

**MINUTES OF MEETING
STONEYBROOK
COMMUNITY DEVELOPMENT DISTRICT**

The Board of Supervisors of the Stoneybrook Community Development District held a Regular Meeting on April 22, 2025 at 9:00 a.m., at the Stoneybrook Community Center, 11800 Stoneybrook Golf Boulevard, Estero, Florida 33928.

Present:

Eileen Huff
Chris Brady
Adam Dalton

Chair
Vice Chair
Assistant Secretary

Also present:

Chuck Adams
Shane Willis
Tony Pires
Mark Zordan
Kyle Schulte
John Vuknic
Lisa Paul
Gorde Lewis
Several members of the public

District Manager
Operations Manager
District Counsel
District Engineer
Head Golf Pro
Golf Superintendent
Property Manager
Golf Course Architect

FIRST ORDER OF BUSINESS

Call to Order/Roll Call

Mr. Adams called the meeting to order at 9:00 a.m.

Supervisors Huff, Brady and Dalton were present. Supervisor Olive was not present at roll call. Supervisor Simonsen was absent.

SECOND ORDER OF BUSINESS

Public Comments (5 Minutes)

No members of the public spoke.

THIRD ORDER OF BUSINESS

District Engineer Staff Report: Johnson Engineering, Inc.

Mr. Zordan stated that construction on the valley gutters and drainage commenced yesterday. Collier Paving identified 32 locations for valley gutter replacement, which average 4'

to 6' sections, except for one that is approximately 32' long. In two weeks, they will start on the driveway at Duffy's. He spoke to the vendor and there is a concern about merging traffic in and out. Per Collier Paving, traffic will be maintained through the use of a flag crew, signs and cones. He is coordinating with Mr. Vuknic and Mr. Schulte to monitor the traffic and the drainage work on the golf cart path. The contract time is 60 days; work is progressing smoothly.

Mr. Zordan responded to questions regarding the tasks that will be carried out, project details, traffic maintenance and paving at Duffy's.

Mr. Brady proposed having the sidewalk at Brixham connected to the walking path. He stated Mr. Vuknic thinks it is doable. He asked if the District Engineer can inspect and give an opinion on how to facilitate the sidewalk project. Mr. Zordan will inspect the area after the meeting with Mr. Vuknic and Mr. Brady, obtain a proposal from Collier Paving and email it to Management.

▪ **Update: Golf Course Improvement Project**

This was an addition to the agenda.

Referencing a handout of a map, Mr. Lewis stated he is meeting with Golf Course Staff Working Group Members regularly to discuss golf course improvements and, in a few months, he will tour the course with Mr. Vuknic to identify bad soil areas and wet areas and to facilitate repairs. The Staff Working Group's goal is to enhance Stoneybrook, resolve all the issues and problem areas, make it easier to maintain the greens and make the course easier to maintain.

Mr. Lewis proposed displaying three representative greens options in the Pro Shop and stated Mr. Schulte suggested a 3D arial visual tour of the new golf course. In the fall, the Staff Working Group plans to go out to bid to re-grass the course and engage a contractor. The only issue is Hole #13, where the grass has difficulty growing due to poor air circulation and a shade issue. To remedy this, 15 cypress trees need to be removed. The Staff Working Group will need Mr. Zordan's help obtaining permits from the Village of Estero.

Mr. Pires asked if this is a Development Order (DO) matter, a South Florida Water Management District (SFWMD) matter, or both. Mr. Lewis stated both. Ms. Huff stated one concern is that the irrigation has to be redone.

Discussion ensued regarding cypress tree removals, cost-saving options, if the trees are located in a conservation easement, Hole 13's current appearance, lake visibility once the trees are removed, installing plants near the Hole 14 Tee and the pond on Hole 18.

Mr. Dalton stated he was unaware of the available options and the golfers do not know about them either. He noted that, anytime a project is being proposed, it is necessary to explain the options and to obtain feedback from residents, customers and the HOA, and to discuss affordability and the timeline. Ms. Huff stated this is why she previously asked Mr. Simonsen to provide minutes after each Golf Course Committee meeting.

Mr. Lewis, Mr. Schulte and Mr. Vuknic responded to questions regarding the wet soil areas, the bunkers, the fairways, the difference between sod and other types of grasses, eliminating some of the tee boxes, the infrastructure, shared costs for the irrigation systems, the communication issue, project costs and securing a bond.

In response to Ms. Huff's request for Golf Club Committee Meeting Minutes, Mr. Shulte stated Staff forwarded an audio file of a recent meeting to Mr. Adams who had it transcribed. Mr. Pires suggested referring to the "Committee" as a "Staff Working Group with a Board Member Liaison and a Volunteer" instead. Mr. Adams will email copies of the Golf Course Meeting Minutes to the Board, going forward.

▪ **District Engineer Staff Report Resumed**

Mr. Brady asked for an update on the construction of a third lane at the entrance. Mr. Zordan stated, because of the cost-share, it was decided that the CDD would not pursue that part of the project so it was set aside. Ms. Huff stated the Village approved of the project but wanted the CDD to pay for it.

FOURTH ORDER OF BUSINESS

Golf Course Staff Reports

A. Golf Superintendent

Mr. Vuknic reported the following:

- Staffing: The golf course is fully staffed except for the common grounds, which recently lost one employee. The position will be advertised. A key staffer, is on bereavement leave.
- The golf course is experiencing drought conditions. Reclaimed water is being used to irrigate the grounds.
- New flower installations and mulching are scheduled for May. Tree trimming is scheduled for May 5, 2025. Staff is working on new plantings for Duffy's.
- Referring to a handout, Mr. Vuknic presented the Common Grounds Irrigation Audit for Spring 2025. Total water usage is 3.7 million gallons per month.

Discussion ensued regarding sharing irrigation water costs with residents, the irrigation fund, creating an irrigation line item for the common grounds budget, separate Duffy's and HOA irrigation bills and unmetered areas.

Mr. Dalton will coordinate with Mr. Vuknic to examine the common grounds irrigation in more detail, including some of the plats and the acreage and to submit the findings to Management before the next meeting and present a proposal that could be implemented next month.

➤ The golf course aerification is scheduled for the end of May. Per Ms. Huff, Mr. Vuknic will send the golf course closure dates to the Board.

B. Golf Pro

Mr. Schulte reported the following:

➤ Staffing: Tyler Black, the Merchandiser/Event Coordinator, resigned. Her last day was April 10, 2025. The current staff will take on the responsibilities for the summer months.

➤ April Revenues: As of yesterday, the golf course is slightly over \$300,000 and slightly under 8% down from the previous month.

➤ There were internet issues early in the month that were resolved with Ms. Paul's assistance. Mr. Schulte is investigating IT systems to install domains, emails etc.

➤ Supervisors Simonsen and Olive requested April PGM numbers. The PGM group played 17 rounds of golf so far and hit 110 buckets of balls, at a cost of \$548.

➤ Referencing a point of sales (POS) ranking sheet handout, Mr. Schulte asked for a Board vote to switch to a different POS system. Mr. Schulte stated, after investigating five other systems, he thinks it would be beneficial to switch from Golf Now to Fore Up, as they offer superior marketing tools and utilize QuickBooks Enterprise, which will integrate well with the Accounting Department.

Mr. Schulte responded to questions regarding the cost-savings in switching systems, Fore Up's marketing tools, the website, trading tee times and social media marketing agencies.

Mr. Olive arrived at the meeting at 9:52 a.m.

Mr. Pires discussed sovereign immunity and the termination provision in the Golf Now contract, which expires August 8, 2026.

Discussion ensued regarding the issues with certain aspects of the Golf Now contract, contract modification, a breaching fee, public records law and transition timeframe.

Mr. Pires will work with Mr. Schulte and Mr. Dalton to draft a letter to Golf Now outlining the District's issues with the validity of the Agreement, asking to modify the Agreement and for early termination.

On MOTION by Mr. Dalton and seconded by Ms. Huff, with all in favor, switching to the Fore Up POS system once the Golf Now Agreement termination issues are resolved and termination is official, was approved.

Ms. Huff asked Mr. Schulte to continue meeting with a Board Member once a week.

FIFTH ORDER OF BUSINESS

Board Member Reports

A. Phil Simonsen

- **Update: Golf Course Redo**

This item was addressed following the Third Order of Business.

B. Phil Olive

- **Update: Common Grounds**

Mr. Olive stated the common grounds look fantastic despite the lack of rainfall.

- **Update: Duffy's**

Mr. Olive provided the following update:

- He conferred with Ms. Paul about mitigating the water flow from the parking lot dumpster and suggested installing asphalt to create a lift to keep water mitigated in that area.

Discussion ensued regarding where the water is coming from, replacing the 30' water hose used to spray out the trash behind Duffy's with a 3' hose, pressure washing the area and a washout basin where the mop buckets are emptied.

Ms. Paul and Mr. Olive will meet with Chris on Thursday to go over mitigation ideas and discuss implementation.

- In response to resident complaints at the last meeting about the brightness of the lights emanating from the Stoneybrook sign, Mr. Olive suggested installing additional clusia in front of the lights or changing the angle of the lights.

Mr. Vuknic will have the angle of the lights on the Stoneybrook sign changed.

- **Repair of Fencing Surrounding Community to Lessen Opportunity of Bears/Hogs Encroachment on Golf Course**

Mr. Olive stated he conferred with the fence company and they are awaiting permit approval from the Village. Mr. Adams stated that the contractor called him yesterday and asked to be emailed the link with the legal description to complete the permitting process. Mr. Adams will resend the link after the meeting.

Discussion ensued regarding expediting the process, resident complaints of bear sightings, hog damage, how effective a 4' to 6' fence will be in deterring wildlife, possible pushback from residents whose view of the preserves will be obstructed by the fencing, issues with deer and fawn getting caught in the fence while attempting to jump over it, if the height of the fence can be modified and if there is a map of the fence line.

Mr. Olive will email a map of the fence line to Mr. Adams, who will disseminate it to the Board.

Mr. Dalton asked for updates on the landscaping project and clearing out the preserves by Community Environmental Services (CES). Mr. Vuknic will ask the landscapers to commence working on Lancaster, follow up with CES regarding the preserves and present design renderings and updates at the next meeting.

Discussion ensued regarding the landscaping needed on Lancaster, palm tree removals, softening the hills in spots to make the CDD safer, HOA improvements around the pools and an April invoice from CES for standard upkeep.

C. Chris Brady

- **Update: Email and Other Communications**

Mr. Brady stated he forwarded the emails he received to Staff. He sent Mr. Adams an email regarding the S&P rating and another from the Village regarding the right of entry. He sent Mr. Vuknic an email regarding a dead bush by the pool area on Lancaster. Mr. Brady stated he emailed a marked-up version of the Maintenance Agreement from Mr. Pires to Mr. Adams.

- **Discussion/Consideration: Community Development District Systems and Facilities Operation and Maintenance Agreement**

This item, previously Item 12A(II), was presented out of order.

Mr. Pires presented a redline version of the CDD Systems and Facilities Operation and Maintenance Agreement and reviewed deletions in a section about reimbursement; a revised

insurance section with an attached Exhibit C, which outlines various insurance forms and types; the section on termination of the Agreement, indemnification, E-Verify provisions and severability. Mr. Pires concluded that the primary change is in the insurance section.

Mr. Brady stated the Agreement has been going back and forth from the CDD to the HOA and undergoing revisions for approximately one year. Mr. Dalton suggested adding Exhibit B under section 5, where it makes reference to it.

On MOTION by Mr. Brady and seconded by Mr. Dalton, with all in favor, authorizing Mr. Pires to finalize the Systems and Facilities Operation and Maintenance Agreement and forward it to the HOA, was approved.

D. Adam Dalton

- **Update: Revenues**

Mr. Dalton stated that March revenue increased by 15%, year to date, and 11% year under year. In April, the number of golfers dropped significantly. Through April 18, 2025, revenues are down 5% to 10%. Given that Mr. Schulte adjusted the prices, he anticipates the month will close at 5%. The cash has been increasing steadily since the beginning of the Fiscal Year 2025 and is currently at \$1.2 million, which is the most that the golf course has ever had in its bank account. Mr. Adams will ask Mr. Pinder to transfer about \$750,000 to the ICS account, so the CDD can earn interest.

- **Update: Roof with Wildcat and Insurance Issues**

Mr. Dalton stated that the CDD hopes to re-do the roofs on the cart barn, maintenance facility and pump house, which were damaged during hurricane Ian. Staff filed a claim.

- **Consideration: HL Law Group, P.A. Representation Agreement**

This item, previously Item 12A(I), was presented out of order.

Mr. Pires presented the HL Law Group, P.A. Representation Agreement. He reviewed the Attorney's fees.

On MOTION by Mr. Dalton and seconded by Mr. Brady, with all in favor, the engaging HL Law Group, P.A. for representation and the Representation Agreement with HL Law Group, P.A., and authorizing the Chair to execute the Agreement, were approved.

Mr. Dalton wants to invite representatives from Wildcat and HL Law Group to the June meeting to provide updates on progress.

Mr. Pires distributed the Wildcat Agreement, which he previously forwarded to Shawn Mazzola, of Wildcat Roofing. He reviewed the sections in the Agreement, including the termination provisions, the warranty, the lack of lien rights, non-disparagement, confidentiality, a right of first refusal, indemnification, dispute resolution, directions to pay, prompt payment act, legislative requirements and the insurance requirement for Wildcat.

E. Eileen Huff

- **Update: Expenses via QuickBooks**

Ms. Huff stated, upon reviewing the expenses in QuickBooks, she found several questionable items and is compiling a list to distribute to the Board and Staff, so that the items can be reviewed and rectified.

- **Update: Maintenance Department**

Ms. Huff stated there were no updates.

SIXTH ORDER OF BUSINESS

**Continued Discussion: Lancaster Run
Conveyance to District**

Mr. Pires stated he recently conferred with Mr. Robert Caves, the Attorney for the Master Association, regarding this item. In a follow-up conversation, Mr. Pires and Mr. Caves discussed how the Developer's law firm previously contacted Ms. Mary Gibbs, of the Village, and asked if deeding Lancaster Run to the District would constitute a lot split or subdivision under the code and, at that time, Ms. Gibbs said no. Since then, there was an email about it. Mr. Pires stated he and Mr. Caves plan to call Ms. Gibbs and obtain clarification to confirm that, if there is a deed to the paved area of the driveway from US Homes to the District, it is not going to be a lot split, will not be a subdivision and will not affect set backs.

Mr. Pires asked if other condominium communities within Stoneybrook, such as Pinecrest or Lancaster Run, that the District operates and maintains, have 45 unassigned parking spots. A Board Member stated no; the Board's position is that the parking spots closest to the buildings, will become the responsibility of those specific HOAs. The Board's recommendation is for them to include the parking spaces in the project but the cost is theirs.

The CDD would facilitate the project but all the individual condominiums would have to agree to pay for their portion of the parking spaces. Mr. Pires stated the District would solicit the bids/proposals and the Association can contract with the vendor/contractor at a unit price. Mr. Pires hopes to have an answer from the Village before the May meeting, so Staff can have Johnson Engineering do the necessary survey work to obtain the metes and bounds to deed the property.

SEVENTH ORDER OF BUSINESS**Consideration of Coastal Canvas Proposal
for Sail Material Cover**

Mr. Olive stated he previously emailed estimates to the Board and would appreciate feedback. He is waiting on renderings. He and Mr. Schulte discussed the range after the last meeting and both approve of the idea of golfing under a shaded cover, especially in the summer. Ms. Huff commented that nothing can be attached to the nearest building. Mr. Olive stated that he directed the vendor, pre-rendering, that nothing can be attached on the side of the building; if all goes well, the project would commence in the fall.

Mr. Olive responded to questions regarding the cost estimate, obtaining other bids, which neighboring communities have sails, when Staff will take the tent down and how easy it will be to take down the sail before a storm.

Discussion ensued regarding a low maintenance permanent structure, a pergola with a screen, sail installation costs, the installation process, the range and installing a mesh fence around Hole #18.

EIGHTH ORDER OF BUSINESS**Discussion/Update: Golf Course
Management Services**

Ms. Huff asked if the Board would like to consider engaging a Golf Course Management Company. Mr. Brady stated the Board voted in favor of that at the last meeting and, from an operational standpoint, it should be less involved with the golf course. Mr. Dalton stated it is important to make a swift decision about this and not have it under consideration for more than two meetings.

Mr. Olive will contact different Golf Course Management companies, obtain proposals and report his findings at the next meeting. Ms. Huff will coordinate with Mr. Vuknic to confer with Dorman and issue a report on the landscaping.

NINTH ORDER OF BUSINESS

Consideration of Resolution 2025-04, Approving the Florida Statewide Mutual Aid Agreement; Providing for Severability; and Providing for an Effective Date

Mr. Adams presented Resolution 2025-04.

On MOTION by Ms. Huff and seconded by Mr. Dalton, with all in favor, Resolution 2025-04, Approving the Florida Statewide Mutual Aid Agreement; Providing for Severability; and Providing for an Effective Date, was adopted.

TENTH ORDER OF BUSINESS

Acceptance of Unaudited Financial Statements as of March 31, 2025

Discussion ensued regarding the "Concession", "Payroll", "Computer support (IBS) and "Total net position" line items in the Proprietary Fund.

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

ELEVENTH ORDER OF BUSINESS

Approval of March 25, 2025 Regular Meeting Minutes

The following changes were made:

Lines 55, 56, 156, 223, 329, 345: Change "A Board Member" to "Mr. Dalton"

Line 130: Change "Mr. Renaud" to "Mr. Marinell"

Line 141: Change "July 1 to July 31" to "first to the end of month, starting September

1st"

Line 181: Change "green" to "greens"

Line 183: Change "HOA" to "CDD"

Line 206: Change "Parks" to "Parts"

Line 334: Change "A Board Member" to "Mr. Brady"

On MOTION by Mr. Dalton and seconded by Mr. Brady, with all in favor, the March 25, 2025 Regular Meeting Minutes, as amended, were approved.

TWELFTH ORDER OF BUSINESS**Staff Reports****A. District Counsel: Tony Pires, Esquire****I. Consideration: HL Law Group, P.A. Representation Agreement**

This item was addressed under Item 5D.

II. Discussion/Consideration: Community Development District Systems and Facilities Operation and Maintenance Agreement

This item was addressed under Item 5C.

III. Review of Golf Now Contract

This item was previously 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. UPCOMING MEETING DATE: May 27, 2025 at 6:00 PM**○ QUORUM CHECK****THIRTEENTH ORDER OF BUSINESS****Supervisors' Requests**

There were no Supervisors' requests.

FOURTEENTH ORDER OF BUSINESS**Adjournment**

On MOTION by Mr. Dalton and seconded by Mr. Brady, with all in favor, the meeting adjourned at 11:36 a.m.


Secretary/Assistant Secretary


Chair/Vice Chair