINESS**

**Acceptance of Unaudited Financial Statements as of December 31, 2017**

Mr. Harland presented the Unaudited Financial Statements as of December 31, 2017. There was no reason to review these reports because they are old. TriNet acquired the CDD’s payroll company, SOI, and continues to have issues transferring the data correctly. Management and Staff were working on resolving the issues. Mr. Nixon discussed the payroll issues. Mr. Adams would forward the financials, once received. Mr. Harland favored hiring a different payroll vendor, as he was not pleased with TriNet’s handling of the transition.

**TENTH ORDER OF BUSINESS**

**Golf Course Staff Reports**

**A. Golf Superintendent**

Mr. Vuknic reported and discussed the following:

- Sod installation would commence soon, now that the weather is warm. Expenses, which were already budgeted, are expected to run approximately \$4,500 for the Golf Course and \$2,500 for the common grounds.
- The top boards on the bulk heads on Holes #18 and #10 were completed and look good.
- The offices are expected to be completed in a month. The demolition phase was completed, the electrician completed work yesterday and the remaining work included installing four windows, carpet, drywall and painting.

In response to the question of whether a lot of mold was found, Mr. Vuknic replied affirmatively and stated he photographed the area. Among the remaining items left, he thought they were pretty much on schedule.

- New bases for the baseball field were purchased and if any sod is leftover from the other project, he plans to put it around the baselines.

In response to the question of how often residents use the baseball field, Mr. Vuknic stated not much; a few families use it but it is used mostly in the summer. A few times during the evening small games were being played but not an organized game. The soccer field is used the most. If there were any leftover materials once the vendor finishes repairing the fence, he planned to ask them to redo the fence behind home plate, pro bono.

In response to the question of whether the amount of recharge water received from the County was more than usual, Mr. Vuknic replied “no.” Discussion ensued regarding recharge water from the County, not enough water to fill the ponds, only using the water for irrigation, whether the amount of water received was lowered, whether County water is better than water from aquifers, the depth of the lakes, which aquifers flow into which wells, chemicals found in the water, using the water on the golf courses and flower beds. Mr. Nixon was concerned about the area on the left side of the lake, near Hole #16, and whether there was a fire or a chemical issue. Mr. Vuknic stated he was aware of the issue and would soon be planting more gallardia, similar to those on Hole #1.

## **B. Golf Pro**

Mr. Nixon provided the following report:

- February was profitable; however, overall, revenues were about \$5,000 under budget.

Mr. Nixon stated that Sundays were never the busiest day, as Southwest Florida residents typically golf Monday through Friday and only occasionally on Saturday. He was pleased with operations, particularly with the shorter tee off lines. There were still minor issues with golfers

being on the wrong tee, crossovers and some slow golfers; however, they try to resolve those types of issues immediately.

➤ A blue demo cart, from Mr. Nick Forest, is being used to transport equipment because it is faster and helps him travel quickly to each end of the course to handle ranger duties. This expense will occur in October, when the Stoneybrook Junior Golf will purchase it, once the lease expires on the eight passenger vehicle.

Mr. Nixon disclosed that he was on the Board of the Southwest Florida Junior Golf Organization, which is looking for a home base to hold meeting and banquets. They are in discussions with the City of Cape Coral to use an old City golf course site. He was concerned that residents might be concerned if they see him being interviewed discussing the building of a golf course; however, he would be speaking on behalf of the Southwest Florida Junior Golf organization. From what he has heard from certain City officials, the plan is to reopen a portion of the course, build a community life center and sell the remaining land to a Developer.

➤ Driving Range: It is becoming more difficult picking up the driving range. Treatment of the lake with heavy grasses continues; eventually, the lake must be worked. As previously discussed, ball prices might increase due to the additional expense of treating the lake and picking up the range.

➤ Junior Golf: An event is scheduled for the end of April. The Florida State Golf Association decided to hold their events at Stoneybrook due to conflicts with Corkscrew.

➤ 20<sup>th</sup> Anniversary – January 1, 2019

Discussion ensued regarding preparations to celebrate the Golf Courses' 20<sup>th</sup> Anniversary, the types and how many events to hold, prizes and whether to hold the events in the morning or afternoon. Mr. Nixon suggested holding most of these events in April or November, when most of the residents are here and can attend; however, they would be celebrating throughout the year. Various promotional items, commemorating the 20<sup>th</sup> Anniversary, would be sold at the Golf Shop. He suggested celebrating Tony's 20<sup>th</sup> Anniversary, since he been with the Golf Course since the beginning. Ms. Huff offered her assistance, if needed.

➤ In response to whether the IRMA Fund figures were correct on the reports that were distributed, Mr. Nixon replied affirmatively. The items were not broken down individually but funding was made from handicaps and instructors paying \$2 a lesson. Discussion ensued and, according to the year-to-date figures, they were above the projected figures.

**ELEVENTH ORDER OF BUSINESS**

**Approval of January 23, 2018 Regular Meeting Minutes**

Mr. Harland clarified that these were the January 23, 2018 Regular Meeting Minutes and asked for any additions, deletions or corrections. The following changes were made:

- Line 25: Change “Lartz” to “Larson”
- Lines 26, 83 and 90: Change “Mitchell” to “Michael”
- Lines 85 and 86: Change “Brady” to “Harland”
- Line 105: Change “blowers” to “tree blow overs”
- Line 106: Insert “\$” before “6,425”
- Line 184: Change “420” to “four hours and 20 minutes”
- Line 228: Change “Harland” to “Frith”

**On MOTION by Ms. Huff and seconded by Mr. Frith, with all in favor, the January 23, 2018 Regular Meeting Minutes, as amended, were approved.**

**TWELFTH ORDER OF BUSINESS**

**Staff Reports**

**A. District Counsel: *Dan Cox, Esquire***

There being no report, the next item followed.

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

There being no report, the next item followed.

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

**i. High Irrigation User’s Report**

This report was provided for informational purposes.

Mr. Vuknic stated he was creating a list of meters and was in negotiations with the manufacturer, trying to purchase more of the old style meters, since the previous company no longer offers them. He expected the expense to flip the meters would cost approximately \$10,000 to purchase 150 meters; and replace 90. He is continuing to review resident’s bills.

Ms. Huff asked if anyone listened to the HOA meeting regarding requiring a resident to remove the upper level of a lighthouse. Discussion ensued about whether the resident was instructed to remove the entire lighthouse or only a portion and whether it is on CDD property. Mr. Adams suggested waiting until ownership is determined.



▪ **Discussion of Management of Roads and Parking Lots**

*\*\*\*This item was an addition to the agenda.\*\*\**

In response to the question of who manages the roads and parking lots, Mr. Adams stated the roads are owned by the CDD and managed by the HOA. A Board Member stated the HOA was adding 40 parking spaces to the Community Center parking lot; the spaces were coming from demolishing the rink.

ii. **Irrigation Disconnect List**

This report was provided for informational purposes.

iii. **NEXT MEETING DATE: March 27, 2018 at 9:00 A.M.**

The next meeting will be held on March 27, 2018 at 9:00 A.M, at this location.

**THIRTEENTH ORDER OF BUSINESS**

**Supervisors' Requests**

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

**FOURTEENTH ORDER OF BUSINESS**

**Adjournment**

There being nothing further to discuss, the meeting adjourned.

**On MOTION by Ms. Huff and seconded by Mr. Brady, with all in favor, the meeting adjourned at 7:09 p.m.**

[SIGNATURES APPEAR ON THE FOLLOWING PAGE]

  
Secretary/Assistant Secretary

  
Chair/Vice Chair