

1 **LELY COMMUNITY DEVELOPMENT DISTRICT**
2 **NAPLES, FLORIDA**
3 **Regular Meeting of the Board of Supervisors**
4 **August 16, 2023**

5 The regular meeting of the Lely Community Development District Board of Supervisors
6 was held on Wednesday, August 16, 2023, at 1:30 p.m. at the LCDD Maintenance
7 Building, Naples, Florida.

8 **SUPERVISORS PRESENT**

9 William Lee, Chair

10 Frank LoMonte, Vice-Chair

11 Gerry Campkin, Treasurer

12 Anne Marie Bularzik, Secretary

13 Kenneth Drum, Supervisor

14 **ALSO PRESENT**

15 Neil Dorrill, Manager, Dorrill Management Group

16 Kevin Carter, Operations Manager

17 Tony Pires, District Counsel

18 Freddie Bowers, Director of Community Patrol

19 Christopher Dorrill, Field Manager

20 Terry Cole, District Engineer

21 **INVOCATION/PLEDGE OF ALLEGIANCE**

22 Mr. Dorrill offered an invocation, and the Pledge of Allegiance was recited in unison.

23 **PUBLIC COMMENT**

24 Kathleen DeSilva, Master's Reserve, board member of the Master's HOA, is curious to
25 know who owns the land that runs behind her house between the lanai and the lake.
26 She met with someone at the Property Appraiser's office and brought the plot of her
27 house with her which clearly shows her property line ending directly after the lanai. The
28 appraiser's office printed the plot behind her lanai. It is referred to as Master's Reserve
29 Tract C. The appraiser's office pulled that document up and it lists Lely Community

1 Development District as the owner. Ms. DeSilva asks the board if that information is
2 current. Mr. Pires responded saying more information will need to be obtained before
3 that can be determined. He was able to look at the tract and reviewed the 2008
4 warranty deed that is tied to the tract. Since he does not know the history behind the
5 property, he suggests looking back at all of the information available between 2002 and
6 2008 to see if there are any discussions at any of the board meetings during that time
7 that reflect the board accepting this plot of land. The only way to set aside said property
8 is through a court action. Mr. Pires will get together with Mr. Dorrill and Mr. Cole to go
9 over a number of issues and investigate what, if anything, the district did to accept the
10 property.

11 **ROLL CALL/APPROVAL OF AGENDA**

12 All supervisors were present at the meeting in person.

13 **On a MOTION and a second the agenda was approved.**

14 **APPROVAL OF MINUTES JULY 2023**

15 **The minutes were accepted on a MOTION and a second.**

16 **MANAGER'S REPORT**

17 **A. July Community Patrol**

18 Mr. Dorrill informed the board that during the month of July there was one high-speed
19 chase that resulted in an auto accident. Officers responded to 24 incidents and 19
20 traffic or EMS stand by and assists, and there were 33 citations or written warnings
21 issued by the sheriff's department for traffic infractions in the community. Mr. Bowers
22 elaborated on the high-speed chase incident and stated it involved a 20-year-old kid
23 they have had dealings with in the past. This individual has been living out of his car in
24 the Olé Community, he was asked nicely to leave. He was then spotted in the Coral
25 Falls Community; he was again asked nicely to leave. The cops spotted him, he was
26 driving without a plate and ran from the cops. Mr. Bowers says he was subsequently
27 arrested and believes he is still in jail. On a side note, Mr. Dorrill stated that this is the
28 last month for one of their dedicated community patrol employees who arrived with Mr.
29 Bowers and is a wonderful example of a dedicated husband, father, and worker. He put
30 himself through nursing school and will be leaving at the end of the month to pursue his
31 nursing career. Mr. Dorrill wants to thank him for his hard work over the years and
32 wishes him well. The board will have a plaque made for him and will present it to him
33 before his last day.

1 **ATTORNEY'S REPORT**

2 Mr. Pires is working with Mr. Dorrill regarding the public records request that was
3 previously received, other than that there is nothing to report at this time.

4 **ENGINEER'S REPORT**

5 No engineer's report was received at this time.

6 **FINANCIALS**

7 Mr. Dorill presented the financials as of the end of June, which is the end of the third
8 quarter of the fiscal year. There was a combined \$5.6 million in cash at the end of
9 June, \$2.5 million was in the operating fund and the balance was in the capital reserve
10 fund. Going forward we will see some expenses for the lake bank restoration and
11 capital purchases and the capital reserve will be spent down somewhat as we get into
12 the remainder of the year as part of budgets or budget amendments. There was \$10
13 million in fixed assets, which is primarily made up of land owned by the district and the
14 value associated with the Lely Freedom Horses, monuments, and other infrastructure.
15 There were \$47,000 in payables at month's end on the liability portion. Under the
16 income statement there was a somewhat surprising \$22,000 in non-ad valorem
17 assessments collected during the month of June, these would have been delinquent
18 payments. There was \$21,000 in interest earnings over the course of the month. The
19 total year to date revenues amount to \$3.9 million. On the expense side of the income
20 statement, year to date the annual flower budget is over budget and the year-to-date
21 mulch budget is under budget by about the same amount. Total year to date operating
22 expenses are slightly over budget, almost all of which are associated with irrigation
23 costs. The district has a very strong cash position this year as we go into the final
24 quarter of the fiscal year and budget expenses are in really good shape. Mr. Dorrill
25 notes we have not really seen the rainy season present itself for this time of the year,
26 and it has been unusually hot so the irrigation costs will certainly be over budget at
27 year's end. **The financials were accepted on a MOTION and a second.**

28 **SUPERVISORS' REQUESTS**

29 **A. Prestwick Place**

30 An exhibit was presented outlining all of the tracts owned by the district. The exhibit
31 shows that the trees lining the road along Prestwick Place are owned by the district. Mr.
32 Pires stated there is a dedication to the district on the plat for easements pertaining to
33 lake maintenance, drainage, irrigation, and a landscape buffer. The dedication pertains

1 to installation, maintenance and operation of stormwater drainage facilities and
2 irrigation. The certificate of approval and acceptance is dated February 16, 2005 by the
3 Lely CDD and this plat was approved and signed by Robert Fisher and Neil Dorrill. If
4 there is a landscape buffer easement, that is in favor of the Association. It is Mr. Pires'
5 opinion that if the trees are in that buffer easement, they are the responsibility of the
6 Prestwick Place HOA. Mr. Pires will continue his research on the matter.

7 **PUBLIC COMMENT**

8 No public comment was received at this time.

9 **ADJOURNMENT**

10 The next meeting will be September 20, 2023, at 1:30 p.m. **On a MOTION and a**
11 **second, the meeting was adjourned at 2:21 p.m.**