

**MINUTES OF MEETING
STONEYBROOK
COMMUNITY DEVELOPMENT DISTRICT**

The Board of Supervisors of the Stoneybrook Community Development District held a Public Hearing and Regular Meeting on August 26, 2025 at 6:00 p.m., at the Stoneybrook Community Center, 11800 Stoneybrook Golf Boulevard, Estero, Florida 33928.

Present:

Eileen Huff	Chair
Chris Brady	Vice Chair
Adam Dalton (via telephone)	Assistant Secretary
Phil Olive	Assistant Secretary

Also present:

Chuck Adams	District Manager
Shane Willis	Wrathell, Hunt and Associates, LLC
Tony Pires	District Counsel
Mark Zordan	District Engineer
Kyle Schulte	Head Golf Pro
John Vuknic	Golf Superintendent
Lisa Paul	Property Manager
Nicole Rodriguez	HOA Manager

Residents:

Kaila Freeman Scott Roark Michelle Linglet Chris Ware Other residents

FIRST ORDER OF BUSINESS

Call to Order/Roll Call

Mr. Adams called the meeting to order at 6:02 p.m. Supervisors Huff, Brady and Olive were present. Supervisor Dalton attended via telephone. Supervisor Simonson was not present.

<p>On MOTION by Mr. Brady and seconded by Ms. Huff, with all in favor, authorizing Mr. Dalton's attendance and full participation, via telephone, due to exceptional circumstances, was approved.</p>
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SECOND ORDER OF BUSINESS

Public Comments (4 Minutes)

A resident asked the Board Members to not use their cell phones during the meeting. Ms. Huff stated cell phones are used for timing purposes and not for social interaction.

Resident Scott Roark thanked the Board for holding the meeting at 6:00 p.m., and asked the Board to consider permanently changing the meeting time to 6:00 p.m. He noted the fence and that his property backs up to the preserve and asked the Board to consider having workers

trim the foliage back further on the preserve side. Mr. Adams stated crews are trimming as necessary, in comparison to the original fence line. There was no maintenance plan, but additional trimming can be added; trimming is primarily to treat exotics and invasives.

Resident Kaila Freeman read the following related to the Twelfth Order of Business:

“I have uncovered, since our last meeting, that the fence permit is defective; it was filed on the wrong parcel, the survey on record places the fence in the wrong location and no valid permit has been received according the Village of Estero (VOE), which I had a meeting with a week and a half ago. A permit that is defective cannot be corrected by simply adding a modification fee until the permit is properly corrected, approving any further payments is completely improper. Today, District Counsel also received correspondence from my attorney, raising concerns about potential bond misuse. The 2022 bond funds were issued for specific purposes such as rails, curbside roadway, clubhouse and landscaping; fencing was not included. Any use of bond proceeds for the fence raises the risk of being outside the scope of the bond obligations. Approving an invoice tied to that concern without clarification exposes the District to potential liability. Finally, residents are being asked to pay twice, first for the improper installation of the 6’ fence to begin with and now again to cut it to 42”. This is not fiscal management; it is simply doubling down on the mistake and passing the costs onto homeowners. My request is straightforward; do not approve this invoice until the permit issues are completely resolved and the funding source is clearly identified in writing. Anything less puts this District at risk and forces residents to bear the costs of errors that should have never happened in the first place. Thank you.”

Resident Michelle Linglet read the following:

“This is precisely why hiring a qualified fencing contractor is so essential; someone who not only understands construction but also comprehends necessary community process. At our February meeting, Mr. Olive recommended Fore Fence & Gate LLC to the Board, citing completion of a perimeter fence at Heritage Pines. However, we know this statement was unfounded; trust has been misplaced in Mr. Olive, as he led you all to engage Fore Fence & Gate LLC, an unlicensed and uninsured business, at that time, to do our job. The friendship between Mr. Olive and Mr. Zeigler raises significant ethical concerns; the Board should hold Mr. Olive accountable for these ethical violations, which include evidence that they participated in a golf event on May 30, 2025 together. From this point, I urge this Board to take action. We must seek proper compensation from the contractor for his many failures. I trust that the Board will

act decisively to govern this community with ethics, values and standards that align with our legal obligations. It is critical that we ensure all of our actions are compliant with the law and reflected commitment to the residents you serve. Thank you very much.”

THIRD ORDER OF BUSINESS**Acceptance of Resignation of Philip Simonsen**

On MOTION by Mr. Brady and seconded by Ms. Huff, with all in favor, the resignation of Philip Simonsen, was accepted.

FOURTH ORDER OF BUSINESS**Consider Appointment of Qualified Elector to Fill Unexpired Term of Seat 1; Term Expires November 2028**

Ms. Huff announced that an email will be circulated asking interested candidates to forward their resumes to Mr. Adams. Candidates will be interviewed at the September meeting. This item was deferred.

- **Administration of Oath of Office to Appointed Supervisor (the following to be provided under separate cover)**
 - A. Required Ethics Training and Disclosure Filling**
 - **Sample Form 1 2023/Instructions**
 - B. Membership, Obligations and Responsibilities**
 - C. Guide to Sunshine Amendment and Code of Ethics for Public Officers and Employees**
 - D. Form 8B: Memorandum of Voting Conflict for County, Municipal and other Local Public Officers**

FIFTH ORDER OF BUSINESS**Consideration of Resolution 2025-07, Electing and Removing Officers of the District and Providing for an Effective Date**

This item was deferred.

SIXTH ORDER OF BUSINESS**District Engineer Staff Report: Johnson Engineering, Inc. (JEI)**

- **Duffy’s Driveway Topo Survey**

- **Duffy's Driveway Photos**

Mr. Zordan presented the Duffy's as-built survey and photos of the finished product after a rain event. He reported the following:

- The ponding is minimal, comparable to other areas in the community where the roads have been repaved.
- He has conferred with Collier Paving aka Southern Striping, who repaired the island and Duffy's driveway twice before. Further repairs will greatly impact the golf course and access to Duffy's driveway.
- The contractor is willing to repair the area a third time, at a 20% discount, because he did not build it to the design elevations of the design plans.
- There is no impact to public safety.

Discussion ensued regarding the ponding, whether to make the repairs and take advantage of the 20% discount, the contractor replacing a street sign with one that matches the mailboxes and installing signage that publicizes the golf course and Duffy's.

On MOTION by Mr. Dalton and seconded by Mr. Brady, with all in favor, repairing the area, with the 20% discount offered by Collier Paving, was approved.

- A South Florida Water Management (SFWMD) pre-application meeting about Holes #10, #13 and #18, went well. To repair the slope in the lakes near #10 and #18, the CDD will have to undergo the application process.
- The SFWMD will require a report outlining the storage volume, a map, mitigation, full construction plans, staging area, ingress and egress points and any surveys for eagle nests.

Discussion ensued regarding how a 4:1 slope will be achieved, wall replacement costs, increasing the size of the tee boxes, permitting requirements, if quotes were obtained, projected golf course renovation date, how the wall near #18 is faring after recent rain events and the cypress trees near #13.

Mr. Vuknic stated the trees will have to be removed because there is too much shade on the green; the grass does not receive adequate sunlight throughout the year.

- Per the Board's direction after the last meeting, he arranged for a contractor to replace approximately 60 linear feet of valley gutter at 21504 Windham Run. The anticipated construction date is September 2, 2025.

Mr. Zordan presented a \$20,255 proposal for the pedestrian crossing at Brixham Run, which includes the survey, design, permitting and CEI.

On MOTION by Ms. Huff and seconded by Mr. Brady, with all in favor, the JEI proposal for the pedestrian crossing at Brixham Run, in the amount of \$20,255, was approved.

Mr. Pires noted a letter he received from Mary Gibbs, of the VOE, regarding the issues and concerns about the Lancaster Run conveyance and setback issues that it could cause. Ms. Gibbs' answer was very favorable; all Counsel and all parties were happy with her response. The next phase is to authorize JEI, namely Mark Haines and Mark Zordan, to prepare a scope of work for a survey of what is necessary, so he can work on a deed and a title for the conveyance.

On MOTION by Mr. Dalton and seconded by Ms. Huff, with all in favor, authorizing JEI to prepare a proposal and scope for surveying services for Lancaster Run and the metes and bounds appropriate and necessary for a deed to convey a tract of land to the CDD, was approved.

Asked for an update on the drainage issue near the Duffy's dumpster, Mr. Zordan stated the repair work is scheduled for Thursday.

SEVENTH ORDER OF BUSINESS

Golf Course Staff Reports

A. Golf Superintendent

Mr. Vuknic reported the following:

- Staffing: The common grounds is fully staffed. The common ground schedule will be adjusted by a ½ hour because the elementary school changed its hours.
- The center median work was completed and looks good.
- Staff arranged for Extreme Divers to repair a storm drain on Waymouth.
- The golf course recently underwent an aerification.
- There were a few issues with e-bikes damaging the ball field and driving range.

Discussion ensued regarding discussion at a recent HOA meeting about the e-bike issue, local law enforcement limitations, damage to landscaping, sending letters to the culprits and placing "No Trespassing" signs above the current golf course signage.

- Health Insurance: Quotes were received from United Health and Florida Blue. Florida Blue will cost the CDD about \$108 more per month per employee than the current insurance

coverage but is a superior policy. There are four plans. To meet the October open enrollment date, a decision regarding insurance should be made during today's meeting.

Asked how much the employees currently pay for health insurance, Mr. Vuknic stated depending on the plan, it is approximately \$100 per month.

On MOTION by Ms. Huff and seconded by Mr. Brady, with all in favor, authorizing golf course Staff to secure medical and dental health coverage for maintenance and Pro Shop employees, was approved.

Referencing a handout, Mr. Vuknic presented a Dorman Landscape proposal to re-do the fountain near Duffy's. He discussed the scope of work, why this is necessary, the fountain pumps, a retaining wall and sod.

On MOTION by Ms. Huff and seconded by Mr. Olive, with all in favor, Dorman Landscape Estimate #377, in a not to exceed amount of \$200,000, was approved.

B. Golf Pro

Mr. Schulte reported the following:

- Staffing: The golf course is fully staffed for the season.
- Revenues are 16% higher than last August, increasing from \$107,000 to \$125,000 in the Pro Shop and driving range.
- The system switch from GolfNow to Fore Up is underway. A few minor issues with the website and e-mail domains were remedied. Staff anticipates going live in mid-September instead of September 1st. The contract will be presented for review and feedback at the next meeting.
- All the driving range mats will be renewed. Upon conferring with Mr. Olive, a decision was made to split the coverage project between the driving range and the Duffy's patio.

Discussion ensued regarding removing landscaping, repurposing the pavers, creating a sitting/bar area near the driving range, Wednesday golf updates and payroll reports.

▪ **Testimony from Nicole Rodriguez – HOA Manager**

This item was an addition to the agenda.

Mr. Pires stated this is to provide a factual account of a recent occurrence, on the record, based upon first-hand information from Ms. Nicole Rodriguez. He recapped that an email was received from a resident who indicated that an investigator from the Division of

Workers Compensation or Department of Financial Services was recently denied access into the CDD. The email stated that Ms. Huff directed the guards at the gate to deny access to the individual in question. He asked Ms. Rodriguez to relate what occurred.

Ms. Rodriguez stated, in July, she received a call from the security guards alerting that a State Officer from Workers Compensation was at the gate and wanted to enter the community. She asked the guard to have the State Officer circle around while she checked with the HOA and CDD Board Presidents. She obtained the State Officer's cell number from the guard and called her directly to inform her that Staff was in the process of obtaining clearance for her, which would take a few minutes. The State Officer was receptive to that but did state that she could not be denied entry. Ms. Rodriguez then contacted Mr. Oldani and Ms. Huff, obtained permission to grant access and provided Ms. Huff with the Officer's contact information. Ms. Rodriguez then advised the guard to allow the State Officer onto the property and called her as well. The State Officer did not answer the call, never returned her call and never circled around, according to the guard.

Ms. Rodriguez exited the meeting.

EIGHTH ORDER OF BUSINESS**Board Member Reports****A. Phil Simonsen**

- **Update: Golf Course Redo**

Mr. Vuknic stated Mr. Simonsen asked him to provide the update. He reported that Mr. Simonsen recently attended a meeting at the VOE regarding approval for a project to repair retaining walls and install trees; the meeting went well. Mr. Gordy Lewis will attend the September CDD meeting to provide an update on the golf course renovations, including the irrigation system. Staff is facilitating an irrigation audit of the common ground areas to rectify the irrigation billing and is obtaining an estimate to pressure-wash and repaint the wall on Braxfield Loop.

B. Phil Olive

- **Update: Duffy's**

Mr. Olive stated he conferred with Mr. Schulte regarding covering the Duffy's patio for golf events. He requested approval to proceed with Coastal Canvas, as they are ready to commence the work, which will take six to eight weeks. The estimated cost of the project is

\$35,000 to \$40,000. Mr. Pires suggested having the vendor present a proposal, including the warranty language as well as the scope at the next meeting.

Discussion ensued regarding project timing, obtaining additional proposals, project costs and involving the District Engineer is the patio project.

Mr. Dalton motioned for District Staff to lead all construction projects; obtain multiple bids, vet the contractors and ensure that all specifications meet statutory requirements. The motion was modified to include all construction projects greater than \$50,000 and any other projects that the Board wishes to include.

On MOTION by Mr. Dalton and seconded by Ms. Huff, with all in favor, authorizing JEI to administer/manage the Duffy's Patio coverage project, and all construction projects greater than \$50,000 and/or any other project the Board wants JEI to oversee, was approved.

Ms. Paul provided updates regarding the Duffy's air conditioning, the gate and sprinkler.

C. Chris Brady

- **Update: Email and Other Communications**

Mr. Brady stated he received several emails about the fence. He referenced a handout from Ms. Sharon Fenstermaker dated August 21, 2025, asking him to contact the Florida Commission on Ethics to report what she thinks are breaches by Ms. Huff and Mr. Olive. Mr. Brady discussed the letter and opined that the letter contained more accusations than actual facts and, although he sees Ms. Fenstermaker's points, there is not much that can be pursued.

Mr. Pires stated the Florida Commission on Ethics operates under a particular charter and they are the only party in the State of Florida that has the ability to opine on ethics matters that are binding. He noted one email mentioned that a YouTube recording from the July 2024 meeting is missing from the CDD's archives and clarified that the Master Association records the meetings in YouTube format, not the CDD, and it is up to the Master Association to provide it to the District's Custodian of records. Mr. Adams stated Staff has digital audio recordings of meetings.

Mr. Pires addressed what constitutes Sunshine Law violations, conflicts of interest, records preservation, public records recovery and Ms. Freeman's letter regarding utilization of bond proceeds.

Mr. Adams stated the bond proceeds for the fence project will require an Engineer's Report modification; the Report already has to be modified to include Lancaster Run. Mr.

Adams will coordinate with Bond Counsel and the District Engineer on this. He anticipates presenting an Amended Engineer's Report at the next meeting.

D. Adam Dalton

- **Update: Revenues**

Mr. Dalton referenced the Unaudited Financials through July 31, 2025 and stated revenues are up 14% to date. The August Truist Bank balance is up 18%; profitability for the golf course is up \$700,000 and cash on hand is \$670,000 versus \$286,000 in 2024. All things considered, the golf course is doing well and he believes it will be even more profitable in the coming year due to the planned system changes.

E. Eileen Huff

- **Update: Common Grounds**
- **Update: Expenses via QuickBooks**
- **Update: Maintenance Department**

Ms. Huff stated the common ground update was previously provided by Mr. Vuknic, the expenses are well under control. She noted that one maintenance department employee is out on leave and Crosby returned to work part-time to process invoices and payroll. She asked Mr. Schulte to train two part-time employees on payroll.

NINTH ORDER OF BUSINESS

**Public Hearing on Adoption of Fiscal Year
2025/2026 Budget**

A. Proof/Affidavit of Publication

B. Consideration of Resolution 2025-08, Relating to the Annual Appropriations and Adopting the Budget for the Fiscal Year Beginning October 1, 2025, and Ending September 30, 2026; Authorizing Budget Amendments; and Providing an Effective Date

Mr. Adams presented Resolution 2025-08 and reviewed the proposed Fiscal Year 2026 budget. He responded to questions regarding General Fund Budget line item increases, why the "Legal" line item is a zero in the Enterprise fund budget - Commercial Parcel, the "Total net assets – beginning" line item on Page 13, the "Engineering" line item on Page 1, pipe inspections, proposed assessments on Page 31 and if there are any bond prepayment penalties.

Discussion ensued regarding the "Enterprise Fund – Commercial Parcel", when rebates for homeowners will be considered, next year's assessments and the golf budget.

The following change will be made:

Page 6, "Repairs & maintenance": Decrease from \$75,000 to \$65,000

Page 6, "Legal": Increase from \$0 to \$10,000

Mr. Adams opened the Public Hearing.

Resident Chris Larson questioned the steep increase in "Personnel services" on Page 2, and voiced his opinion that the Debt Service Fund schedule on Page 7 should be easier to follow. Mr. Adams stated most of the increase is in personnel insurance.

Mr. Adams closed the Public Hearing.

On MOTION by Mr. Brady and seconded by Mr. Olive, with all in favor, the Resolution 2025-08, Relating to the Annual Appropriations and Adopting the Budget(s) for the Fiscal Year Beginning October 1, 2025, and Ending September 30, 2026; Authorizing Budget Amendments; and Providing an Effective Date, as amended, was adopted.

TENTH ORDER OF BUSINESS

Consideration of Resolution 2025-09, Making a Determination of Benefit and Imposing Special Assessments for Fiscal Year 2025/2026; 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 2025-09.

On MOTION by Mr. Brady and seconded by Mr. Dalton, with all in favor, the Resolution 2025-09, Making a Determination of Benefit and Imposing Special Assessments for Fiscal Year 2025/2026; 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.

ELEVENTH ORDER OF BUSINESS

Continued Discussion: Eric Price Enterprises, Inc. Stoneybrook CDD Roof Inspections

Mr. Pires stated there was nothing to report.

Mr. Adams stated, after the last meeting, he researched why the fence contractor was exempt from Worker's Compensation and learned that he subcontracts to the company Zavals Fence Inc. The contractor provided copies of a contract that he entered into with Zavals, as well as his insurance policy, and affirmed that, with those two documents, he was able to obtain the Worker's Compensation exemption from the State.

Mr. Pires stated Mr. Adams obtained the information from Mr. Ziegler and the COI specifically as it relates to insurance, needs to be cleared if the Board wants to continue engaging Fore Fence and Gate. The required COI needs to be corrected to show the District as an additional-insured; there are a few issues with the certificate of insurance. Mr. Pires stated, after his initial review, the fence subcontractor, Zavalas, has required workers compensation coverage; however, the COIs do not reflect what the CDD needs to have.

Discussion ensued regarding the issues with the COI, status of the fence, Fore Fence change order, contract compliance, permitting issues, VOE inspections, building codes, if automobile liability insurance was obtained by Mr. Ziegler as per the contract, previously-paid invoices and the fence requirements.

Mr. Pires stated Staff will continue working on resolving this and provide an update at the next meeting.

THIRTEENTH ORDER OF BUSINESS

Consideration of Goals and Objectives Reporting FY2026 [HB7013 - Special Districts Performance Measures and Standards Reporting]

Mr. Adams presented the Goals and Objectives Reporting Fiscal Year 2026 Performance Measures and Standards.

<p>On MOTION by Ms. Huff and seconded by Mr. Brady, with all in favor, the Goals and Objectives Reporting Fiscal Year 2026 Performance Measures and Standards, were approved.</p>
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- **Authorization of Chair to Approve Findings Related to 2025 Goals and Objectives Reporting**

Mr. Adams stated that the Chair will need to be authorized to approve the findings related to the 2025 Goals and Objectives Reporting.

On MOTION by Ms. Huff and seconded by Mr. Brady, with all in favor, authorizing the Chair to approve the findings related to 2025 Goals and Objectives Reporting, was approved.

FOURTEENTH ORDER OF BUSINESS**Acceptance of Unaudited Financial Statements as of July 31, 2025**

On MOTION by Mr. Brady and seconded by Ms. Huff, with all in favor, the Unaudited Financial Statements as of July 31, 2025, were accepted.

Mr. Dalton stated Mr. Schulte was promoted from the interim position one year ago. He noted Mr. Schulte's accomplishments and system implementations and suggested increasing his pay from \$93,000 to \$103,000 per year, effective September 1, 2025.

On MOTION by Mr. Dalton and seconded by Ms. Huff, with all in favor, increasing Mr. Schulte's base pay from \$93,000 to \$103,000 per year, effective September 1, 2025, was approved.

FIFTEENTH ORDER OF BUSINESS**Approval of July 22, 2025 Regular Meeting Minutes**

The following changes were made:

Line 27 and throughout, Change: "Kayla" to "Kaila"

Line 28 and throughout, Change: "Minglay" to "Linglet"

Line 63 and throughout, Change: "Taylor-Made" to "TaylorMade"

Line 157 and throughout, Change: "Ford Fence" to "Fore Fence"

Line 358: Change "resident emails" to "Village emails"

On MOTION by Mr. Brady and seconded by Ms. Huff, with all in favor, the July 22, 2025 Regular Meeting Minutes, as amended, were approved.

SIXTEENTH ORDER OF BUSINESS**Staff Reports****A. District Counsel: Tony Pires, Esquire**

Mr. Pires provided copies of the letters regarding Lancaster Run and asked Mr. Adams to provide Mr. Davies with digital audio recordings of meetings from June 1, 2024 through August 9, 2024.

Mr. Brady asked if the CDD failed to meet its legal obligation by engaging the fence contractor, as alleged by Ms. Linglet.

Ms. Freeman stated she has handled permitting on projects for 22 years. She listed what she alleges and perceives as the issues with the fence project, including the project not initially labeled as a capital expenditure, repeated statements by multiple Board Members that the project would be covered by the landscaping portion of the bond, the fence project not going through proper channels to be voted on as a capital expenditure, the contractor having flawed a legal description and survey of the fence, concrete dumping in the pond and the need for an LDO. She believes the CDD's errors cost residents money.

Ms. Huff stated the Board appreciates the concerns that have been brought to its attention regarding the fence. Concerns and issues are being addressed.

B. 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. 1,680 Registered Voters in District as of April 15, 2025

III. UPCOMING MEETINGS

- **August 26, 2025 at 6:00 PM [Adoption of FY2026 Budget]**
- **September 23, 2025 at 9:00 AM**
- **QUORUM CHECK**

SEVENTEENTH ORDER OF BUSINESS

Supervisors' Requests

Mr. Brady stated the website does not have the CDD's email address.

EIGHTEENTH ORDER OF BUSINESS

Adjournment

On MOTION by Ms. Huff and seconded by Mr. Olive, with all in favor, the meeting adjourned at 8:50 p.m.


Secretary/Assistant Secretary


Chair/Vice Chair