

**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 Wednesday, **November 29, 2023** at 6:30 p.m. at 1201 Black Lake Blvd., Winter Garden, FL 34787 and via Zoom.

Present and constituting a quorum:

Tom Alexander	Chairman
Tiffany Acireale	Vice Chair
Jennifer Odom <i>by Zoom</i>	Assistant Secretary
Mathew Nicolas	Assistant Secretary
George Morgan	Assistant Secretary

Also present were:

Tricia Adams	District Manager, GMS
Monica Virgen <i>by Zoom</i>	District Manager, GMS
Pete Glasscock	District Engineer
Clayton Smith	Field Manager
Andy Hatton	Field Manager
Scott Clark	District Counsel
Bert Smith	Sitex

FIRST ORDER OF BUSINESS

Roll Call

Ms. Adams called the meeting to order. Four Board members were present in person constituting a quorum and one Board member joined by Zoom.

SECOND ORDER OF BUSINESS

Public Comment Period

Ms. Adams stated that there are no members of the public present, so the next agenda item followed.

November 29, 2023

Stoneybrook West CDD

THIRD ORDER OF BUSINESS

Acceptance of Minutes of the August 9, 2023 Board of Supervisors Meeting

Ms. Adams presented the meeting minutes to the Board and stated that they had been reviewed by District Counsel and District Management. She asked for any corrections. There being none, she asked for a motion of approval.

On MOTION by Mr. Morgan, seconded by Ms. Acireale, with all in favor, the Minutes of the August 9, 2023 Meeting, were approved.

FOURTH ORDER OF BUSINESS

Consideration of Resolution 2024-01 Appointing a Registered Agent

Ms. Adams presented the resolution to the Board appointing a registered agent that is included in the agenda packet. This would authorize Tricia Adams, District Manager as the registered agent for Stoneybrook West CDD with the GMS office address as the registered address.

On MOTION by Mr. Alexander, seconded by Mr. Morgan, with all in favor, Resolution 2024-01 Adopting a Registered Agent, was approved.

FIFTH ORDER OF BUSINESS

Consideration of Resolution 2023-02 Use of Electronic Signatures

Ms. Adams presented the resolution to the Board and noted that it can be found in the agenda packet. This resolution will authorize the use of electronic records and electronic signatures.

On MOTION by Mr. Morgan, seconded by Ms. Acireale, with all in favor, Resolution 2023-02 Use if Electronic Signatures, was approved.

SIXTH ORDER OF BUSINESS

Consideration of Fiscal Year 2023 Audit Engagement Letter with Grau & Associates

Ms. Adams stated that each year the District is required to undergo an annual independent audit of all the District’s financial records, and this is a proposal from Grau & Associates for Fiscal Year 2023 due to be filed with the State of Florida by June 30, 2024. The proposed fee for the

November 29, 2023

Stoneybrook West CDD

audit is \$4,400 and the amount is in accordance with the Board’s adopted budget. Ms. Adams recommends approval of the proposal and offered to answer any questions. Hearing none, there was a motion of approval.

On MOTION by Mr. Morgan, seconded by Ms. Odom, with all in favor, the Fiscal Year 2023 Audit Engagement Letter with Grau & Associates, was approved.

SEVENTH ORDER OF BUSINESS

Consideration of Non-Ad Valorem Assessment Administration Agreement with Orange County Property Appraiser

Ms. Adams stated that this agreement allows the CDD non-ad valorem fees for operation and maintenance and debt service fees to be included on the Orange County property tax bill as well as the TRIM notice that is prepared by the property appraiser’s office. She also noted that it is a standard agreement that is presented to all CDDs in Orange County. She offered to answer any questions the Board may have. Hearing none, she asked for a motion of approval.

On MOTION by Ms. Acireale, seconded by Mr. Morgan, with all in favor, the Non-Ad Valorem Assessment Administration Agreement with Orange County Property Appraiser, was approved.

EIGHTH ORDER OF BUSINESS

Consideration of Termination of Agreement with Innersync for Website Services

Ms. Adams noted that this agenda item was added after the agenda was originally published that it will need to be opened up to public comment. She presented the agenda item to the Board and noted that after entering into the agreement with GMS part of their fees include technology and website fees and GMS has staff that maintain the CDD website in accordance with Florida Statutes. The District has been using Innersync for website services and Ms. Adams is recommending terminating the services with Innersync as the CDD website has already migrated to a new server and under control by GMS. This agreement requires a 60-day termination clause. She offered to answer any Board questions before opening this item up to public discussion. There being no questions from the Board or no comments from the public, she asked for a motion of approval.

November 29, 2023

Stoneybrook West CDD

On MOTION by Mr. Morgan, seconded by Ms. Acireale, with all in favor, the Termination of Agreement with Innersync for Website Services, was approved.

NINTH ORDER OF BUSINESS**Ratification of Fiscal Year 2024 Insurance Coverage and Premium**

Ms. Adams stated that they had received a proposal to renew the insurance with PGIT Brown & Brown and noted that staff had bid out the insurance coverage and received a competitive offer from Florida Insurance Alliance Egis. Due to time sensitivity, the Chair and District Manager scheduled a telephone conference to discuss the two coverages. She commented on the differences and noted that by moving to Florida Insurance Alliance the District saved \$1,943 which the Chairman did approve. She noted that they are looking for the Board to ratify the actions of the Chair securing the annual insurance policy with Florida Insurance Alliance.

On MOTION by Ms. Acireale, seconded by Mr. Morgan, with all in favor, the Fiscal Year 2024 Insurance Coverage and Premium, was ratified.

TENTH ORDER OF BUSINESS**Review of Landscape Maintenance Responsibilities Around Stormwater Ponds**

Ms. Adams stated that there is certain property is owned by private property owners such as residential lots, HOA ownership such as streets and roads, or CDD ownership like certain stormwater parcels. There are also recorded declarations with maintenance assignments. A copy of those assignments can be found in the agenda package. This states maintenance responsibilities for the landscaping are assigned to the abutting property owner up to the water's edge. There is a new golf course manager who is not familiar with the declarations or maintenance assignments as well as a new HOA manger. The HOA requested a meeting between the HOA, CDD, and golf course manager to help clear up any of the confusion. As a result of the meeting, the golf course operator was surprised that there was distinction between property ownership and maintenance assignments. During the meeting, information was shared regarding the recorded documents that assign maintenance responsibilities and obligate the golf course or residential property owner to maintain the property up to the water's edge even if the parcel is owned by the CDD. Subsequent to that meeting, CDD staff provided property ownership maps and maps showing landscape

November 29, 2023

Stoneybrook West CDD

maintenance areas. The association manager has reached out to the field services staff and is still seeking clarification about who is responsible for maintaining certain areas. Because there are property owners who are frustrated that there are certain areas that are not being maintained, District Counsel suggested this situation be added as an agenda item for discussion. District Counsel gave ample input. There was prolonged discussion looking for a solution to the continued residential complaints. The basic response from staff has been residents maintain up to water's edge, the golf course has responsibility because they are the abutting property owner. It would be District Counsel's advice to not change the plan and Board consensus is that they will not step in unless if it becomes an erosion issue or something considerably necessary for them to have to use public funds. They also want to be sure to have an answer for any resident who would complain to the CDD as it would be their responsibility with a consistent response of it is a responsibility of the abutting property owner.

ELEVENTH ORDER OF BUSINESS

Appointment of Audit Committee

Ms. Adams stated that the district is required to go through an annual independent audit, as stated above. The audit agreement with Grau & Associates will expire in 2023 and the District will need to enter into a new audit agreement. Florida Statute requires an audit committee and in all other Districts that GMS manages, the Board of Supervisors will appoint themselves as the audit committee. Ms. Adams is recommending a motion from the Board to appoint themselves as the audit committee.

On MOTION by Mr. Alexander, seconded by Mr. Morgan, with all in favor, Appointment of the Board of Supervisors as the Audit Committee, was approved.

TWELFTH ORDER OF BUSINESS

Staff Reports

A. District Counsel

Mr. Clark had nothing further for the Board and offered to answer any Board questions. There being no questions from the Board, the next item followed.

B. District Engineer

Mr. Glasscock reported that the repairs to the two ponds are complete. There being no questions, the next item followed.

November 29, 2023

Stoneybrook West CDD

C. Field Manager's Report

Mr. Smith presented the field manager's report to the Board and noted that Andy Hatton will be handling most field managers services for this District. The field manager's report can be found in the agenda package as Mr. Smith summarized it for the Board. Mr. Smith and Mr. Hatton described how moving forward their working relationship during the transition will go as seamless as possible.

i. Ratification of Advance Proposal #6318 for Electrical Repairs

Ms. Adams noted that a copy of the ratification can be found in the agenda packet, and these were for electrical repairs for the aerators in pond # 7. The amount was a budgeted expense in the operations and maintenance fees. The total amount is \$3,228.40.

On MOTION by Ms. Acireale, seconded by Mr. Odom, with all in favor, the Advance Proposal #6318 for Electrical Repairs, was ratified.

ii. Consideration of Advance Electric Proposals

- A. Est. # 6262 Ponds 16 & 17**
- B. Est. # 6264 Pond 14**

Ms. Adams noted that at previous meetings there were approvals for a Not-To-Exceed amount for aerator instillation in ponds 16, 17, and 14. The vendor that provided that old proposal is no longer available. New proposals needed to be obtained and now the amount that was previously estimated is no longer in line with the pre-approved amounts. Mr. Hatton presented the proposals. The cost for 16 & 17 totals \$12,392 and the cost for 14 totals \$10,806.

On MOTION by Mr. Alexander, seconded by Ms. Acireale, with all in favor, the Advance Electric Proposals Est. #6262 Ponds 16 & 17 and Est. #6264 Pond 14, were approved.

iii. Consideration of Landscape Maintenance Request for Proposals

Ms. Adams stated that this item was added to the agenda because during the meetings that GMS staff attended it has been clear, based on Board discussion, that there was frustration with the current landscaper vendor, BrightView. Staff is just looking for Board direction on how to move forward. Board chose to defer this item for the time being.

November 29, 2023

Stoneybrook West CDD

D. District Manager's Report

i. Approval of Check Register

Ms. Adams stated that the check register can be found in the agenda packet from August 1st through October 31st and totals \$206,740.74. She offered to answer any Board questions and noted that it has been reviewed by Districts Management and Field Management staff. After answering a few questions, she asked for a motion of approval.

On MOTION by Mr. Morgan, seconded by Ms. Acireale, with all in favor, the Check Register, was approved.

ii. Balance Sheet and Income Statement

Ms. Adams noted that this agenda item is for informational purposes only and no Board action is required. She presented the financials for the Board and went over a few highlights as this was the first time going through financials since GMS has taken over District Management.

Ms. Adams asked for a motion to use Bank United Money Market for Surplus Funds.

On MOTION by Mr. Morgan, seconded by Ms. Acireale, with all in favor, the Use of Bank United Money Market for Surplus Funds, was approved.

iii. Discussion of Assessment Methodology for Maintenance Fees

Ms. Adams that there hasn't been any revenue yet from the tax collector to the District. There is nothing of concern to bring to the Board's attention at the time. There will be some savings in the administration of the District due to an \$11,000 under what was budgeted for fees related to District Management services for the current Fiscal Year. Included in the budget is the field expenses and there was also nothing to bring to the Board's attention at the time.

Ms. Adams noted that with the bond interest and principal payments there were payments due on November 1st and payments due on May 1st.

Due to concerns from property owners within the District, the Board is interested in considering a revised assessment methodology for the operations and maintenance fees and

November 29, 2023

Stoneybrook West CDD

Ms. Adams summarized how that process would happen. GMS presented a proposal to do the assessment methodology for a cost of \$4,500 to have it ready for presentation to the Board at the next meeting.

On MOTION by Ms. Acireale, seconded by Mr. Alexander, with all in favor, the Proposals from GMS to Prepare and Updated Assessment Methodology for Maintenance Fees, was approved.

THIRTEENTH ORDER OF BUSINESS Other Business
There being no comments, the next item followed.

FOURTEENTH ORDER OF BUSINESS Supervisor’s Request
Mr. Alexander opened the discussion for public comment.

- Resident commented on the discussion of landscape maintenance responsibility and noted that she concurs with Board decision and commented further on the issue.
- Resident commented on the methodology and asked if the document in February will be available to the public and will they be able to make comment? Ms. Adams answer was yes and described how the public comment period will be scheduled in the agenda.

FIFTEENTH ORDER OF BUSINESS Adjournment
Ms. Adams asked for a motion to adjourn the meeting.

On MOTION by Mr. Alexander, seconded by Mr. Morgan, with all in favor, the meeting was adjourned.

DocuSigned by:


Secretary/Assistant Secretary

DocuSigned by:


Chairman/Vice Chairman