

**MINUTES OF MEETING
STONEYBROOK
COMMUNITY DEVELOPMENT DISTRICT**

The Board of Supervisors of the Stoneybrook Community Development District held a Regular Meeting on February 27, 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
Erik Howard	District Engineer
John Vuknic	Golf Superintendent
Jeff Nixon	Golf Pro
Lisa Paul	Property Manager
Sharon Fenstermaker	Resident
Other residents	

FIRST ORDER OF BUSINESS

Call to Order/Roll Call

Mr. Adams called the meeting to order at 6:00 p.m. All Supervisors were present.

SECOND ORDER OF BUSINESS

Public Comments (5 Minutes)

Resident Sharon Fenstermaker asked what year the Facilities Maintenance Agreement was executed, if the 2024 Juniper proposal is still pending, if the Series 2019 note that ended on February 1, 2024 was paid in full, from whom the CDD secured the bond to purchase Duffy's and at what interest rate and if all that information is public. Mr. Adams stated the Facilities Agreement was signed on December 15, 2010, the Juniper proposal will be considered at this meeting, the Series 2019 bond due on February 1, 2024 was paid in full, the bond funds used to purchase Duffy's was a municipal bond with multiple owners and the interest rate is in the budget, which is on the CDD website.

THIRD ORDER OF BUSINESS

Golf Course Staff Reports

A. Golf Superintendent

Mr. Vuknic reported the following:

- The back gate, which is big and heavy, was damaged again yesterday; special precautions will be taken to prevent a re-occurrence.
- The new flowers were installed since the last meeting and look pretty.
- The streetlight in the parking lot at the golf club on Lancaster Run shines into the unit, so it was checked to see if it can be adjusted to prevent it from shining into the condominiums. It is unclear what can be done to dim the light but efforts to resolve this issue will continue.
- Several residents have inquired about the roads, in relation to issues with their driveways, a hole near the valley gutter, etc. He urged them to email their addresses; he will inspect each home, make a list of necessary repairs and present it at the next meeting.
- An e-blast should be sent to alert residents of a potential trip hazard on the ball field.
Ms. Huff stated she will draft an email blast and have Nicole send it out.
- The golf course is in great condition; several compliments were received.
- Staffing: All golf course positions are filled. A few individuals have been out sick. A new employee was hired for the common grounds on Tuesday.
- The District Engineer was notified that speed bumps were placed in the center median and that workers left paint on the grass near the entrance and was asked about sod. The District Engineer ensured that there is sod and those items will be reviewed and that any issues are resolved.

Ms. Huff stated she attended a meeting and was assured that all the damaged sod will be replaced; that was the deal.

- Two leases from the golf course belong in the common ground. He emailed Accounting to have the leases shifted over.
- The restroom tiles were repaired.

Mr. Vuknic presented the landscaping proposals. Ms. Huff voiced her disappointment with Juniper and stated she prefers Dorman & Morse for the landscaping contract.

- The areas between Holes 11 and 12 are being cleaned and the pines are being cut down.
- Mr. Vuknic would check the ladies' restroom between Holes 5 and 6 for flooding concerns and provided an update on the bridge project.

Discussion ensued regarding an upcoming inspection by Mr. Don Faris of Links Bridges USA, the damaged pilings on Pond #13, turning the pond into a land bridge, permitting, added cost to replace pilings and moving the bridge.

B. Golf Pro

Mr. Nixon reported the following:

➤ There was a positive shift in the weather since the last meeting; the forecast for the next ten days is for warmer temperatures, slight cloud cover and no rain.

Ms. Huff stated the cash balance as of last Friday was \$604,000.

➤ Regarding accounts payable; the \$67,000 charge for shutters for the restroom near Hole #5 should be \$6,700.

➤ Mr. Dalton assisted in acquiring a new phone system; his and Mr. Vuknic's phones will be linked together.

➤ Mr. Nixon and Ms. Tyler Leon are working hard on inventory issues.

➤ Referencing handouts of the golf calendar, Mr. Nixon highlighted the noteworthy tournaments scheduled in April and May.

A resident asked why the window to the Snack Shack is always closed. Mr. Nixon stated he is uncertain but will investigate.

FOURTH ORDER OF BUSINESS**Discussion: Gutter Repairs**

Mr. Simonsen presented a handout entitled "Streets and Addresses that need attention" and stated that he and his neighbor inspected all the gutters and documented their findings. He asked Mr. Adams and the District Engineer about the criteria for gutter repairs and was told that, if a crack is larger than a credit card, it should have been repaired. He noted that the handout consists of two pages of cracks that he thinks need to be repaired.

Mr. Adams introduced Mr. Erik Howard, the lead Engineer at Johnson Engineering.

Mr. Howard stated, basically, the items that were supposed to be repaired were reflected in the plans but he thinks there were some oversights. Mr. Simonsen voiced his opinion that the Engineer who inspected the areas on the list missed many and some gutters on the list are glaring. He asked if those can be patched. Mr. Howard stated, structurally, all the curbs, in general, look good, except for a few minor cracks due to aging; new concrete can be injected into the gutters to patch them. He can have the lawn tracker repair the curbs; there

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will be some slight blemishes in the asphalt next to them. He asked Mr. Simonsen to review the list so the linear feet can be quantified and he can then provide an estimate of the repair costs.

Discussion ensued regarding the punchlist items, scheduling a walk-through, sod, drainage issues, an area at the entrance that is ponding water and pricing.

Mr. Dalton will send a text with the areas that need to be addressed.

FIFTH ORDER OF BUSINESS

Update: Road Resurfacing and Sidewalk Repair Project

This item was addressed during the Fourth Order of Business.

SIXTH ORDER OF BUSINESS

Discussion: Community Development District Systems and Facilities Operation and Maintenance Agreements with the HOA

Mr. Adams recapped the history of the Operation and Maintenance (O&M) Agreements between the CDD and the HOA and stated, before the Agreements, the HOA was managing all the CDD facilities, including the guardhouses and security and the CDD was managing the recreational side with the golf course. Mr. Brady stated Mr. Oldani emailed the memorandum; the HOA’s intent is not to turn certain responsibilities back to the CDD but instead, to clarify the Agreements and add details. He voiced his agreement with the HOA and offered to serve as the CDD Board liaison in this matter. Mr. Adams stated the memorandum does not address capital reinvestment, which the CDD has done twice by facilitating the roadwork.

A Waymouth Run resident noted that the memorandum references that the CDD is responsible for water meters, sewer lines and trees planted within the CDD. He asked for assistance replacing a mahogany tree behind his home. Mr. Adams stated it is not a CDD tree so the CDD is not responsible for it.

Discussion ensued regarding the CDD right-of-way, tree removal responsibility, the water meter, the Declarations and Covenants and US Homes.

SEVENTH ORDER OF BUSINESS

Continued Discussion/Consideration of Plans for Landscape Renovation Along Corkscrew Road

- **Consideration of Juniper Landscaping of Florida, LLC Proposal No. 260172 [Corkscrew Road Buffer]**

Ms. Huff stated that two bids were received for the landscaping along Corkscrew Road. She motioned to accept the \$126,377 Dorman & Morse Landscape Inc., proposal. She explained that, once the bid is approved, she will have the District Engineer inspect the trees to make sure the trees are what is required, then coordinate with Village and County officials.

Discussion ensued regarding the two bidders, the fence, the berm, the wall, the scope of work and project timeline.

On MOTION by Ms. Huff and seconded by Mr. Dalton, with all in favor, the Dorman & Morse Landscape Inc. proposal, in the amount of \$126,377, including a one-year warranty on trees and plants and pending approvals from Village and County officials, was approved.

EIGHTH 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 conferred with Mr. Jim Hart, at the Village. The Village approved the form of the plat and Village staff currently has a series of documents that were prepared prior to the next Village Council meeting, likely between the next two or three Council meetings. Mr. Pires stated that he responded to Mr. Hart and asked him to send a copy to make sure that it lines up with the agreement with the CDD and the constraints of the CDD.

Ms. Fenstermaker asked for an update on the Lancaster Run matter between the CDD and the HOA. Mr. Pires stated he emailed a memorandum to Ms. Fenstermaker and has not received any documents from her attorney. Asked if he met with Mr. Adams, the HOA attorney, or Mr. Bob Mendez, Mr. Pires stated he has not been contacted by Mr. Adams or Mr. Mendez. Ms. Huff stated the information the CDD received from the HOA attorney was the same data that Mr. Pires received, which was that the CDD is responsible for Tract A, not including other driveways or other access to the parking lots.

A resident stated, when she purchased her condominium, she was not informed that the road was not a part of Stoneybrook and asked why the CDD cannot repave the roads. Ms. Huff explained that only Plat A belongs to the CDD; this was confirmed by District Counsel. If

Lancaster residents think that they have been wronged, they should have their attorneys, examine the documents and present a proposal to Mr. Pires for the Board to consider.

NINTH ORDER OF BUSINESS

Acceptance of Unaudited Financial Statements as of January 31, 2024

Ms. Huff presented the Unaudited Financial Statements as of January 31, 2024.

The Board and Staff discussed Duffy’s revenue, the irrigation fund, the meter that services Lancaster and the 2014 bond.

On MOTION by Mr. Dalton and seconded by Mr. Brady, with all in favor, the Unaudited Financial Statements as of January 31, 2024, were accepted.

TENTH ORDER OF BUSINESS

Approval of January 23, 2024 Regular Meeting Minutes

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

The following changes were made:

Line 27 and throughout: Change “Fenstermaker” to “Fenstermaker”

Line 86: Change “rubric” to “report”

Discussion ensued regarding the lack of interest from Duffy’s in working with the CDD to expand services for an outdoor bar and the CDD acquiring a beverage license. Mr. Pires and Mr. Dalton will confer with the General Manager of Duffy’s about a potential expansion and provide an update at a future meeting.

On MOTION by Ms. Huff and seconded by Mr. Brady, with all in favor, the January 23, 2024 Regular Meeting Minutes, as amended, were approved.

ELEVENTH ORDER OF BUSINESS

Staff Reports

A. District Counsel: Tony Pires, Esquire

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

Mr. Pires asked for the update about Lancaster Road to be removed from future agendas.

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.

Asked for an update on the loan for the bridge repairs, Mr. Adams stated he will have an update at the March meeting.

II. NEXT MEETING DATE: March 26, 2024 at 9:00 AM

- o QUORUM CHECK**

TWELFTH ORDER OF BUSINESS

Supervisors' Requests

A resident stated Heritage Golf would like to lease the golf course and asked if a formal presentation can be made at the next meeting. Mr. Pires stated this must be reviewed by Bond Counsel. Ms. Huff suggested that Heritage Golf send her a copy of its proposal.

Mr. Simonsen asked if the CDD is still planning to re-grass the golf course. He was advised that the project is slated for 2026 and re-grassing will be discussed at the next meeting.

Mr. Dalton asked why an additional computer is being set up on the finance side. Mr. Adams stated, since all the accounting work is done on QuickBooks; the additional computer will provide a secure access point for Mr. Dalton and Mr. Nixon to examine certain transactions.

Asked about the speed humps, Mr. Adams stated the Association wants to re-install them.

Mr. Brady stated there has been extensive email traffic in the past 30 days.

Ms. Huff stated residents offered compliments regarding the roadwork.

THIRTEENTH ORDER OF BUSINESS

Adjournment

On MOTION by Ms. Huff and seconded by Mr. Simonsen, with all in favor, the meeting adjourned at 7:52 p.m.



Secretary/Assistant Secretary



Chair/Vice Chair