

**MINUTES OF MEETING  
STONEBROOK  
COMMUNITY DEVELOPMENT DISTRICT**

The Stoneybrook Community Development District Board of Supervisors held a Virtual Public Hearing and Meeting on August 25, 2020 at 6:00 p.m., in-person at the Stoneybrook Community Center, 11800 Stoneybrook Golf Drive, Estero, Florida 33928, and remotely, via Zoom, at <https://us02web.zoom.us/j/87269985014>, Meeting ID 872 6998 5014 and at 1-929-205-6099, Meeting ID 872 6998 5014.

**Present, were:**

Eileen Huff	Chair
Chris Brady	Vice Chair
Ed Harland	Assistant Secretary
John Blakeley	Assistant Secretary
Mike DeBrino	Assistant Secretary

**Also present, were:**

Chuck Adams	District Manager
Dan Cox	District Counsel
Jeff Nixon	Golf Pro
John Vuknic	Golf Superintendent
Joe Mika	Resident
Lloyd Seby	Resident/HOA Member
Mike Hoornaert	Resident
Megan Hoornaert	Resident
Tom Foulke	Resident
Craig Brunner	Resident
Scott Sutton	Resident
Bill Reynolds	Resident/HOA President
Dan Miria	Resident

**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.

In consideration of the COVID-19 pandemic, this meeting was being held in-person and virtually, via Zoom and telephonically, as permitted under the Florida Governor's Executive

Orders, which allow local governmental public meetings to occur by means of communications media technology, including virtually and telephonically.

**SECOND ORDER OF BUSINESS**

**Public Comments (5 Minutes)**

Resident and HOA Member Lloyd Seby asked the Board to reconsider proceeding with the \$325 assessment, without having finalized future projects, since it would result in approximately \$400,000 in reserves.

Resident Mike Hoornaert asked Mr. Harland, Ms. Huff and Mr. DeBrino about the Men's Golf League, in prior years, Mr. Harland and Mr. Debrino held CDD and Golf League Board positions, who would be responsible for setting up pairings and a perception that the Board receives personal gain, which, in his opinion, would result in breach of fiduciary duties if they proceed with the new rule changes, prize shop, etc. He believed that several in the Men's League were happy with the way it currently operates, do not want to be forced to transfer operations to the Pro Shop and that the League may decide to play elsewhere, if the changes go into effect.

A Board Member stated that the CDD Board is not responsible for and has no involvement with the Golf League's fiduciary responsibilities; this matter should be addressed elsewhere, not at the CDD meeting. Mr. Cox explained that the concerns were about certain CDD Board Members also being on the Golf League Board and voting on CDD items that may benefit the Leagues. He described a scenario in which an ethics opinion on a voting matter was solicited and resulted in there being no violation. He recommended Board Member transparency and for them to disclose their positions at meetings, if they believe there may be a conflict; however, from the information presented, this instance was not to the standards the Ethics Commission would apply to any complaint that could be filed against CDD Board Members. This would mostly likely be considered a nuisance complaint.

Residents TomFoulke and Craig Brunner agreed with Mr. Seby's request to reconsider assessing residents \$325. Residents were asked to present budget-related comments during the public hearing section of the meeting.

**THIRD ORDER OF BUSINESS**

**Golf Course Staff Reports**

- A. **Golf Course Superintendent**
- B. **Golf Pro**

This item was presented following the Fifth Order of Business.

**FOURTH ORDER OF BUSINESS**

**Public Hearing on Adoption of Fiscal Year  
2020/2021 Budget**

- A. **Proof/Affidavit of Publication**

The affidavit of publication was provided for informational purposes.

- B. **Consideration of Resolution 2020-09, Relating to the Annual Appropriations and Adopting the Budget for the Fiscal Year Beginning October 1, 2020, and Ending September 30, 2021; Authorizing Budget Amendments; and Providing an Effective Date**

Mr. Adams presented the proposed Fiscal Year 2021 budget, noting the revisions made to the General Fund portion, since the last meeting, which included Mr. Vuknic's changes. Mr. Nixon presented the proposed Enterprise-Golf portion and minor adjustments over the Fiscal Year 2020 budget, increasing rates slightly to help recover lost revenue due to COVID-19 and cutting staff. He hoped to achieve the goals, from an uptick in business; however, that is dependent on whether the Canadian Border opens. Opportunities to enhance business would be presented later in his report.

**The Public Hearing was opened.**

Mr. Brunner stated he opposed the \$325 assessment slated for Fiscal Year 2021 and future years since the 2019 bonds were paid and he believed the CDD collected funds in 2020 to replenish reserve funds and the funds were not earmarked for specific projects. Ms. Huff stated the funds were allocated to increase reserves and the upcoming landscape project. Mr. Brady favored eliminating \$325 of the assessment and noted that residents must understand that assessments would increase when the roadway project commences. Mr. Sebbly stated his issue was about the CDD having that much in reserves without projects assigned.

Resident Joe Mika asked if studies were done to determine the reserve amount needed to run Stoneybrook, how much similar communities keep in reserves and how golf revenues

and increasing the margin, without cutting costs, would happen if Canadians do not return. Regarding reserves, Mr. Adams stated the District is required to maintain the equivalent of 25% of its annual expenses in surplus fund balance. The decision was made to replenish the surplus fund balance to an appropriate level and build surplus fund balance for specific projects, such as roadway expansion, resurfacing, landscaping, a wall, etc., because, after the last hurricane, about \$100,000 was spent on landscaping, which is an uninsurable asset, and clean up and replacements costs. Discussion ensued regarding the cost to build a wall.

Resident Scott Sutton agreed with Mr. Sebby's request, to reconsider assessing residents \$325. He expressed his opinion that the District should not cover items that he believed fall under the resident's insurance policy.

Resident and HOA President Bill Reynolds stated the HOA covered a large number of expenses and voiced his opinion that the District did not need that much in reserves. Mr. Harland recalled the HOA's funding request to replace the broken pipe.

Ms. Huff stated that several resident emails asked for the District to replace the common area downed trees, from Hurricane Wilma, instead of setting aside money for the roads. She and others suggested deferring building funds for the road project to Fiscal Year 2025, collecting funds for landscaping and reducing the \$325 assessment.

Mr. Adams suggested defining the Fund Balance by designating \$200,000 to working capital for the first quarter, with the remaining being reserve funds. Approximately \$130,000 to \$140,000 would be available for unconditional projects.

**On MOTION by Mr. Brady and seconded by Mr. Blakeley, with Mr. Brady and Mr. Blakeley in favor and Mr. Harland, Mr. DeBrino and Ms. Huff dissenting, eliminating \$325 of the proposed Fiscal Year 2021 General Fund annual assessment, was not approved. [Motion failed 2-3]**

Mr. Harland noted the landscaping project deferred for several years to proceed. Ms. Huff asked for discussion about creating a Landscaping Committee be included on the next agenda and for those interested to email the CDD address and attend the next meeting.

**The Public Hearing was closed.**

Mr. Brady asked why the “Effluent water supply” line item exceeded the Fiscal Year 2020 budget. Mr. Adams stated Management would review and confirm whether charges were allocated correctly. Mr. Brady believed that the residents’ portion of the Golf Course assessments in 2022/2023 will be reduced and, once the bond is paid in full in May 2023, will be removed

**On MOTION by Mr. Harland and seconded by Mr. DeBrino, with Mr. Harland, Mr. DeBrino and Ms. Huff in favor and Mr. Brady and Mr. Blakeley dissenting, reducing the proposed Fiscal Year 2021 General Fund annual assessment by \$225, and using the funds to proceed with the Landscaping projects, to replace the trees damaged by Hurricane Irma and complete other basic landscaping projects, was approved. [Motion passed 3-2]**

The proposed Fiscal Year 2021 budget would be changed as discussed and approved.  
Mr. Adams presented Resolution 2020-09.

**On MOTION by Mr. Harland and seconded by Mr. DeBrino, with Mr. Harland, Mr. DeBrino, Ms. Huff and Mr. Blakeley in favor and Mr. Brady dissenting, Resolution 2020-09, Relating to the Annual Appropriations and Adopting the Budget for the Fiscal Year Beginning October 1, 2020, and Ending September 30, 2021, as amended; Authorizing Budget Amendments; and Providing an Effective Date, was adopted. [Motion passed 4-1]**

**FIFTH ORDER OF BUSINESS**

**Consideration of Resolution 2020-10, Making a Determination of Benefit and Imposing Special Assessments for Fiscal Year 2020/2021; 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 2020-10.

**On MOTION by Mr. Harland and seconded by Mr. Blakeley, with Mr. Harland, Mr. Blakeley, Ms. Huff and Mr. DeBrino in favor and Mr. Brady dissenting, Resolution 2020-10, Making a Determination of Benefit and Imposing Special Assessments for Fiscal Year 2020/2021; 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. [Motion passed 4-1]**

▪ **Golf Course Staff Reports**

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

**A. Golf Superintendent**

Mr. Vuknic reported the following:

- Flower exchange, pine straw, mulch and tree trimming work would commence soon. Color scheme suggestions and ideas should be submitted to Mr. Vuknic by the October meeting. A red and white color scheme was suggested.
  - Landscape replacement was scheduled for October 1<sup>st</sup>.
  - The Calusa and Everglades Golf Course Superintendents Association (GCSA) and The American Junior Golfers Association (AJGA) golf tournaments were scheduled for September.
  - Several small pine trees along the course were lost, due to beetle infestation.
  - Shrubbery on the white tee at Hole #9 was damaged by a driver and would be replaced.
  - Work at the Holes #7 and #18 tees was completed; it should be open before the start of the tournament.
  - An Incident Report and photographs were submitted to Mr. Cox regarding an accident last week.
  - Lease documents for common grounds workers would be forwarded to Mr. Adams for review and execution and presented to the Board.
- Mr. Vuknic asked about the \$300 monthly wetland maintenance charges; he would review past billing and present it at the next meeting.

**B. Golf Pro**

Mr. Nixon reported the following:

➤ August was successful due to being one of the few clubs accepting the South Florida PGA (SFPGA) pass, which generated 50% to 60% of the business. Revenues were \$20,000 ahead of budget projections. Plans were to continue working with the SFPGA in extending the pass, which would help generate funds in the fall and winter and gives them the opportunity to showcase the golf course.

Mr. Nixon discussed the following plans to grow business:

- Mr. Kyle Schulte, who is highly-trained in Golf Genius, was hired. He would be an asset to the team, as seasoned Assistants typically move on to head coaching positions.
- A Couples League would commence once Duffy's reopens and the food component is finalized; this would extend the league portion of the business.
- The Golf Channel and other advertising generated over \$1 million in revenue and proved useful, as a large number of residents, non-regulars, are now playing.
- Plans were underway to provide better service to the Wednesday game; adding bonus/prize money, etc., was being finalized.
- League programs are typically run by Golf Professionals and not private individuals. This change was ultimately for the long-term benefit of the entire Club and not to single out individuals.

Ms. Huff asked Mr. Nixon to provide ideas for a Men's League event similar to the one for the Women's League.

**SIXTH ORDER OF BUSINESS**

**Consideration of Extreme Divers' Treatment Plan for 11414 and 11415 Pembroke Run to Alleviate Standing Water**

This item was presented following the Seventh Order of Business.

**SEVENTH ORDER OF BUSINESS**

**Discussion: Stoneybrook Leagues**

Resident Tom Foulke stated he opposed paying the additional \$10 fee.

Resident Dan Mira suggested offering a variety of items not currently in the Pro Shop and the ability to order online. Discussion ensued regarding fees, running the Leagues through

the Pro Shop, the inability to gamble, Pro Shop credits offered, whether the same procedure was now used to guarantee tee times and signing up for tournaments, structure of the Woman’s League, providing the ability to use credits to donate money to a charity, etc.

Mr. Nixon stated that, as standard operating procedure, all Leagues are typically run through the Pro Shop, which would help the District expand its cash position. Mr. Cox stated that, as long as no book is used, it is not considered gambling. The new system would commence October 1, 2020.

▪ **Consideration of Extreme Divers’ Treatment Plan for 11414 and 11415 Pembroke Run to Alleviate Standing Water**

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

Ms. Huff stated that the drain pipe was broken on Hole #2 not #17, and would be repaired in dry season. Discussion ensued regarding trees, laying fabric, etc. Mr. Adams would obtain another estimate, once he receives the Extreme Divers’ scope of work.

**EIGHTH ORDER OF BUSINESS**

**Update: CDD-HOA Joint Workshop**

Ms. Huff stated she would give Mr. Adams revised CDD-HOA Joint Workshop Meeting Minutes that includes Bill Reynolds, who was omitted.

**NINTH ORDER OF BUSINESS**

**Acceptance of Unaudited Financial Statements as of July 31, 2020**

Mr. Harland presented the Unaudited Financial Statements as of July 31, 2020. Discussion ensued regarding the golf course water/irrigation rates, etc.

**On MOTION by Mr. Brady and seconded by Mr. Harland, with all in favor, the Unaudited Financial Statements as of July 31, 2020, were accepted.**

**TENTH ORDER OF BUSINESS**

**Approval of July 28, 2020 Virtual Public Meeting Minutes**



Ms. Huff presented the July 28, 2020 Virtual Public Meeting Minutes. The following changes were made:

Line 122: Insert "prize funds" after "leagues"

Line 136: Insert: "Golf Course Fund" after "District's"

Line 225: Change "Brady" to "Nixon"

**On MOTION by Mr. Harland and seconded by Mr. Brady, with all in favor, the July 28, 2020 Virtual Public Meeting Minutes, as amended, were approved.**

**ELEVENTH 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. Irrigation Reports**

**a. High Irrigation Users**

**b. Irrigation Disconnect**

These reports were provided for informational purposes.

**II. NEXT MEETING DATE: September 22, 2020 at 9:00 A.M.**

**o QUORUM CHECK**

The next meeting would be held on September 22, 2020 at 9:00 a.m.

**TWELFTH ORDER OF BUSINESS**

**Supervisors' Requests**

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

**THIRTEENTH ORDER OF BUSINESS**

**Adjournment**

There being nothing further to discuss, the meeting adjourned at 8:40 p.m.

  
Secretary/~~Assistant Secretary~~

  
Chair/Vice Chair