

**MINUTES OF MEETING
STONEBROOK
COMMUNITY DEVELOPMENT DISTRICT**

The Board of Supervisors of the Stoneybrook Community Development District held a Regular Meeting on December 13, 2022 at 9:00 a.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

Also present:

Chuck Adams	District Manager
Tony Pires	District Counsel
Jeff Nixon	Golf Pro
John Vuknic	Golf Superintendent
Bill Reynolds	HOA President
Adam Dalton	Resident/Supervisor Candidate
Craig Brunner	Resident/Supervisor Candidate
Maggie Odair	Resident
John Crist	Resident

FIRST ORDER OF BUSINESS

Call to Order/Roll Call

Mr. Adams called the meeting to order at 9:02 a.m. Supervisors Huff, Brady, Olive and Simonsen were present in person.

SECOND ORDER OF BUSINESS

Public Comments (5 Minutes)

Resident Maggie Odair stated she is still being billed for irrigation despite cancelling her account in July. She thinks her meter is not being read. Ms. Huff asked for the meter number and stated she will ask for it to be inspected and notify Ms. Odair of the resolution.

Resident John Crist voiced his opinion that he is being incorrectly billed for irrigation, as well. He and his neighbors are having issues with overgrown cypress trees that are destroying their lawns and making it hazardous to walk in the yards. He is willing to remove the trees and asked if he could receive any financial relief from the CDD or the HOA.

Permission from the Village to remove trees, tree locations, root and stump removal, tree count and what must be replanted if the trees are removed, were discussed.

Mr. Crist will email photographs of the cypress trees along, with a replanting plan, to Mr. Adams, who will email them to the South Florida Water Management District (SFWMD).

THIRD ORDER OF BUSINESS

Administration of Oath of Office to Elected Supervisor, Eileen Huff [SEAT 5] *(the following to be provided in a separate package)*

Mr. Adams, a Notary of the State of Florida and duly authorized, administered the Oath of Office to Ms. Eileen Huff. He provided the following items:

- A. Guide to Sunshine Amendment and Code of Ethics for Public Officers and Employees**
- B. Membership, Obligations and Responsibilities**
- C. Financial Disclosure Forms**
 - I. Form 1: Statement of Financial Interests**
 - II. Form 1X: Amendment to Form 1, Statement of Financial Interests**
 - III. Form 1F: Final Statement of Financial Interests**
- D. Form 8B – Memorandum of Voting Conflict**

FOURTH ORDER OF BUSINESS

Consider Appointment to Fill Seat 4 Vacancy; *Term Expires November 2026*

A. Review of Candidates

I. Lawrence Ahearn

Mr. Ahearn was not present.

II. Craig Brunner

Mr. Brunner stated he has lived in Stoneybrook since 2014. He discussed his educational and professional background and accomplishments. He concluded that he is very resourceful and is interested in serving on the Board because he enjoys living in the Stoneybrook community. He has no plans to ever relocate and feels that he could add value to the Board.

III. Adam Dalton

Mr. Dalton expressed his desire to serve on the Board. He has lived in Stoneybrook for 12 years. He discussed his educational and professional background and accomplishments and

concluded that he is familiar with the CDD projects completed since 2010. He hoped his background and knowledge would benefit the community and residents. If appointed, he would do his best to support community-related services and infrastructure.

Regarding his business, Mr. Dalton stated that he recently sold his business.

Discussion of the candidates and their qualifications ensued.

The consensus was to appoint Mr. Dalton to fill Seat 4.

On MOTION by Mr. Brady and seconded by Ms. Huff, with all in favor, the appointment of Mr. Adam Dalton to fill Seat 4, was approved.

Ms. Huff thanked Mr. Brunner for participating.

B. Administration of Oath of Office to Appointed Supervisor

Mr. Adams, a Notary of the State of Florida and duly authorized, administered the Oath of Office to Mr. Adam Dalton. He provided the Supervisor’s packet and explained its contents.

Mr. Pires discussed the Sunshine Law and stated that a violation could result in civil or criminal penalties, fines and attorney’s fees. He explained the Public Records Laws and use of the CDD-assigned email address, over personal email addresses. Any CDD business-related emails sent to a Board Members’ personal email account should be forwarded to Mr. Adams.

FIFTH ORDER OF BUSINESS

Consideration of Resolution 2023-02, Designating Certain Officers of the District, and Providing for an Effective Date

Mr. Adams presented Resolution 2023-02. Mr. Brady nominated the following slate:

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|---------------------|-------------------|
| Chair | Eileen Huff |
| Vice Chair | Christopher Brady |
| Secretary | Chuck Adams |
| Assistant Secretary | Philip Simonsen |
| Assistant Secretary | Phil Olive |
| Assistant Secretary | Adam Dalton |
| Assistant Secretary | Craig Wrathell |

No other nominations were made. Prior appointments by the Board for Treasurer and Assistant Treasurer remain unaffected by this Resolution.

On MOTION by Mr. Brady and seconded by Mr. Simonsen, with all in favor, Resolution 2023-02, Designating Certain Officers of the District, as nominated, and Providing for an Effective Date, was adopted.

SIXTH ORDER OF BUSINESS

Golf Course Staff Reports

A. Golf Superintendent

Mr. Vuknic reported the following:

- New landscaping was installed at Duffy’s and at the Pro Shop.
- Mulch and pine straw was applied throughout the community and the golf course.
- Trees are being inspected for deadheads and being cleaned out. The fallen tree on #18 was recently removed by crews on the range.
- The golf course has been damp, wet and moist in the mornings, causing unfavorable conditions. Fungicide was sprayed the last four of five days; it is costly but it must be done.
- The flower beds on #18, behind the Williamson home, were cleaned out and replanted with plants/vegetation leftover from landscaping at the Pro Shop.
- Removal of all ball washers, except on #1 and #10 was suggested, as they are dirty, rarely-used, outdated and an eyesore.

Discussion ensued regarding whether to remove the ball washers, replacement costs and usage. The consensus was to remove all ball washers, including the ones on #1 and #10.

- Tree removal behind the community is underway; crews are currently working on Windham and will transition to Berwhich.

Mr. Vuknic stated, once all the trees are removed, the land will be graded, irrigation repairs will be made, leftover roots on the ground will be cut and the area will be re-sodded.

Discussion ensued regarding project costs, complaints about the noise from Corkscrew Road, Federal Emergency Management Agency (FEMA) reimbursement for debris pickup, free debris pickup by the Village, employee Christmas luncheon, in-house removal of shrubbery to address line of sight issues, re-landscaping and installing ground level solar lighting to light up the pathways.

Ms. Huff reported that she, Mr. Vuknic, and Elizabeth Hansen recently met with Juniper. The requested landscaping changes in the cul-de-sacs are complete, work will commence on the area from Corkscrew to the four-way stop in January, followed by improvements to the

main road, including removal of dead bushes, plant installations around all the utility boxes and removing and replacing the juniper.

A Board Member asked when the road project will commence. Mr. Adams stated the District Engineer submitted a proposal for the project manual. The project can go out to bid and the threshold mandates sealed bidding; proposals are expected in March and the goal is to commence the project in May.

B. Golf Pro

Mr. Nixon reported the following:

- November was successful. Stoneybrook benefitted from the closure of area golf courses.
- December revenues are overbudget; it should be a good month.
- A group from Chicago are returning for their annual visit.

Mr. Nixon asked if including the Board Members on a software scheduling program that monitors attendance would breach the Sunshine Laws. Mr. Pires stated as long as there is no interaction amongst any of the Board Members, it is fine.

- Electrical components for the fountain were delivered and permitting from the County is pending. The fountain will be installed once the permit is approved.
- The cord for the ball machine will be delivered in mid to late-December and the machine should be operational by January 1, 2023.

Discussion ensued regarding the ball machine, configurations of the fountain, yardage of the range, signage, reasons for the extended wait for permits from the County, speeding, law enforcement, traffic calming devices, back gate, installing additional stop signs, how another CDD is handling speeding and a recent traffic study.

- **Review of Potential Expanded Outdoor Patio Area**

This item was not addressed.

SEVENTH ORDER OF BUSINESS**Consideration of Proposals****A. Master Z Pavers, Inc., for Installation of Back Patio Brick Pavers and Fire Pit**

Ms. Huff stated she, Mr. Vuknic and Mr. Nixon met with Master Z Pavers regarding the area behind Duffy's. Because of the slope near the cart path, there will be three 6" steps. Mr. Nixon stated Duffy's is aware of the cost but has not offered to contribute.

Discussion ensued regarding the \$49,000 proposal, splitting the costs with Duffy's, removing the existing pavers, change in elevation, modifying the Duffy's lease, permitting, lighting options, Americans with Disabilities Act (ADA) access, asking Master Z to produce design plans and project timing.

On MOTION by Ms. Huff and seconded by Mr. Brady, with all in favor, authorizing Staff to ask Master Z to pursue a permit, review and modify the lease with Duffy's, modify the proposal to include removal of the existing pavers and proceeding with new pavers and authorizing the Chair to execute, was approved.

Mr. Brady voiced his opinion that Mr. Vuknic and Mr. Nixon should be running the golf course and making sure that Stoneybrook is increasing its golf revenue, not dealing with paver bricks. He felt that Ms. Lisa Paul should be informed that she should be managing the patio expansion project and be point of contact for all parties. Ms. Huff asked Mr. Olive to ask Ms. Paul to attend CDD meetings and to schedule a conference call between the herself, Mr. Olive, Mr. Nixon, Mr. Adams, Mr. Pires and Mr. Courson prior to the January meeting.

Discussion ensued regarding whether to proceed with the fire pit and a funding source for the expansion project.

Ms. Huff motioned to remove the fire pit from the proposal and Mr. Simonson seconded the motion. Mr. Pires suggested asking Ms. Paul to consider adding a fire pit after the paving is completed. The motion was rescinded.

B. Coastal Concrete Products, LLC, for Repairs to Miramar Wall from Hurricane Ian Damages

Ms. Huff stated that she wanted confirmation that Miramar filed a claim with its insurance company for the wall damages. She asked about costs and if the CDD is responsible for the wall repairs. Mr. Adams stated that the CDD is not responsible for the damages since the trees that damaged the wall are on CDD property. Mr. Reynolds stated the estimated amount for the entire wall is \$40,000; the costs should be shared between the CDD and the HOA. Ms. Huff doubted the CDD has to pay because its tree fell.

Discussion ensued regarding whether the CDD is responsible for the wall damage caused by the tree, wind damage, the HOA maintenance contract for common ground areas and

itemizing the damages. Mr. Pires will check his documents regarding CDD liability for damage caused by trees and report his findings.

EIGHTH ORDER OF BUSINESS

Discussion: Cypress Trees Removal at Hole #5

A. Photos of Removed Trees

B. Lake Shoreline and Deep Lake Planting Plan and Aerial Map

Ms. Huff voiced her understanding that palm trees have been planted where the cypress trees on CDD property were previously and asked what action should be taken. Mr. Pires stated, if the CDD did not condone the tree removals and planting of the others, then it should find out who did it and make a claim for the damage to CDD property.

Discussion ensued regarding the rationale of the homeowner who cut the trees, the exact location of the trees, the fine imposed by the HOA, planting plan under the Development Order (DO) and referring the homeowner to the Village Code Enforcement Department.

Mr. Vuknic will photograph the palm trees and email them to Mr. Pires. Mr. Pires will draft and send a letter to the homeowner requesting them to remove the palm trees and compensate the CDD for the purchase and installation of new cypress trees.

NINTH ORDER OF BUSINESS

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

Referencing construction and permitting documents, Ms. Huff reported the following:

- She met with 7-Eleven representatives and communicated why the community is against construction of the gas station.
- The representatives feel that they have the right to build the gas station, which will not be open 24-hours a day. It is already permitted and they are proceeding. They asked for CDD approval to widen the road.
- Mr. Pires checked the permits for the convenience store and the self-storage projects via the SFWMD e-permitting portal and it appears that both applications have not yet been deemed complete by the SFWMD; therefore, no permits have been issued yet.
- Mr. Pires emailed a revised site plan to Ms. Melissa Roberts and asked her to confirm that the application numbers pertaining to the two projects and to confirm that both

applications are incomplete. Upon receipt of a response from Ms. Roberts, Mr. Pires will email it to Mr. Adams for dissemination to the Board.

- Since the permits are incomplete, the CDD still has an opportunity to submit further concerns about water quality issues.
- The CDD could inform the Village of Estero that the CDD is not inclined to allow pavement widening on its road.
- The Village has asked the Board to sign off on the project so the Developer can continue with the process of constructing a turn lane. Ms. Huff stated she will not sign anything.

Discussion ensued about incomplete permit applications, the property zoning change, Corkscrew Road traffic flow, Village Planning Staff, possible discharges into the conservation area from the proposed gas station, 7-Eleven hours of operation and road widening.

Mr. Pires will draft a letter to the SFWMD and to the Village regarding a previous DO, zoning application or hearing and email it to the Chair for review and feedback.

This item will be on the next agenda.

TENTH ORDER OF BUSINESS

Acceptance of Unaudited Financial Statements as of October 31, 2022

Ms. Huff presented the Unaudited Financial Statements as of October 31, 2022.

Discussion ensued regarding “Contingencies”, on Page 1, “Operating revenues”, on Page 3, mulch and if there will be additional details about the itemized expenses on the building.

The financials were accepted.

ELEVENTH ORDER OF BUSINESS

Approval of Minutes

Ms. Huff presented the following:

A. October 25, 2022 Regular Meeting

The following changes were made:

Line 32: Change “POA” to “HOA”

Line 61: Change “Simonsen” to “Olive”

Line 112: Delete “the” after “to”

On MOTION by Mr. Simonsen and seconded by Mr. Brady, with all in favor, the October 25, 2022 Regular Meeting, as amended, were approved.

B. November 8, 2022 Regular Meeting

The following change was made:

Line 19: Delete "Tony Pires" and "District Counsel"

On MOTION by Mr. Simonsen and seconded by Mr. Brady, with all in favor, the November 8, 2022 Regular Meeting, as amended, were approved.

TWELFTH ORDER OF BUSINESS

Staff Reports

A. District Counsel: *Tony Pires, Esquire*

Mr. Pires will give a Sunshine Law PowerPoint presentation at the February meeting.

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.

II. NEXT MEETING DATE: January 24, 2023 at 9:00 A.M.

o QUORUM CHECK

The next meeting would be held on January 24, 2023.

THIRTEENTH ORDER OF BUSINESS

Supervisors' Requests

Mr. Brady noted numerous discussions and emails on social media regarding irrigation billing and asked if the Board is amenable to discuss automating it in the new year.

Discussion ensued regarding underground leaks, installing new irrigation meters, the budget, remaining bond funds, assessments, fixed costs and monthly irrigation bills.

FOURTEENTH ORDER OF BUSINESS

Adjournment

On MOTION by Mr. Brady and seconded by Mr. Simonsen, with all in favor, the meeting adjourned at 11:30 a.m.



Secretary/~~Assistant Secretary~~



Chair/~~Vice Chair~~