

**MINUTES OF MEETING
STONEBROOK
COMMUNITY DEVELOPMENT DISTRICT**

The Board of Supervisors of the Stoneybrook Community Development District held a Regular Meeting on May 23, 2023 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
Phil Olive	Assistant Secretary
Philip Simonsen	Assistant Secretary
Adam Dalton	Assistant Secretary

Also present:

Chuck Adams	District Manager
Tony Pires	District Counsel
John Vuknic	Golf Superintendent
Lisa Paul	Property Manager
Judd Cribbs	Resident
Ann Marie Azriel	Resident
Other Residents	
Architectural Review Committee (ARC) Member	

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 Ann Marie Azriel asked about parking and security. Ms. Huff advised that those are HOA issues.

In response to resident Judd Cribbs' comments, Ms. Huff recalled that he was advised to obtain permits from the Village and to obtain approval from the Architectural Review Committee (ARC). She thinks the disconnect is because he was asked to come back and advise that he obtained approvals/permits before proceeding. Ms. Huff asked if he is installing cabbage palms. Mr. Cribbs replied affirmatively.

THIRD ORDER OF BUSINESS

Golf Course Staff Reports

A. Golf Superintendent

Mr. Vuknic reported the following:

- Rain is needed, as evidenced by the low lake levels.
- His new Administrative Assistant is very helpful and doing an excellent job.
- The invoice for the handrail behind Duffy's was paid and installation is pending.
- Per the Village of Estero, approval of installation of a fence where landscaping was removed near Duffy's is pending proof of insurance.
- Concrete and landscaping at the end of the putting green was completed yesterday.
- Metal slats were installed on bridges today.
- Cardno, the well servicing company, was bought out by another company.
- Palm tree trimming is delayed; landscaping companies are experiencing staffing issues.
- Verifications begin next week and Todd will manage issues in Mr. Vuknic's absence.

Mr. Vuknic stated he received quotes for removal of dead ficus and extraneous fencing and to plant Clusia along Corkscrew Road.

Discussion ensued regarding the bids, sizes and spacing of Clusia plants, placement of Clusia and removal of landscaping and fencing in the area.

Mr. Vuknic responded to questions and estimated that ficus removal will take five days; it would be advantageous to wait until school is out. Ms. Huff noted the need to communicate the plan to advise that work will begin on June 7 or shortly thereafter and work will take two weeks. She recalled that the County removed landscaping and committed to contribute funds to the Corkscrew Road portion of the project once it is completed.

The height and location of the berm, removal of fencing and gate and future plans on Corkscrew Road, were discussed.

On MOTION by Ms. Huff and seconded by Mr. Olive, with all in favor, the Dorman bid for \$83,800, was approved.

Ms. Huff stated the work will begin after June 6, 2023 and an e-blast will be sent.

Mr. Vuknic stated Mr. Dalton asked for the Clusia from the back berm to be continued to provide further screening for the baseball field. The HOA will pay for approximately 50, seven-gallon Clusia, at a cost of \$3,200.

Mr. Vuknic stated fire bush behind the 1 Tee needs to be addressed. Installations were completed at the end of Sheridan, Berwich and Wyndham. Installations along the north fence will be consistent. Stumps were ground in some areas and new pine straw was installed. Some queen palms along the back wall developed Ganoderma and died; new plantings must wait three years.

On MOTION by Ms. Huff and seconded by Mr. Olive, with all in favor, the Dorman bid for removal of fire bush and installation of Clusia, was approved.

B. Golf Pro

Ms. Huff stated Mr. Vuknic and staff have been helping at the Pro Shop. In Mr. Nixon’s absence, calls should be directed to her, the Pro Shop or Mr. Vuknic. The ball machine is working well. The Pro Shop will be closed next week for verification.

Mr. Vuknic stated the new starter shed will be delivered next week.

Discussion ensued regarding an internet issue and an issue with the credit card reader at the Pro Shop. Ms. Huff stated the defective card reader was replaced.

Discussion ensued regarding the need to replace the training storage shed.

On MOTION by Ms. Huff and seconded by Mr. Dalton, with all in favor, the purchase of a new storage shed, in the amount of \$2,140.02, was approved.

FOURTH ORDER OF BUSINESS

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

Mr. Pires distributed the Affidavit of Authorization that was executed and delivered subject to the conditions, which quote the deed restrictions, restrictive covenants and conditions of Corkscrew Pines. The executed document, in substantial form, prohibits gas stations and convenience stores and other prohibited uses and stipulates that the property cannot be transferred, conveyed or sold unencumbered by these conditions. A copy was sent to the Landowner and the Counsel for the Landowner; he is awaiting a response and will follow up with the Village of Estero. The site plan was amended to remove mention of convenience stores and the covenants cannot be changed without CDD approval.

FIFTH ORDER OF BUSINESS

Discussion/Consideration of Walkway Replacement on Stoneybrook Drive

Mr. Adams stated an email was received regarding walkway issues.

Discussion ensued regarding possible trip hazards and lighting issues.

Mr. Adams stated the area where a resident was injured on the walking path near Berwich will be treated when the parking lot is finished. The District Engineer is developing specs for the walkway; Limited Development Order (LDO) approval from the Village for repairs is pending. Sidewalk sections will be mitigated on an as-needed basis. The District Engineer will determine the scope of work needed and a mandatory pre-bid meeting will be held.

A Board Member stated he will email Mr. Adams with specific areas for the District Engineer, including trip hazards, the bicycle path, poorly lit areas and areas of runoff. He noted that the 2021 community survey showed that 60% use the walkway more than once per week.

A Board Member noted a dip by the pumphouse, near a Florida Power & Light (FPL) box, and stated that is a very dark area of the community. Mr. Adams stated lighting is a separate subject. He suggested revisiting the Lease Power Maintenance Agreement between FPL and the HOA and noted that the current catalog includes LED lighting and sidewalk lighting options.

A resident asked if the multi-use path is in disarray due to the oak trees. Ms. Huff stated all the trees cannot be cut down. Mr. Adams stated the roots can be cut and a root barrier installed; if a section of asphalt is removed, the roots must be treated.

A resident asked if a storage unit will be constructed. Mrs. Huff replied affirmatively; the Village approved a storage unit at the far end and the CDD has no objection.

Mr. Adams stated the Duffy's parking lot expansion will begin soon. The project will take four to five nights and handicap parking space locations must be determined. The proposal includes new signs but the old signs might need to be utilized temporarily. The tear drop portion of the parking lot will be removed. The final proposal increased from \$180,000 to \$188,000. Signs will be relocated and new signs will be delivered when they are available.

- **Continued Discussion/Consideration of Pro Shop / Duffy's Bids**

This item, previously the Seventh Order of Business, was presented out of order.

Ms. Paul reported the following:

- Regarding the parking lot lights, additional information was obtained. Bentley Electric is still the lowest, at \$9,310 for replacement of 19 heads.

Ms. Huff motioned for the parking lot lights to be installed as soon as possible. Mr. Olive seconded. Following discussion about bulb brightness, the costs, condition and limited lifetime of the existing poles and whether to install new concrete poles or fiberglass poles, Ms. Huff withdrew her motion.

Mr. Dalton noted that the existing poles are taller than the trees and installing new, shorter concrete poles might improve lighting. Ms. Huff thinks it will be easier to obtain permits to replace the poles than to remove and replace trees. Ms. Paul will work with Mr. Dalton to obtain a new bid for shorter concrete poles with multiple color lights.

➤ The accordion style concession stand shutters need a lower track. The contractors agree that it will be more difficult because of the way the counter is situated. The manual roll down is the best option.

On MOTION by Ms. Huff and seconded by Mr. Brady, with all in favor, the Storm Smart bid for Manual Roll Down Shutters, in the amount of \$2,900, was approved.

➤ Regarding painting, the bids were recently updated; the updated cost to include issues around the Duffy's chimney exhaust fan, metal gates and metal shutters at the cart barns totals \$20,000.

On MOTION by Ms. Huff and seconded by Mr. Dalton, with all in favor, the Northern Contracting bid for painting, in the amount of \$20,000, was approved.

Ms. Paul stated she researched adding some lighting by the new pavers by the stairs by Duffy's; Bentley Electric's quote was \$6,500 due to the need to get power to the area so she is looking into solar options. The consensus was that is a good solution.

A Board Member asked if the driving range lights now coincide with the opening hours of Duffy's. Ms. Paul replied affirmatively.

Discussion ensued regarding the need to extend the hours for the driving range lights until 11:00 p.m., until solar lights can be obtained.

- **Discussion: Tree Removal/Replacement Behind the Monge Residence**

Ms. Huff stated Ms. Monge and Mr. Monge had an ARC approval. The trees need to be removed and other trees installed. A letter was sent via mail and email. Mr. Pires stated Mr. Monge advised they do not have \$20,000 for tree removal. Mr. Brady stated, per Mr. Monge, they have not received instruction and he advised them not to do anything until they receive further instructions. He asked Mr. Adams to forward the email and asked for the list of acceptable trees. The consensus was that acceptable trees include slash pine, holly, live and laurel oak, cypress, maple and cabbage palm.

Mr. Brady stated, since they called him today, he will forward Mr. Adams' email to the Monges and inform them of the need to remove their two palm trees from CDD property and to install two of the approved trees on CDD property. A Board Member noted, if the Monges wish to install their palm trees onto their property, they must go through proper channels.

Ms. Huff stated Stan, of the ARC, advised that a plot plan is required for any tree or landscaping work. The ARC and the CDD will work together to determine how to best address these types of requests from residents; the approval process will be a work in progress. She suggested the ARC continue requiring a plot plan for all landscaping, denying requests that fall outside of the plot and inform the CDD about any denials.

Discussion ensued regarding the "Tree Encroachment Policy Draft", whether the CDD can require residents to obtain approval to remove a tree on CDD-owned land encroaching on their property and the requirements for residents to submit an application and meet all requirements, including documentation, permit, insurance, etc.

Mr. Pires stated CDD approvals will be contingent upon the resident complying with the LDO and all Village requirements. An ARC representative stated a downloadable form is available on the ARC website with a line requiring CDD approval. He asked for it to be incorporated or suggestions be provided. Ms. Huff asked for the form be emailed to Mr. Pires for review.

Discussion ensued regarding simplifying the process, the number of trees required around the lake, the LDO, placement and species of replacement trees.

Mr. Adams stated, of the six species listed, cabbage palms will be the least troublesome with regard to roots and the Village landscape architect advised to avoid maple trees.

The consensus was as follows:

1. Applications and plot plans will be submitted to the ARC first.
2. Applications denied by the ARC will be forwarded for CDD approval.
3. The CDD application approvals will be contingent upon showing proper permits.
4. Upon showing Village permits to the CDD, work can commence.

Mr. Pires, Mr. Adams and Mr. Brady will work on forms and documents. Mr. Pires suggested photographs also be provided and noted the Property Appraiser website has photographs.

A resident stated Mr. Adams sent him the number of trees required on specific community lakes and stated there are far more trees on his lake than required. He asked if he can remove problem cypress trees without replacing them. Mr. Adams stated that is spelled out in the LDO from the Village but he could make that case with the Village. Mr. Pires stated, if the trees are on CDD property, the CDD must still grant permission to remove them.

Whether the Village requires proof of tree locations, implementing a tree for tree policy and recommending cabbage palms as the least invasive replacement, were discussed.

SEVENTH ORDER OF BUSINESS

Continued Discussion/Consideration of ProShop / Duffy's Bids

This item was discussed following the Fifth Order of Business.

EIGHTH ORDER OF BUSINESS

Update: Landscape on Corkscrew Road [Previously Removed by County in May 2021]

Ms. Huff stated, as previously discussed, the District Engineer and Juniper will provide estimates. The road will likely not be complete by the end of the calendar year. They suggested the CDD begin landscaping soon so the plants are mature when the fence is removed. Two vendors are working with the District Engineer and the Village to provide plans and advise which plants are suitable. Mr. Vuknic is identifying available irrigation, as Cougar damaged some irrigation in the area.

Ms. Huff stated nothing more can be done on the sidewalk, from the back gate and for approximately 100 yards, until FPL buries lines. Two concrete poles and one silver box will be

removed; the second silver box will be wrapped to allow it to blend in with ground cover; removal and maintenance will be at the CDD’s expense.

A resident asked about the wall near the design center. Ms. Huff stated that wall belongs to Miramar, not the CDD. Mr. Vuknic stated landscaping will likely include Clusia; tall weeds and grass will be removed. Ms. Huff stated that no trees in the area will be removed.

NINTH ORDER OF BUSINESS

Consideration of Resolution 2023-04, Approving a Proposed Budget for Fiscal Year 2023/2024 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 2023-04. The proposed Fiscal Year 2024 budget will be refined over the next few months.

On MOTION by Mr. Brady and seconded by Ms. Huff, with all in favor, Resolution 2023-04, Approving a Proposed Budget for Fiscal Year 2023/2024 and Setting a Public Hearing Thereon Pursuant to Florida Law for August 22, 2023, 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.

TENTH ORDER OF BUSINESS

Consideration of Resolution 2023-05, Designating Dates, Times and Locations for Regular Meetings of the Board of Supervisors of the District for Fiscal Year 2023/2024 and Providing for an Effective Date

Mr. Adams presented Resolution 2023-05.

The following changes were made to the Fiscal Year 2024 Meeting Schedule:

TIME: November 28, 2023 and February 27, 2024: Change “9:00 A.M.” to “6:00 P.M.”

TIME: June 25, 2024: Change “6:00 P.M.” to “9:00 A.M.”

On MOTION by Ms. Huff and seconded by Mr. Brady, with all in favor, Resolution 2023-05, Designating Dates, Times and Locations for Regular Meetings of the Board of Supervisors of the District for Fiscal Year 2023/2024, as amended, and Providing for an Effective Date, was adopted.

ELEVENTH ORDER OF BUSINESS

Acceptance of Unaudited Financial Statements

Ms. Huff stated she conferred with Mr. Pinder about the delays in the financials and that Board Members need to receive the agenda books sooner. She presented the following:

- **as of March 31, 2023**
- **as of April 30, 2023**

Ms. Huff voiced her opinion that the April numbers are not complete. Mr. Adams stated the information was provided by NBC Universal for March but not for April due to issues. A Board Member asked if going cashless would help. Mr. Adams replied affirmatively. Ms. Huff noted that the concession stand is the only venue that accepts cash.

Discussion ensued regarding benefits of cashless operations, delays with the financials and cash drawer operations.

Ms. Huff will ask golf staff about the issues and email Mr. Adams and Mr. Pinder.

TWELFTH ORDER OF BUSINESS

Approval of April 25, 2023 Regular Meeting Minutes

Ms. Huff presented the April 25, 2023 Regular Meeting Minutes.

The following changes were made:

Line 24: Insert "Buddy Bonollo"

Ms. Huff stated, regarding the incident on Saturday, it is assumed that a golf cart ran over the sprinklers on the ball field, likely to wash the undercarriage of the golf cart. Tammy will file a police report and the Sheriff managing the case will obtain video from Pinewoods. It will be noted in the next newsletter that a police report will be filed for any damage. Mr. Vuknic was asked to provide necessary information to Tammy.

Line 26: Delete "Michael &" and Change "Residents" to "Resident"

Line 73: Change "City" to "Village"

Line 165: Change "Simonsen" to "Olive" and Change "Olive" to "Simonsen"

Line 170: Change “Simonsen” to “Olive” and Change “Olive” to “Simonsen” to reflect that Mr. Simonsen dissented, and not Mr. Olive.

Line 280 and 281: Change “Lee County” to “the Village”

On MOTION by Mr. Simonsen and seconded by Mr. Dalton, with all in favor, the April 25, 2023 Regular Meeting Minutes, as amended, were approved.

▪ **Supervisors’ Requests**

This item, previously the Twelfth Order of Business, was presented out of order.

Mr. Simonsen stated residents have not received water bills for eight months and asked if a new company can be found. Ms. Huff stated it was the CDD’s fault following the hurricane. Mr. Vuknic stated meters were read and staff is working on the reconciliation. Mr. Adams will follow up with staff.

Discussion ensued regarding the need for accurate revenue figures to prepare the budget, issues that were corrected, ongoing billing, reconciliations, customer service issues and the need to send invoices quickly.

Mr. Adams was asked to explore options with outside vendors.

Discussion ensued regarding billing issues following the hurricane, determining the reasons for discrepancies and performing reconciliations.

A Board Member noted he received complaints about fencing damaged by Hurricane Ian. Removing the fences was previously discussed but remedying unsightly fences is needed. Mr. Vuknic stated the berm needs to be filled in to prevent people from cutting through.

Discussion ensued regarding difficulty and delays in engaging contractors, high prices following the hurricane and the hope that prices will drop.

Mr. Adams will ask Carter Fence for a quote for critical issues, with the understanding that projects will be delayed to avoid paying exorbitant prices, if possible. Asked if funds will be left from the current projects, Mr. Adams noted that a 25% contingency was included due to increasing prices and uncertainty regarding the project wish list.

Ms. Huff noted that, in addition to landscaping, pending projects include the back area, Corkscrew Road, four-way stop and Stoneybrook Golf Drive. A quote is needed from Juniper for the utility boxes; it remains to be seen what funds are left and how much the Corkscrew Road

common area will cost. Estimates will be obtained. She noted that the County will contribute funds for the Corkscrew Road landscaping.

A Board Member asked for the June meeting to be moved to 9:00 a.m. The Board agreed.

THIRTEENTH ORDER OF BUSINESS

Staff Reports

A. District Counsel: Tony Pires, Esquire

- **Presentation of Sunshine Law**

This item was not addressed.

B. District Engineer: Johnson Engineering, Inc.

There was no report.

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

- **Discussion: Public Participation by Call-In or Virtual**
- **NEXT MEETING DATE: June 27, 2023 at 6:00 PM**
 - **QUORUM CHECK**

The June 27, 2023 meeting will be held at 9:00 a.m.

FOURTEENTH ORDER OF BUSINESS

Supervisors' Requests

This item was addressed following the Twelfth Order of Business.

FIFTEENTH ORDER OF BUSINESS

Adjournment

On MOTION by Mr. Simonsen and seconded by Mr. Olive, with all in favor, the meeting adjourned at 8:17 p.m.

[SIGNATURES APPEAR ON THE FOLLOWING PAGE]


Secretary/Assistant Secretary


Chair/Vice Chair