

**MINUTES OF MEETING
STONEBROOK
COMMUNITY DEVELOPMENT DISTRICT**

A Regular Meeting of the Stoneybrook Community Development District's Board of Supervisors was held on **Tuesday, December 15, 2009 at 9:15 a.m.**, at the **Stoneybrook Community Center, 11800 Stoneybrook Golf Boulevard, Estero, Florida 33928.**

Present and constituting a quorum were:

Ron Ritschel	Chair
Chris Brady	Vice Chair
Ed Harland	Assistant Secretary
James Boesch	Assistant Secretary

Also present were:

Chuck Adams	District Manager
Cleo Crismond	Assistant Regional Manager
Dan Cox (via telephone)	District Counsel
Matt Nieder	Golf Course Superintendent
Bruce Harwood	PGA Head Golf Professional
John Blakeley	Master Board Liaison
Frank Ponchak	Master Board Treasurer
Mary Lee Baker	Resident
Mr. Coughlin	Resident

FIRST ORDER OF BUSINESS

Call to Order/Roll Call

Ms. Crismond called the meeting to order at 9:18 a.m. All sitting Supervisors were present at Roll Call.

SECOND ORDER OF BUSINESS

Discussion/Consideration: Latest Early Termination Offer by Yamaha Golf Carts

Discussion was held regarding the Board's decision to respond to the most recent letter from Yamaha. Mr. Cox noted there is no urgency in responding to them. Mr. Ritschel noted the District's lost revenues, due to the carts not working. Mr. Ritschel questioned the meaning of "as well as compliance by Stoneybrook with all other termination of lease obligations contained in the lease agreement". Mr. Cox explained that, with the termination of the lease, there are a

couple of obligations the District has; one (1) being the carts will be inspected for damages and damages beyond the normal wear and tear will be the responsibility of the District; and the responsibility to pay for the return of the carts. Mr. Boesch preferred not to pay Yamaha anything else and recommended charging Yamaha for storage, if the carts continue to sit on the property. Mr. Harland recommended the District pay the amount reflected in the letter and pay to return the carts. Mr. Brady questioned if the loss of revenue was documented if the District can prove the loss of revenue. Discussion was held regarding the condition of the carts and the cost of going to court. Mr. Cox stated the inspection would be completed before they are loaded and he believes the current offer is subject to further negotiations. Mr. Adams noted the current offer adds up to more than \$20,000, after the inclusion of the shipping cost and any damage fees they may add. Mr. Adams suggested negotiating down to no more than \$20,000. Mr. Cox confirmed the lease states the District is responsible for the cost to return the carts. Mr. Ritschel asked Mr. Cox to try to negotiate down to \$20,000. Mr. Cox discussed the statement within the letter, noting no other offers were going to be made and the possibility that Yamaha may demand a full payment performance under the lease.

Mr. Ritschel commented that Mr. Coughlin was present and recalled a previously held meeting with the irrigation representative, Mr. Nieder, Mr. Coughlin, the President of the Pine Crest I Association, John and a representative of the management company, Tropical Isles. The general reaction is there is a problem that needs to be fixed; it looks like the problem stems from the down spouts bringing water off of the roof. It is similar to the situation on Knighton Run with the villas. Mr. Nieder has the irrigation company preparing an estimate and a plan for what needs to be done to bury the down spouts on the building; he gave a quick \$20,000 estimate. Mr. Coughlin thanked the Board for their attention to the matter.

THIRD ORDER OF BUSINESS**Consideration of Amendment to Facilities
Operation and Maintenance Agreement**

Mr. Ritschel noted the Amendment to Facilities Operation and Maintenance Agreement was executed; a copy of which was supplied to Mr. Ritschel, as well as the Master Board. Ms. Crismond stated the TruGreen agreement was executed.

FOURTH ORDER OF BUSINESS

Approval of November 19, 2009 Regular Meeting Minutes

Line 23: Change "Hoffman" to "Coughlin"

Line 26: Insert "Master Board Treasurer"

Line 32: Should read: "Mr. Davis, who recently resigned."

Line 46: Insert "Coughlin"

On MOTION by Mr. Boesch and seconded by Mr. Brady, with all in favor of approving the November 19, 2009 Regular Meeting Minutes, as amended.

Mr. Adams presented the Irrigation Report and reported 73 residents exceeded their monthly thresholds, two (2) neighborhoods and the golf course. He noted the crossed-off accounts are shut off and the highlighted accounts are the accounts that will receive a new shutoff reminder. The actual shutoff date is January 4th. He clarified the report is based on November readings and the delinquent report is current with the readings.

***** Mr. Adams left the meeting.*****

Mr. Ritschel requested the analysis be attached to the November meeting minutes. Discussion was held regarding which delinquent accounts should be shut off. Mr. Cox clarified that if the utility is not paid, then the property needs to be disconnected until the money is collected.

FIFTH ORDER OF BUSINESS

Other Business

Mr. Ritschel reminded the audience that any resident interested in the vacant Board position should turn in their resume by January 8th.

SIXTH ORDER OF BUSINESS

Committee Reports

There were no Committee Reports.

SEVENTH ORDER OF BUSINESS**Staff Reports****a. Attorney**

There being no report, the next item followed.

b. Engineer

There being no report, the next item followed.

c. Golf Superintendent

Mr. Nieder stated the water permit should be received by Christmas; then, the monitoring wells can move forward. He stated he had a meeting with Mr. Gordy Lewis regarding the best alternative for the greens renovation. Discussion was held regarding the cash flow of the golf course. Mr. Nieder noted the residents were thankful for the palm trimming and about 5500 bales of pine straw were placed throughout the golf course.

d. Golf Pro

Mr. Harwood stated the EZ Go carts are in; however, he is waiting on a beverage cart, two (2) ranger carts and a utility cart. He stated the lease term is 24 months and begins in January; the GPS systems were installed on the new carts. He noted the driving range islands are completed and noted the driving range started with four (4) 35-gallon garbage bags of balls and only three (3) remain. Discussion was held on how to stop people from taking the driving ranges' balls. He noted the Pro Shop is fully stocked and inventory is moving; the Players Club cards for 2010 are available.

e. Manager**i. Unaudited Financial Statements as of November 30, 2009**

Ms. Crismond presented the Unaudited Financial Statements as of November 30, 2009. Mr. Harland noted revenue was misspelled. Mr. Ritschel requested removing the 'Due from Irrigation' line from the Concession section. Discussion was held regarding the details of the golf course's financials. Mr. Ritschel stated he will email Mr. Adams and Mr. Pinder regarding the financials. He questioned the repeated absence of the utility billing.

ii. Cycle Billing (*residents who went above 1st pricing tier last month*)

This item was discussed earlier in the meeting.

iii. Delinquent Account Listing (*60 days past due*)

This item was discussed earlier in the meeting.

iv. NEXT MEETING DATE: January 26, 2010 at 9:15 A.M.

EIGHTH ORDER OF BUSINESS

**Audience
Requests**

Comments/Supervisors'

Ms. Mary Lee Baker, a resident, expressed concern over the irrigation situation, where the water is turned off without the homeowner's knowledge. Mr. Nieder explained the water was turned off today due to a break in the line. Discussion was held as to the communication between Staff and residents to find out if water is turned on or off.

NINTH ORDER OF BUSINESS

Executive Session


There being no Executive Session, the next order of business followed.

TENTH ORDER OF BUSINESS

Adjournment

There being no further discussion, the meeting adjourned at 11:17 a.m.

On MOTION by Mr. Boesch and seconded by Mr. Brady, with all in favor of adjourning.


Secretary/Assistant Secretary


Chair/Vice Chair