

MINUTES OF MEETING
STONEYBROOK SOUTH
COMMUNITY DEVELOPMENT DISTRICT

The regular meeting of the Board of Supervisors of the Stoneybrook South Community Development District was held Monday, October 7, 2019 at 10:00 a.m. at the Oasis Club, 1520 Oasis Club Blvd., ChampionsGate, Florida 33896.

Present and constituting a quorum were:

Basan Nembirkow	Chairman
Robert DiCocco	Vice Chairman
Patricia Newberry	Assistant Secretary
Mike Wilson	Assistant Secretary
Chris Manjourides	Assistant Secretary

Also present were:

George Flint	District Manager
Vivek Babbar	District Counsel by phone
Dave Reid	District Engineer
Alan Scheerer	Field Manager

FIRST ORDER OF BUSINESS

Roll Call

Mr. Flint called the meeting to order, all five members of the Board were present constituting a quorum.

SECOND ORDER OF BUSINESS

Public Comment Period

Mr. Flint: We just have staff and Board members here, so we will move on to business administration.

THIRD ORDER OF BUSINESS

Business Administration

A. Approval of Minutes of the August 5, 2019 Board of Supervisors Meeting and Acceptance of the Minutes of the August 5, 2019 Audit Committee Meeting

Mr. Flint: We have approval of the August 5, 2019 Board minutes and acceptance of the August 5, 2019 Audit Committee minutes. Did the Board have any comments on those? If there are no comments is there a motion?

Mr. Nembirkow: I have one comment. At the last meeting we discussed Down to Earth having a representative here. Was there anything done on that?

Mr. Flint: The Project Manager is out, he's on two weeks' vacation right now. We will follow up with him for the next meeting and try to get someone in here.

Mr. Nembirkow: Let's make sure somebody's here. We put a lot of pressure on you to go chasing people down.

Mr. Flint: And they just started a new contract effective October 1st. Alan will get into it in his report. There are some irrigation issues that we've got concerns with, but we will work on that for the next meeting.

On MOTION by Mr. Wilson, seconded by Mr. Nembirkow, with all in favor, Approval of the Minutes of the August 5, 2019 Board Meeting and Acceptance of the Minutes of the August 5, 2019 Audit Committee Meeting, were approved.

B. Consideration of Check Register

Mr. Flint: You have the check register from July 29th through September 30th, totaling \$142,230.80. The detailed register is behind the summary. If you have any questions we can discuss those. You will see there's a payment in here from Heritage Service Solution related to the cart path. Our insurance is a one-time payment for the next fiscal year, that's in here as well. There's property insurance and general liability, so that's a one-time expense. There's a couple of one-time expense items in there, but for the most part the rest of it is typical. Any questions on the check register, if not is there a motion to approve it?

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

C. Balance Sheet and Income Statement

Mr. Flint: Next you have the unaudited financials through August 31st. There is no action required. We are slightly over 100% collected on our on-roll assessments and our actual expenses are under our prorated. We are in good shape. Are there any questions on the financials?

Mr. DiCocco: I have a question, are we finished developing on Stoneybrook CDD? Are our incoming assets complete? In other words, are all the houses and everything done?

Mr. Flint: Is there anything left on the condos?

Mr. Reid: Tract K is not done.

Mr. Flint: That's the other one. They are all paying assessments already and the infrastructure is in for those.

Mr. DiCocco: So, we are basically done with the incoming funding?

Mr. Flint: Correct. Everything is on roll so, there shouldn't be any adjustments on the revenue side. On the expense side, I think there are some clean ups we need to work with District Counsel on. There may be some landscape tracts and things that are intended to be CDD, that we are currently maintaining that haven't officially been conveyed to the District. I know they've got the same issue with some of the tracts that have to go to the HOA as well. There may be some clean up items on conveyances, but for the most part everything we are going to maintain we are maintaining.

Mr. Nembirkow: Speaking of cleanup, it's not exactly our responsibility, but when the new trash cans came they picked up the recycles. Last night, a few of us took a ride around and there's quite a few dumpsters with people's garbage cans dumped in them.

Mr. Flint: The old ones?

Mr. Nembirkow: The old ones. That's going to be a real problem, because everybody here has one or two that they have to get rid of.

Mr. DiCocco: All they did, not to interrupt, but the instructions were just write 'trash' on your old can and put in out next to your can and they took it away. That's what we did.

Ms. Newberry: Yes, that's what I did.

Mr. Nembirkow: I guess I didn't read the instructions.

Mr. DiCocco: But there's still green cans out there with trash in them, and that's more offending than the other. They have the green can out with trash, they are never going to pick it up. They've got to empty that out and put it out there for disposal. If you take you old for trash can just write, "For Trash" they will take it away for you.

Ms. Newberry: On your regular day.

Mr. DiCocco: Yes.

Mr. Flint: The HOA would have some oversight, they can regulate when you have to put it out and pull in and all that kind of stuff, but it was the county that was doing the switching cans.

Mr. DiCocco: I mean they did a great job.

Ms. Newberry: Yeah.

Mr. DiCocco: The transition was seamless. I mean the first night was the recyclables, and then you put your old recyclable out there next to your new one. One truck came and emptied the new one, the other truck came and picked up your old one. The next day was trash, the same thing, they picked up the new one, they hauled your old cans away.

Mr. Nembirkow: I guess I've got to tell my wife to read the instructions. She handles the trash.

Mr. Flint: I'm sure they are going to have some issues with seasonal owners and things like that. The HOA will have to get on that. Alright, any other questions?

Mr. Manjourides: I have one question, we went over this the last time, and it's was supposed to be corrected. On the mulch, it's \$20,000 is supposed to be \$15,000 on that listing.

Mr. Flint: The actual?

Mr. Manjourides: Yes. They said they were going to correct it this time, but it's still \$20,000. I just want to make sure that it wasn't a mistake.

Mr. Flint: Was there a credit Alan?

Mr. Scheerer: There should have been a credit back from the missed account, because what they did is, they charged Tract K to this one.

Mr. Flint: That's right. These are August financials, so it's possible it was corrected in September, but I will make a note to follow up on that again.

FOURTH ORDER OF BUSINESS

Business Items

A. Consideration of Agreement with Down to Earth Landscape to Provide Landscape Maintenance Services

Mr. Flint: Next is the agreement with Down to Earth to provide landscape services. As you recall we did a joint bid with Stoneybrook South at ChampionsGate CDD and the HOA, and all parties selected Down to Earth to continue providing landscape services for the District. This is just the new agreement that went into effect on October 1st. It's really just a ratification of the action you have already taken. The scope of work, and maps, and pricing sheets that are in here are the same as you saw when you selected Down to Earth. So, it's really just putting those on the front end contract agreement, which is the same as the prior agreement. It does have a 30-day

termination provision without cause, so the District can always get out of this agreement without cause if they need to going into the future. Any questions on the agreement?

Mr. Manjourides: Is this basically the same as it was before?

Mr. Flint: No, the scope is different. When we bid it out we did update the scope. The HOA had hired Sunscape Consulting, Mark Yahn, and he prepared an updated scope of work. And so, for example, the frequencies on the detailing are now 17 times a year. Previously, it was 12. Instead of every month, it's every 3 weeks which ends up being 17 times a year. There are some improvements in here. We think it's a tighter, better scope. It's a higher level of service.

Mr. Scheerer: If I could just interject, it's in my manager's report. We did have a meeting last Tuesday with the consultant, and the landscape company, and the HOA and everybody to go over the scope, and the maps in areas, and the frequency and the manpower. Everybody was on the same page last week. As George said earlier, this new scope took effect on October 1st. So, we are six days into it right now.

Mr. Flint: Looks like the dollar amounts on the extra services schedule got cut off. But, that will be updated to show the dollar amounts. They provided amounts when they responded to the bid, which will be inserted.

Mr. Scheerer: One of the other scope changes too is instead of doing all the palm trees once a year, they are scattered out throughout the month based on the type of palm trees. So, you will see some specimen palms being trimmed in certain months, and certain ones that are other specimen at another time. That's outlined in the summary you can kind of see where it is, and when it should be billed for it.

Mr. Flint: Any questions on the agreement? Is there a motion to approve it?

On MOTION by Ms. Newberry, seconded by Mr. Nembirkow, with all in favor, the Agreement with Down To Earth to Provide Landscape Maintenance Services, was approved.

B. Consideration of Agreement with LLS Tax Solutions to Provide Arbitrage Rebate Calculation Services

Mr. Flint: This is something the District does annually. The proposal is for \$550. It's an IRS requirement that the District do this. The prices on these range anywhere from \$450 to \$600.

On MOTION by Mr. Nembirkow, seconded by Ms. Newberry, with all in favor, the Agreement with LLS Tax Solutions to Provide Arbitrage Rebate Calculation Services, was approved.

C. Presentation of Arbitrage Rebate Calculation Report

Mr. Flint: Next is the actual report for the period ending June 11th that was prepared. It shows we have a negative rebate requirement of \$1.6 million dollars, so there's no arbitrage issue. Is there a motion to accept the report?

On MOTION by Ms. Newberry seconded by Mr. Wilson, with all in favor, the Arbitrage Rebate Calculation Report, was approved.

D. Consideration of Agreement with Berger Toombs, Elam, Gaines, & Frank to Provide Auditing Services for the Fiscal Year 2019 - Added

Mr. Flint: We added a new item 4D. This is the agreement with Berger, Toombs Elam, & Gaines and Frank to perform the audit for Fiscal Year 2019. The Board previously bid out the auditing services and you selected Berger. You actually did it your last meeting I believe. We've asked for five years of pricing. The first year is \$3,475. We enter into annual engagement letters, so this would put the agreement in place for that first year of the five years. Any questions? Hearing none, is there a motion to approve the agreement with Berger Toombs?

On MOTION by Mr. Wilson seconded by Ms. Newberry with all in favor, the Agreement with Berger, Toombs, Elam, Gaines and Frank to Provide Auditing Services for the Fiscal Year 2019, was approved.

FIFTH ORDER OF BUSINESS

Staff Reports

A. District Counsel

Mr. Flint: Vivek do you have any reports for the Board?

Mr. Babbar: No formal reports for the Board. If there is anything I need to follow up on let me know.

Mr. Flint: Any questions for Counsel? Hearing none,

B. District Engineer

Mr. Flint: Dave anything new?

Mr. Reid: I have nothing new.

C. District Manager

Mr. Flint: I don't have a report other than what's in the agenda, but Alan has a Field Manager's Report.

D. Field Manager

Mr. Scheerer: Included in your agenda pack is the Field Manager's Report. The fountain is in good shape, it's working well. We are having continued irrigation inspection repairs as needed. A couple of issues that are going on right now, down at the park the architectural fountain in Dove Valley, I was informed this morning there's a valve there they cannot find. So there's a hot spot there. They are working on wire tracking the tube wire to figure out where this valve is, it's not on any plans. And then also in the report is a pine tree down the road got hit by lightning, and you can see the scarring, there's a photo of it in the manager's report. It took out some hedges, and in the course of doing that we may have lost a couple of decoders on some of the irrigation, which is why you see the discoloring in turf in certain areas down towards the main entrance off of westside boulevard. They are working on that. They have to get a wire guy out here, and it's not difficult to tell if the decoder's bad but if they cannot track between valve and valve there may be a wiring issue as well. So, they are continuing to work on that. The Dove Valley park is complete and it is being well used almost immediately.

Mr. Wilson: Let me interject, and again I want to thank you so much for the speed in which you that accomplished. I was surprised that maybe not even a week later, I'm out there, and I see them working on it.

Mr. Scheerer: I appreciate that, and I will give kudos to the contractors, because I know Barry's guys did a good job. I know there was talk about the cart path area. He had to leave town for a few weeks, but he's back in town and he's going to schedule that. That is on CDD property, so we are going to pull that a couple routes. Just so you know, first investigation on that is between six and eight inches thick. So, it's a big piece of sections of concrete that they are working on over there.

Mr. Wilson: Are the trees likely to survive that?

Mr. Scheerer: Yes we will cut the lateral roots that are affecting, and then he'll form it and pour it level with the existing path.

Mr. Wilson: Is that likely then that same problem will happen again?

Mr. Scheerer: Oh, it will happen again.

Mr. Manjourides: So, should the trees maybe be removed?

Mr. Scheerer: Well I guess that's a decision we can make, the trees have been in there for however many years and its' just now happening, so you might get another ten or so years out of that.

Mr. Manjourides: Fair enough.

Mr. Scheerer: That's just speculation.

Mr. Flint: Or you might get six months.

Mr. Nembirkow: That's been broken for a few years, we just haven't complained about it.

Mr. Wilson: Well, it's noticeably worse than it was.

Mr. Scheerer: But we will get it straightened out for you as quickly as possible. And on full disclosure they are anticipating some rain, thank goodness, for this week, and we need it so. The other item that we were made aware of is the Nicholson monument and the pine tree issue that we just talked about. Down to Earth is onsite today removing all the annuals. The new annuals are scheduled to go in on the 15th. It looks like they started the 13th fairway wall. I got a call last week from the contractor, and then a call from security about allowing them to use some water to clean the wall. So, he was out last week when I'm done here, I'll go walk the wall and see how far we got, but that should be almost done. The Dellinger contract, as Vivek alluded to earlier, he sent the contract over, we sent it to Dellinger. They didn't like the form of the agreement; they had some concerns with the agreement, so they are currently working on their notes and what they like to see modified in the agreement. I got an email this morning and hopefully I'll get that today, and I can get that over to legal. They can hash out some of the terminology or whatever the concerns were from Dellinger. And then we can get this thing signed, and get that project off our plate as well. But that's where we are, and I've also conveyed that same information to Elvis Martinez with the HOA. I received an email last week, in the manager's report are two palm trees that have been apparently inflicted with lethal bronzing, or lethal yellowing. There's no known cure for any of this. So, within the next 30 days or so, we can see these two trees continue to decline and then we'll just have them removed. If the Board wants us to replace them, I will get some pricing and have that available to you by the next meeting for your consideration. This lethal yellowing and Texas palm decline and all these other

diseases are affecting palm trees statewide. You know, there's really no known cure for them once they get it.

Mr. Manjourides: Is it contagious? Does this spread to the other trees?

Mr. Scheerer: I don't have that answer, and I will get that answer for you. We just have the two palms that are up there that are in close proximity, so it's a good chance that it could be. It could be something maybe some dirty sheers at some point. I'm not sure, I don't want to go that route with the contractor. It's not just these palms, I've got the same issue with properties all over the state of Florida right now. But I will get an answer for you.

Mr. Flint: We should bring the prices back just so the Board has them.

Mr. Scheerer: Yes. So, at the next meeting, if you want to replace them, we'll get you a price to do that.

Mr. Flint: What kind of palms are these? Are they Washingtonians?

Mr. Scheerer: No, I believe these are Medjool palms.

Mr. Flint: Yeah, those are expensive.

Mr. Scheerer: Yeah about \$6/7,000. One of the other things is, I know before we met we had this potential hurricane. I just want to let everybody know that we did meet onsite with staff and we were prepared. You know as far as this CDD goes, and I know Elvis and his team rented a truck to house all the brand-new trash cans you guys all received right before the hurricane that didn't hit us. But at this point, you know that we did initiate hurricane protocol. Happened to be a three-day weekend with the holiday, so when we got back on Tuesday, just grateful it didn't hit us. Just so you know we did go through the hurricane protocol for that storm. That's all I have unless you have any questions?

Ms. Newberry: Question, did you find the depth of the pond?

Mr. Scheerer: No ma'am. I got with Lake Doctors to see if they could help me out. Basically, we would have to get somebody in there and they have to sonar it, maybe. They are deeper than the two out front. The two on 27. You have to put 2 feet of fill on top of the liner, so that means they started out a 6 or 8, then the liner. I'm thinking one was maybe 6 at the most. These here are much deeper. I would say they are at least 10 feet deep.

Ms. Newberry: At least 10 feet?

Mr. Scheerer: I can look that up, I could get the permit and look that up.

Ms. Newberry: Would you please? Chris Russell with the HOA was wanting that information.

Mr. Scheerer: I'll get that for you.

Mr. Manjourides: Did you take a look at the palm tree that they cut down?

Mr. Scheerer: It actually had trunk rot and it just collapsed over, so we just pulled it out.

Mr. Flint: Is that a CDD pump, was it a Medjool as well?

Mr. Sheerer: No that was a Washingtonian palm?

Mr. Flint: Get a price for that also.

Mr. Manjourides: If there's a tree missing, we should probably vote to replace it.

Mr. Flint: You've got significant reserve, so you can afford to do that.

Mr. Sheerer: We will get that along with the two out front, and any others that we notice that are missing.

Mr. Manjourides: I want to ask on Oasis Boulevard, they put a bench for their shuttle. And I believe it's on CDD property.

Mr. Flint: We will check on that.

Ms. Newberry: What shuttle is it?

Mr. Flint: Who put it on, the HOA? Is it a shuttle for the HOA? Ideally you would have a license agreement or something that would give them the authority to do that.

Mr. Manjourides: If someone let's say gets hurt, it would be on our insurance.

Mr. Flint: Yes. We will follow up on that. Technically they should have the Board's permission to do that in advance.

Mr. Manjourides: It's on the corner of the street. If they had built in on the other side, that would be their HOA, but they put it on Oasis Boulevard side. Because I guess they don't want the truck to turn around. And they are not very comfortable.

Mr. Scheerer: It's not a long-term bench.

Mr. Manjourides: The other thing I want to bring up is on Oasis Boulevard, going past the gate house towards west side on the left there is a section of hedges that are missing. They've been cutting through with the golf carts and it's tearing it all up. When you come around the bunker, there's a whole area where there are no houses on the right, and it backs up to Oasis Boulevard. They are cutting through there. I don't understand why they go down there first of all.

Mr. Scheerer: I guess they don't want to go around. It's easy for them to take the road around. You know what I'm saying?

Mr. Manjourides: Either they put some bushes up or it looks like there's a section missing of those hedges.

Mr. Scheerer: We will take a look at it.

Mr. Manjourides: The Westside arches need some repair too.

Mr. Sheerer: We are aware of that. There's money in there for monumentation repair.

Mr. Manjourides: And some time we have to look at fixing in the back of all those houses, looking from the gate, on Oasis Boulevard and Westside. There's a row of houses, the back side of them is all their equipment and they never put hedges. All on the West side they put hedges. But that side there needs hedges, so it wouldn't show.

Mr. Flint: I know the City of Orlando requires you to either have a fence in front of it, or a hedge row.

Mr. Nembirkow: Alright, Chris what else?

Mr. Manjourides: The palm trees coming in from 27, I don't know what that road is called.

Mr. Scheerer: Double Eagle Drive?

Mr. Manjourides: Yes. Some of them are on us, then you go down maybe 10 feet, and there a bunch of trees on the golf course. It seems like they can't coordinate. When we trim our trees, they never trim their trees.

Mr. Scheerer: I will try to coordinate with the golf course on that. Chris I'd like to meet with you before the meetings and do a ride through. This is good stuff.

Mr. Manjourides: Anytime.

SIXTH ORDER OF BUSINESS

Supervisor's Requests and Audience Comments

Mr. Flint: Any other supervisors request? Is there a motion to adjourn?

SEVENTH ORDER OF BUSINESS

Adjournment

On MOTION by Mr. Nembirkow, seconded by Ms. Newberry, with all in favor, the meeting was adjourned at 11:15 a.m.



Secretary/Assistant Secretary



Chairman/Vice Chairman