

**MINUTES OF MEETING
STONEBROOK WEST
COMMUNITY DEVELOPMENT DISTRICT**

The regular meeting of the Board of Supervisors of the Stoneybrook West Community Development District was held on Wednesday, February 28, 2018 at 6:30 p.m. at the Town Center, 1201 Black Lake Boulevard, Winter Garden, Florida.

Present were:

Tom White	Chairman
Daniel Dennis	Vice Chairman
Hector Clemente	Secretary
Haile Andarge	Assistant Secretary

Also present were:

Bob Koncar	District Manager
Scott Clark	District Attorney
Russ Simmons	Field Operations Manager
Daniel Finz	Field Staff
Shawn Hindle	Hanson, Walter & Associates, Inc.
Bob Kasch	HOA President
Mike Piazza	Community Association Manager

The following is a summary of the minutes and actions taken at the February 28, 2018 Stoneybrook West Board of Supervisors meeting.

FIRST ORDER OF BUSINESS

Call to Order

SECOND ORDER OF BUSINESS

Roll Call

Mr. Koncar called the meeting to order and called the roll.

THIRD ORDER OF BUSINESS

Approval/Additions to Agenda

- Mr. Dennis noted that he will make his comments during the course of the meeting based on the agenda.

FOURTH ORDER OF BUSINESS

Public Comment Period

- George Morgan commented on drainage issues adjacent to his and Robert Crisp's properties.

- The District Engineer inspected the area and provided a letter with his findings.
- A review conducted by the District Engineer and Field Operations Manager found that a pipe apparently connecting several adjacent rear yard drains to a District storm manhole, and ultimately to the District's storm water pond on the golf course is likely clogged with roots from an adjacent oak tree.
- The District Engineer suggested to remedy the drainage issue, the pipe next to the oak tree could be cleaned if feasible, or a new drainage pipe could be installed away from the tree and reconnected to a nearby manhole.
- Legal right to access the area for repair and the need for easements were addressed.
- District Counsel reviewed the Declaration of Covenants, Conditions and Restrictions for Stoneybrook West and noted in the covenants there is a *blanket easement* the District can utilize; a right-of-entry access form can also be signed by the homeowners.
 - *To permit the District to fulfill its obligations to maintain the Surface Water Management System, the Declaration provides the District easements over all lots to access all portions thereof. As such, the District has the right to access the subject lots to perform maintenance and repair of the clogged pipe.*
- Discussion ensued with regard to repair options to address the drainage and flooding adjacent to the properties. It can be repaired by cutting a new trench and installing a pipe.

Mr. Clemente MOVED to split the repair cost in an amount not to exceed \$5,000 four ways; divided between the two homeowners, the HOA, and the CDD.

- After further discussion,

With no second the prior motion failed.

Mr. Dennis MOVED to divide the cost of repair three ways; between the two homeowners and the CDD in an amount not to exceed \$5,000; subject to the homeowners and the golf course providing a right-of-entry; a city permit will be obtained if required, and Mr. White seconded the motion.

- Mr. Morgan agreed to grant a right-of-entry for temporary access to his property.
- Mr. Crisp also agreed to grant a right-of-entry to his property. He does feel the HOA should be a party to the cost of the repair but understands the need to expedite remedy of the issue.
- Legally the District does not have an obligation to repair private property and this does not set a precedent if the Board chooses it not to be. Each case coming before the Board can be considered individually.
- If the golf course denies access, the repair cannot be done. District Counsel will prepare a right-of-entry form to send to the golf course.

On VOICE vote with all in favor the prior motion was approved.
4-0

Mr. Dennis MOVED to reconsider the prior motion and Mr. Andarge seconded the motion.

On MOTION by Mr. Dennis seconded by Mr. Clemente with Mr. Dennis, Mr. Clemente, and Mr. Andarge in favor and Mr. White opposed the prior motion was amended to include that the HOA share in the repair cost; and if they refuse, the repair will proceed with a three way split of the cost. 3-1

- Mr. White commented on giving the HOA a choice of sharing in the repair; and expediting the repair process.

FIFTH ORDER OF BUSINESS

Organizational Matters

A. Appointment of Supervisor and Oath of Office (Seat 3)

Mr. Clemente MOVED to nominate Mr. George Morgan to fill vacant Seat 3 and Mr. White seconded the motion.

Mr. Dennis MOVED to table the nomination until the next meeting and Mr. Andarge seconded the motion.

On VOICE vote with Mr. Dennis and Mr. Andarge in favor and Mr. White and Mr. Clemente opposed the motion to table the nomination until the next meeting failed. 2-2

On VOICE vote with Mr. Clemente and Mr. White in favor and Mr. Dennis and Mr. Andarge opposed the motion to nominate Mr. George Morgan to fill vacant Seat 3 failed. 2-2

- Mr. Clemente noted it has been difficult to get residents to join the Board; any homeowner is welcome to apply. Mr. Morgan was previously on the Board as Chairman and knows the District well.
- Mr. Dennis commented he is only requesting the homeowner leave the room so the nomination can be discussed; as the process was previously done.

The record will reflect Mr. Morgan left the room.

Mr. Clemente MOVED to nominate Mr. George Morgan to fill vacant Seat 3 and Mr. White seconded the motion.

On VOICE vote with Mr. Clemente, Mr. White and Mr. Andarge in favor and Mr. Dennis opposed the prior motion was approved. 3-1

- Mr. Morgan's term will commence on May 23, 2018; and expire in November 2018.

B. Election of Officers -Resolution 2018-1.

- This item was tabled until the May 23, 2018 meeting.

SIXTH ORDER OF BUSINESS

Approval of November 29, 2017 Meeting Minutes

Mr. Koncar stated each Board member received a copy of the minutes of the November 29, 2017 meeting and requested any additions, corrections or deletions.

There not being any,

On Motion by Mr. Dennis seconded by Mr. Clemente with all in favor the Minutes of the November 29, 2017 meeting were approved. 4-0

SEVENTH ORDER OF BUSINESS

District Manager's Report

A. Financial Statements and Check Register

Mr. Koncar reviewed the January 31, 2018 financial statements which were included in the agenda package.

- Discussion ensued with regard to non-ad valorem tax assessments. A letter was sent to property owners notifying them of an error in the tax bill; and explaining that there was no increase in assessments.

On MOTION by Mr. White seconded by Mr. Clemente with all in favor the January 31, 2018 Financial Statements and Check Register were approved. 4-0

B. Ratification of Resolution 2018-2 Amending FY 2017 Budget

On MOTION by Mr. White seconded by Mr. Clemente with all in favor Resolution 2018-02 amending the general fund budget for fiscal year 2017 was ratified. 4-0

C. Discussion of General Election

i. Qualifying Information

ii. Consideration of Resolution 2018-3 Confirming the District's Use of the Orange County Supervisor of Elections to Continue Conducting the District's Election of Supervisors in Conjunction with the General Election

- Qualifying information was reviewed. Seat 1, currently held by Daniel Dennis; Seat 2, currently held by Hector Clemente; and Seat 3, which will be filled by Mr. George Morgan effective May 23, 2018, are scheduled for the General Election in November 2018.

On MOTION by Mr. Dennis seconded by Mr. Clemente with all in favor Resolution 2018-3 Confirming the District's Use of the Orange County Supervisor of Elections to Continue Conducting the District's Election of Supervisors in Conjunction with the General Election was adopted. 4-0

EIGHTH ORDER OF BUSINESS

Staff Reports

A. Attorney

i. Letter to the Golf Club – Maintenance of Storm Water Management Ponds

- Mr. Clark commented on the letter to the golf club regarding routine maintenance of storm water management ponds abutting Stoneybrook West Golf Course.
- The process for inviting the golf course representatives to CDD meetings was discussed.
- Mr. Clark commented on the potential refinancing of the bonds. The underwriter determined because of the corporate tax law changes the market is not favorable at this time to refinance. The underwriter will continue to monitor the market and notify the Board of any future refinancing opportunities.

B. Engineer

There not being any, the next item followed

C. Field Operations Manager

- The monthly Field Management Reports were included in the agenda package.
 - i. Discussion of Midges**
 - Discussion ensued with regard to proceeding with different options besides spraying.
 - A resident's inquiry regarding installing a fountain for aeration to control midges was discussed.
 - Midge spraying is normally not scheduled during the winter months. Spraying will commence earlier due to the warmer temperatures.
 - The charges for midge spraying indicated on the check register were discussed.
 - Southern Mosquitoes will be invited to a meeting to educate on various options for controlling midges and discussion of their billing.
 - Mr. Koncar commented on the Avid system which will enable the Board to view invoices. Discussion of the Avid System information among Board members with regard to the Sunshine Law was addressed.
 - Mr. Dennis voiced concern with regard to the cost for District accounting services. Competitive bidding process for District Management and District Counsel services was addressed.
 - Upon further discussion it was noted no additional changes on midge control are required at this time.

NINTH ORDER OF BUSINESS

Other Business

- Mr. Dennis requested a resolution to the maintenance of the pond banks by the golf course and follow up by District Counsel. He would like a clear path on how to move forward on this issue with the golf course including access.
- Mr. Clark will prepare a response for the next meeting.
- It was requested any correspondence to the golf course including meeting notices be sent to all members on the Corporate board of current golf course ownership.
- The response to the homeowner will be the CDD is doing the best we can and also addressing the golf club mowing issue.
- Mr. Simmons requested the flexibility to have additional treatments if midge season warrants it.
- Communication to homeowners was discussed and Mr. White will draft a letter informing residents that the midge issue is being addressed including the golf course mowing and extra treatments; for publication in the HOA newsletter if the HOA board agrees.

On MOTION by Mr. Dennis seconded by Mr. White with all in favor staff was authorized to schedule additional midge treatments in an amount not to exceed \$1,500 for the next three months.

TENTH ORDER OF BUSINESS

Supervisor Comments

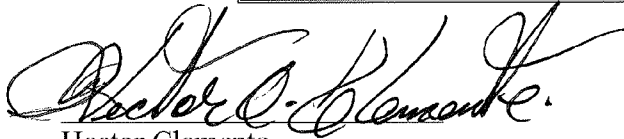
There being none, the next item of business followed.

ELEVENTH ORDER OF BUSINESS

Adjournment

There being no further business,

On MOTION by Mr. Dennis seconded by Mr. Clemente with all in favor the meeting was adjourned.



Hector Clemente
Secretary



Tom White
Chairman