

**MINUTES OF MEETING
STONEBROOK
COMMUNITY DEVELOPMENT DISTRICT**

The Board of Supervisors of the Stoneybrook Community Development District held Public Hearings and a Regular Meeting on August 22, 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
Jeff Nixon	Golf Pro
John Shapiro	Resident
Several Members of the Public	

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 John Shapiro stated he is a long-term resident on Weymouth, where the Village of Estero removed a buffer two years ago. In his opinion, although Village officials apologized after the fact, there is no reason the CDD should be liable. He feels that the Village should make the repairs and replace the buffer with something similar. He discussed the increased noise and traffic with the ongoing development of 4,000 new homes. Residents are very concerned and want the CDD Board to do something because, with the school nearby and the removal of the buffer, the area has changed tremendously and the noise filters in, which has become an issue. Residents need something that will completely block the noise and

contribute to the quality of life, such as a wall or a berm. He asked if the CDD will have to pay to replace the fence along the design center.

Ms. Huff stated that the HOA is responsible for the fence and, regarding the buffer, she contacted the Village and the County to schedule a meeting to discuss its removal and has yet to receive a response. Once she meets with the Village and the County, a consensus will be reached and she will follow up with residents. She confirmed that the Village removed several trees where the berm was and, to change this, the CDD would have to pay for the repairs. She stated that Mr. Dalton researched wall installation and costs and noted that there is not enough space to install a 6' berm. Also, the CDD would have to engage an engineering company. Ms. Huff stated she needs time to schedule a meeting with the Village and the County to find out their plans for the area and, until Florida Power & Light (FPL) buries a few power lines, very little can be done.

Ms. Huff and Mr. Vuknic responded to questions about the power lines on Corkscrew Road, Village Council meetings, constructing a berm on Weymouth, building a privacy wall, weather the County will attend the open forum at Estero, what entity will pay for the repairs, negotiating repair and replacement costs with the Village and the County and water quality and environmental runoff.

Mr. Dalton suggested residents collectively decide what they want, such as a berm or a wall, and that they attend the next Council meeting, as a group, and have a spokesperson communicate their requests. He cautioned that residents should be clear of what they are asking for because a good portion of the land is owned by the Village and/or the County.

Mr. Pires stated he has worked with local governments since 1983 and, although the CDD is an integral part of local government, it has a limited amount of power under Florida law. If the CDD wants to address an issue before a County Commission or Village Council, it is as one voice; conversely, constituents are voters and public officials respond to and are more responsive to voters who attend Council meetings. He suggested residents attend the meetings and make themselves known. The best-case scenario is that the County will replace the wall, with anything structural falling on the CDD.

Ms. Huff asked Weymouth residents to assemble their ideas, send it to the CDD email address and she and Mr. Vuknic will confer with the landscapers and Village Officials and update residents at a future meeting. The next Village Council meeting is September 7, 2023.

THIRD ORDER OF BUSINESS

Golf Course Staff Reports

A. Golf Superintendent

Mr. Vuknic reported the following:

- The golf course will be aerified next week, on Monday, Tuesday and Wednesday.

Mr. Vuknic asked the Board to consider providing financial aid for Mr. Tyler Frit, a second assistant, who has been doing a good job.

Discussion ensued regarding budgeted funds for education, entering into a contract with employees requesting financial aid and the length of Mr. Frit’s program.

Mr. Brady stated the CDD work on a policy. He will find it and email it to Mr. Adams and the Chair before the next meeting.

- Receipt of an amortization schedule from Management is pending.
- Issues arose with employees not taking vacations.

Ms. Huff stated employees need to take their vacations and cannot hold them until the end of the year, as the CDD will have to pay them for the vacation by the end of September and cannot afford to keep doing this. She will coordinate with Leslie to change the policy in the Employee Handbook but, in the interim, the Board can agree to pay out their vacation days for the last time.

Discussion ensued regarding the importance of vacation, work-life balance and enforcing PTO.

On MOTION by Mr. Olive and seconded by Ms. Huff, with all in favor, for employees who cannot take vacation prior to September 30, 2023, paying out the employee’s unused vacation time, was approved.

- A \$9,000 proposal for bahia to resod the back gate area to minimize erosion was obtained.
- Staffing: Mr. Brian Freeman, head of the Common Grounds, gave two-weeks’ notice.
- Comcast internet was activated in the Pro Shop yesterday.
- The gate at the cart barn was approved and should be installed within the next 60 days.

B. Golf Pro

Mr. Nixon reported the following:

- As far as rounds, the month of August has been phenomenal, despite the extreme heat.

- With continued growth, the golf course will be even more profitable in the coming year.
- Regarding restroom renovations, it will cost about \$65,000 to have them painted, have ice water machines installed and run electric and water lines for the water machine. The cost for ice water machines is \$27,000, a painting proposal is pending and it will be an undertaking to run electricity to the restrooms; Bentley refuses to do it.

Mr. Nixon presented a proposal from Gordy Lewis to commence the re-grassing project.

Mr. Adams distributed and reviewed a spreadsheet containing bond details for the re-grassing project, including validation, costs of issuance, the par issue amount of \$5 million and annual and interest payments for 10, 20 or 30-year terms. The best deal would be for 20 years; payments are \$480,000 per year, \$4.6 million in interest for a total of \$9.6 million.

Discussion ensued regarding the restroom project timing, using solar energy for the restrooms, re-grassing, replacing the irrigation, bond details, surveying costs, building reserves, improving revenue and profitability growth.

FOURTH ORDER OF BUSINESS

**Public Hearing on Adoption of Fiscal Year
2023/2024 Budget**

- A. Proof/Affidavit of Publication**
- B. Consideration of Resolution 2023-06, Relating to the Annual Appropriations and Adopting the Budget for the Fiscal Year Beginning October 1, 2023, and Ending September 30, 2024; Authorizing Budget Amendments; and Providing an Effective Date**

Mr. Adams presented Resolution 2023-06. He reviewed the Fiscal Year 2024 budget highlighting any line item increases, decreases and adjustments, compared to the Fiscal Year 2023 budget, and explained the reasons for any changes.

Discussion ensued regarding the Mailed Notice to property owners, the balance from the 2014 bonds, the Duffy's rent percentage, the Enterprise Fund, irrigation revenue, total operating budget, insurance, reserves, reducing the "Catastrophe fund" by \$50,000 and passing the reduction on to homeowners.

Ms. Paul asked to see a ledger for the operating budget amount of \$258,324.

Mr. Nixon presented the Fiscal Year 2024 Golf Course budget and stated the projections on Pages 17 through 24 were off because the numbers as of March 31, 2023, were incorrect.

He concluded that expenses remained the same. Asked what the consolidated revenue will be for Fiscal Year 2024, Mr. Nixon stated it depends on the weather.

Mr. Vuknic discussed employee wages and the increase in payroll taxes and fees. Mr. Vuknic will include itemization on the truck to the Golf Course budget.

On MOTION by Ms. Huff and seconded by Mr. Olive, with all in favor, increasing the Golf Course payroll by 5%, was approved.

The following adjustments were made:

- “Catastrophe fund”: Reduce to \$250,000
- Golf Course payroll: Increase 5%
- “Irrigation services” title: Change to “Maintenance operations”

On MOTION by Mr. Dalton and seconded by Ms. Huff, with all in favor, the Public Hearing was opened.

A resident asked if the CDD has access to State bidding information. Mr. Adams replied affirmatively. Mr. Adams and Mr. Pires responded to questions about CDD having access to the State bid process, reason for the increase in the debt service on the 2022 bond and when the Mailed Notices were sent.

On MOTION by Ms. Huff and seconded by Mr. Dalton, with all in favor, the Public Hearing was closed.

On MOTION by Ms. Huff and seconded by Mr. Dalton, with all in favor, Resolution 2023-06, Relating to the Annual Appropriations and Adopting the Budget for the Fiscal Year Beginning October 1, 2023, and Ending September 30, 2024; as amended, Authorizing Budget Amendments; and Providing an Effective Date, was adopted.

FIFTH ORDER OF BUSINESS

Public Hearing to Hear Comments and Objections on the Imposition of Maintenance and Operation Assessments to Fund the Budget for Fiscal Year 2023/2024, Pursuant to Florida Law

- A. Proof/Affidavit of Publication
- B. Mailed Notice(s) to Property Owners
- C. Consideration of Resolution 2023-07, Making a Determination of Benefit and Imposing Special Assessments for Fiscal Year 2023/2024; Providing for the Collection and Enforcement of Special Assessments; Certifying an Assessment Roll; Providing for Amendments to the Assessment Roll; Providing a Severability Clause; and Providing an Effective Date

Mr. Adams presented Resolution 2023-07, also known as the assessment-levying resolution. It takes into consideration the budget that was just adopted and the assessment levels therein and directs the Manager to finalize the lien roll and transmit it to the Tax Collector for placement of the assessments on the property tax bill.

On MOTION by Ms. Huff and seconded by Mr. Dalton, with all in favor, the Public Hearing was opened.

No members of the public spoke.

On MOTION by Mr. Brady and seconded by Mr. Olive, with all in favor, the Public Hearing was closed.

Mr. Nixon stated this assessment has nothing to do with the golf course, which is a stand-alone business.

On MOTION by Mr. Brady and seconded by Ms. Huff, with all in favor, Resolution 2023-07, Making a Determination of Benefit and Imposing Special Assessments for Fiscal Year 2023/2024; Providing for the Collection and Enforcement of Special Assessments; Certifying an Assessment Roll; Providing for Amendments to the Assessment Roll; Providing a Severability Clause; and Providing an Effective Date, was adopted.

SIXTH ORDER OF BUSINESS

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

Mr. Pires noted the following:

- The Developers sold one piece and Mr. Cioffi completely sold the westernmost piece of land. He informed the Village and the Developers that the Covenants need to be recorded.
- When he emails Mr. Cioffi, he includes Ms. Mary Gibbs and Mr. Jim Hart but when Mr. Cioffi responds he does not include them on the response emails.
- The South Florida Water Management District (SFWMD) permits are still pending. Ms. Huff will follow up with Ms. Gibbs and Mr. Hart to see if they are updated.

SEVENTH ORDER OF BUSINESS

Discussion/Presentation of Tree Encroachment Policy

Mr. Pires presented the Tree Encroachment Policy Draft. He and Mr. Brady coordinated to produce the document to outline what is required, from the CDD’s perspective, if a homeowner wishes to remove or install a tree. The Draft was previously presented and accepted by the Association.

Ms. Huff requested the following changes:

- Second bullet point: Change “72 hours” to “seven days”
- Second bullet point: Add “Current survey, not less than 90 days old, must accompany a written tree removal request.”
- Add: Residents should notify the Architectural Review Commission (ARC) of their intention to cut or replace trees.

Discussion ensued regarding re-plantings, Board and Village approval process and the importance of a survey or site plan.

Mr. Pires will amend the verbiage and present a redline draft at the next meeting.

EIGHTH ORDER OF BUSINESS

Discussion: Knighton Run Water Billing Issue

Ms. Huff called attention to emails about CDD irrigation billing for Stoneybrook Golf Villas 1. Mr. Vuknic explained that, in March, a meter broke twice and he forwarded the bill with the address and meter number to Ms. Tammy Kern for a credit due to lost irrigation. Mr. Adams stated, typically, the one-time relief he would authorize is total consumption at the base rate, removing the penalty tiers, which was already received. Any amount beyond that must be an action by the Board. The original bill was \$3,623 and the adjusted bill was \$2,003.39.

Discussion ensued regarding the cause of the broken meter, billing, the HOA and how best to resolve the matter.

Mr. Adams will give Ms. Kern written notification of the Board’s decision to reduce the bill.

On MOTION by Mr. Brady and seconded by Mr. Dalton, with all in favor, reducing the irrigation bill to \$1,003.39, due to a broken meter, was approved.

NINTH ORDER OF BUSINESS

Acceptance of Unaudited Financial Statements as of July 31, 2023

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

Mr. Adams and Mr. Vuknic responded to questions regarding the status of the Irrigation Fund, catch up of back payments, air conditioning not being capitalized and the flooring project.

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

TENTH ORDER OF BUSINESS

Approval of July 25, 2023 Regular Meeting Minutes

The following changes were made:

Line 12: Delete “(via telephone)” after “Chris Brady”

Lines 34: Change “Supervisors Brady and Dalton” to “Supervisor Dalton”

Line 37: Delete “Mr. Brady’s and”

Line 134: Change “Mr. Adams” to “Ms. Huff”

Line 141: Change “Tyler Renrud” to “Tylor Renaeu” and “Tyler Leon” to “Tiler Leon”

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

ELEVENTH 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

- **NEXT MEETING DATE: September 26, 2023 at 6:00 PM**
 - **QUORUM CHECK**

TWELFTH ORDER OF BUSINESS

Supervisors' Requests

Mr. Simonsen asked if Juniper will give the CDD a credit. Ms. Huff replied affirmatively.

Ms. Huff stated she was contacted by the Community Center and informed that a golf ball went through the lanai screen of a residence on Hole #9 and into the window of a child's bedroom. Thankfully, no one was injured. In response the question of who is responsible, Ms. Huff stated the residence is located on a golf course. Mr. Pires stated that there is language in the Covenants that owners of properties on the golf course recognize that there are hazards and risks of living on a golf course. Mr. Brady stated, technically, the golfer is liable.

In response to Mr. Brady's question, Mr. Adams stated he circulated the document involving the Miramar wall but does not have the hard copy. The Stoneybrook HOA President decided to proceed with paying to replace the wall sections that were damaged by Dorman during removal of the trees. The HOA asked for the CDD to sue Dorman for the costs.

Discussion ensued regarding whether there is video footage of the contractor damaging the wall, the need to redo the wall and which entity owns of the wall.

Mr. Adams obtained proposals to remove the current wall and to install a vinyl wall.

Mr. Brady asked Mr. Adams to respond to an email from the HOA, given that he is more knowledgeable about the wall issue.

Mr. Adams confirmed that the November meeting will be on November 14, 2023. He provided an update on the roadway project.

THIRTEENTH ORDER OF BUSINESS

Adjournment

On MOTION by Mr. Simonsen and seconded by Mr. Brady, with all in favor, the meeting adjourned at 9:09 p.m.


Secretary/Assistant Secretary


Chair/Vice Chair