

**LELY COMMUNITY DEVELOPMENT DISTRICT
NAPLES, FLORIDA
REGULAR MEETING OF THE BOARD OF SUPERVISORS
DECEMBER 17, 2014**

A regular meeting of the Lely Community Development District Board of Supervisors was held on Wednesday, December 17, 2014 at 1:30 p.m. at the LCDD Maintenance Building.

SUPERVISORS PRESENT: Harold Ousley, Vice-Chairman
Robert Fisher, Treasurer
Kenneth Drum, Secretary
Gerry Campkin, Assistant Secretary and Supervisor
William Lee, Supervisor

ALSO PRESENT: W. Neil Dorrill, Dorrill Management Group, Manager
Assistant Secretary
Kevin Carter, Dorrill Management Group
David Bryant, District Counsel
Jerry Ellis, Operations Manager

INVOCATION/PLEDGE OF ALLEGIANCE

The meeting was called to order by Mr. Ousley, and the invocation was offered by Mr. Dorrill. The Board then recited the Pledge in unison.

ROLL CALL/APPROVAL OF AGENDA

Mr. Ousley opened the meeting, and the Board members as noted above were in attendance. The following items were added to the Agenda: 4B, Holiday Bonus; 5A, Recent Crash, and 5B, Workshops for Coming Year.

On a MOTION by Robert Fisher and a second by Gerry Campkin, the Agenda was then approved as amended.

APPROVAL OF MINUTES

On a MOTION by Robert Fisher and a second by Gerry Campkin, the November 19 Workshop minutes were unanimously approved by the Board.

On Page 2 of the Regular meeting minutes, the starred name was Jeff Laturno.

On Page 6, the gentleman was speaking to an area along Grand Lely.

Additionally, the word Clermont in the first line under Public Comment should be Cottesmore.

With those additions and corrections the November Regular meeting minutes were unanimously approved on a MOTION by Robert Fisher and a second by Gerry Campkin.

MANAGER'S REPORT

A. Replacement of Supervisor

As per the Board's request the previous month, the position previously held by Mr. Sullivan has been noticed as available. Two letters of interest were received, from Mr. Lee and Mr. Sal Toro. The term of this seat is four years, and will expire in 2018.

Mr. Lee briefly advised the Board of his background and education, indicating that he was a manager at the Ford Motor Company. He moved to Lely in 1998 and regularly attends Board meetings. He was also president of his HOA for six years.

Mr. Toro indicated that he has been a resident of Lely for 19 years, permanently since 2004, and has followed the Board since its inception. He was a business agent in Massachusetts before his retirement.

A MOTION was then made by Robert Fisher to appoint Mr. Lee to replace Mr. Sullivan as a supervisor on the Lely CDD Board. The Motion was seconded by Kenneth Drum and unanimously approved.

Mr. Lee was then sworn in as a member of the Board by Mr. Dorrill, and took his seat with the other Board members. Mr. Toro was thanked for his interest in serving as well.

B. Christmas Bonus

Mr. Dorrill reminded the Board of the significant health insurance increase that was absorbed by the District this year for employees as the Board considers a holiday bonus. The previous year \$200 and \$500 bonuses were given based on years of service. Mr. Ellis has advised the employees of the health insurance increase that the District absorbed this year.

After a brief discussion, **on a MOTION by Kenneth Drum and a second by Robert Fisher, the Board unanimously agreed to continue with the \$200/\$500 bonus distribution for the 2014 Holiday season.**

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ATTORNEY’S REPORT

A. Workshop Dates

The Board members briefly discussed timing for the workshops that Mr. Bryant wished to set up for them, including the Sheriff’s Office, Supervisor of Elections, the Transportation Department, and a workshop on public records and the Sunshine Law. Mr. Bryant asked if the regular Board meeting could be held on the second Wednesday in January, and a workshop to update the Board on the streetlights will be held on that date as well. The Board agreed that the public records and Sunshine Law workshop will be held in February, the Sheriff’s Department and Safety will be in March, the Transportation Department in April, the Supervisor of Elections in May, and the annual Hurricane Workshop will be held in June.

B. Traffic Accident at Lely Resort Boulevard and US 41

Mr. Bryant suggested that a letter be sent to the State Secretary of Transportation, copying the District Engineer, regarding the light at this intersection, as no action is being taken by the County. He would ask the Secretary to urge the Engineer to meet with the Board about the necessity of a traffic light at this intersection, which has been underscored by the accident with a fatality that just occurred.

Mr. Drum agreed, and suggested the option of lowering the speed limit on 41 in this area to 35 miles per hour, as the traffic has increased with development. He felt that this should be done as soon as possible. Another suggestion was to make it a right turn only coming out onto 41.

Robert Fisher then made a MOTION that Mr. Bryant be authorized to send this letter to the Secretary of Transportation as indicated. The Motion was seconded by William Lee and unanimously approved.

C. Stockpiling at Grand Lely and Lely Resort Boulevard

Mr. Bryant spoke with the County Engineer, whose theory it is that this is an ongoing construction site. Mr. Bryant noted that there was nothing in the ordinance that allowed for that, and the Engineer will be meeting with Mr. Bryant after the Christmas holiday to discuss this issue further. Mr. Campkin noted that Stock is at the point where landscaping will begin very soon, and the mounds will begin to be removed in any event.

D. Remaining Units

Mr. Drum asked if an answer had been received as to how many units remain to be built in Lely,

and Mr. Bryant indicated that he had not yet received that information. Mr. Casalanguida's office has advised Mr. Bryant that someone in that office has been assigned to get that information and advise Mr. Bryant, and hopefully that information will be available at the January meeting. The final count is also dependent on whether Stock changes his plans for Rattlesnake Hammock and Grand Lely from commercial to residential or mixed. Mr. Bryant will keep the Board advised. Mr. Drum noted that the Master HOA must be turned over to the residents when buildout reaches 90 percent.

SUPERVISORS REQUESTS

A. Follow up on 951 Committee Meeting

Mr. Campkin noted that he had attended the 951 meeting, indicating that the Classics had taken over one of the roads leading into the community, which effectively stops Stock from some of his plans. Apparently there will be a turn in built, and there will also be an entrance off of 951. There is an ongoing legal issue between Stock and the Classics on this roadway and the Board will be kept advised.

B. New Lely Horses Contract

Mr. Bryant indicated that there is approximately 18 months left on this contract with Stock.

C. Lakoya Water Issues

The District's civil engineer has prepared an analysis of the water usage at Lakoya which Mr. Dorrill received just before the meeting. Some estimates and takeoffs were performed and his estimate was approximately 90 acres. Staff has not yet had the opportunity to review the analysis, however.

Mr. Bryant indicated that there is a significant area within an area that is watered for both the residents and the commons, and almost 11 acres of that is all common area that has been watered heavily.

Mr. Bryant reported that they are also looking into the issue of watering the Classics' golf course, which arose after the work was done on the new well. Staff is in the process of looking at this now, and an analysis will be done on that, as it is against the Board's policy to provide water to the golf courses. A copy of the permit that the Classics is relying on for the use of that water is being provided. Mr. Dorrill briefly explained the difference between the allocation and delivery mechanisms for this water, and will keep the Board updated.

D. Check Signing

Mr. Dorrill indicated that the Board could designate its officers for the coming year at this meeting, and as part of designating the treasurer and assistant treasurer, the Board can recognize a certain limit for non-reoccurring expenses and electronic payment of other expenses such as FP&L. The Board agreed.

E. Speeding Issue

Mr. Ousley provided the license plate of a speeder on the Lely Roadways to Mr. Bryant, who will discuss it with the Sheriff's Office.

ELECTION OF OFFICERS

Mr. Ousley proposed the following slate of officers:

Mr. Fisher as Chairman, Mr. Campkin as Vice-Chairman, Mr. Ousley as Treasurer, Mr. Lee as Public Relations, and Mr. Drum as secretary.

Kenneth Drum made a MOTION to accept the proposed slate, which was seconded by Mr. Lee.

Mr. Dorrill indicated that historically the Board has designated him as assistant secretary/treasurer. **With the addition of Mr. Dorrill to serve in the capacity of assistant Secretary/Treasurer, the Motion passed unanimously.**

A MOTION was then made by Gerry Campkin and seconded by Kenneth Drum to amend the fiscal policy to allow for reoccurring utility electronic payments, and a limit of \$500 for non-reoccurring second signatures and unanimously approved by the Board.

FINANCIALS

The first month financials showed \$1,500,000 in cash, which is the year's lowest level as the first distribution from the tax collector won't be shown until the following month. On the liability side the numbers were fairly high, with approximately \$150,000 attributable to accrued professional fees associated with the lawsuit.

The income statement showed \$18,000 in non ad valorem tax revenues in the month of October. Staff has determined that those are not unused fees from the tax collector, but appear to be a mechanism for residents paying their property taxes quarterly.

There are some charges for early payments, such as insurance, which is an annual premium,

as well as quarterly payments on landscaping costs. Month-to-date expenditures were \$245,000 against \$277,000.

On a MOTION by Robert Fisher and a second by Gerry Campkin, the Financials were then unanimously accepted by the Board.

Mr. Dorrill advised the Board that the annual sealed bid auction of surplus assets was to take place the following month, and a list of the assets scheduled to be sold was provided to the Board members in their packets. The equipment will be available for public display in early January. Mr. Drum asked what happened to the Kawasaki that was hit in the median earlier in the year, and Mr. Bryant indicated that the insurance company paid for the loss and will be subordinated for the District's claim against the driver of the car that hit it.

On a MOTION by Kenneth Drum and a second by Gerry Campkin, the list of items was declared surplus on a unanimous vote of the Board, to be sold at the annual auction.

In response to Mr. Campkin's question, Mr. Dorrill indicated that in buying new equipment the District has the same buying power as the State of Florida or the Board of County Commissioners by State contract and without sales tax.

PUBLIC COMMENT

Sal Toro asked who controls the smaller vehicles being used for delivery by UPS within the District. Apparently there is some speeding taking place with these vehicles, and Mr. Bryant indicated that UPS is responsible for the conduct of their drivers. UPS requested that they be able to deliver in this manner rather than the larger box trucks as residents get their packages much more quickly. Apparently most of these delivery trucks do go over the speed limit, and residents were urged to call the UPS office with these complaints.

The trailered, speed monitoring unit from the Sheriff's Office will be at Lely early in the new year and will record for a 24 hour period the average, highest and lowest speeds. A resident indicated that there was not enough law enforcement on the Lely County roads to inhibit these speeders, but Mr. Campkin noted that two speeders were stopped on Wildflower that day. Paul Sullivan congratulated Mr. Lee on his election, and thanked the Board members for the opportunity to serve with them, as well as Mr. Bryant and Mr. Dorrill.

ADJOURNMENT

With the reminder that the January meeting would be held on the 14th, the meeting was adjourned at 2:40 p.m. **on a MOTION and a second.**