

**LELY COMMUNITY DEVELOPMENT DISTRICT  
NAPLES, FLORIDA  
REGULAR MEETING OF THE BOARD OF SUPERVISORS  
MARCH 18, 2015**

A regular meeting of the Lely Community Development District Board of Supervisors was held on Wednesday, March 18, 2015 at 1:55 p.m. at the LCDD Maintenance Building.

**SUPERVISORS PRESENT:** Robert Fisher, Chairman  
Gerry Campkin, Vice-Chairman  
Harold Ousley, Treasurer  
Kenneth Drum, Secretary  
William Lee, Public Relations

**ALSO PRESENT:** W. Neil Dorrill, Dorrill Management Group, Manager  
Assistant Secretary /Treasurer  
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. Fisher and the invocation was offered by Mr. Dorrill. The Board then recited the Pledge in unison.

**ROLL CALL/APPROVAL OF AGENDA**

All members were in attendance. Items 7A, Lely Horses, and 7B, Dog Park, were added. With those additions, **on a MOTION by Harold Ousley and a second by William Lee, the Agenda was unanimously approved as amended.**

**APPROVAL OF MINUTES FROM FEBRUARY 18 WORKSHOP AND REGULAR MEETINGS**

**On a MOTION by William Lee and a second by Harold Ousley, the workshop minutes were unanimously approved.**

As it relates to the regular meeting minutes, the meeting was called to order by Mr. Fisher rather than Mr. Ousley.

On Page 2, Item A, in the last sentence of the second paragraph, the word "place" should be "placed".

On Page 6 under public comment, the first starred name should be changed to "A resident".

**With those corrections, the February minutes were unanimously approved on a MOTION by Kenneth Drum and a second by William Lee.**

**MANAGER’S REPORT**

A. Parking Ahead Signs

A copy of the sign that would allow visitors to park in an area ahead of the horses was shown to the Board, as the County has issued the permit for this. It will be consistent with the overall signage in the Lely CDD.

B. Median Line-of-Sight Issues

Mr. Dorrill felt that the overall plant scheme on Lely Resort Boulevard when maintained to Mr. Ellis’ standards is very good. The median configuration on Grand Eagle and Wildflower may need some attention, and Mr. Dorrill will check it after today’s meeting. He indicated to the Board that they are sensitive to line-of-sight issues, and that they would keep on top of them and make changes as necessary.

C. 2015 Newsletter

The narrative has been sent to the printer electronically, and with their help it will be cleaned up. Mr. Dorrill advised the Board that if they wished to see any other items included in the newsletter to let him know as soon as possible, as he has asked staff to have it in the mail prior to Easter. A professional photographer has taken some excellent pictures of the Lely Community and its assets, some of which will be included in the newsletter.

It was asked that the responsibilities of the CDD and those of the Mater HOA be included in the newsletter, and Mr. Dorrill indicated that they would do that.

D. Park Benches

The Board had indicated the desire to install some high quality benches along the main boulevards, similar to those at the Lely Horses. Mr. Dorrill provided pictures of the type of bench that would be installed along Lely Resort Boulevard, to give residents an opportunity to relax and enjoy the area when they are out walking.

Mr. Drum suggested that the benches be set in concrete to avoid any issues, and added that as six are being purchased, perhaps they could be staggered on either side of the roadway as there are sidewalks on both sides. He also asked if the CSA District could use some benches

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along the roadway between Rattlesnake Hammock and Collier Boulevard. Mr. Bryant indicated that the CSA does not cover that, and the Board cannot vote to spend money on benches outside of the District. However, he will be glad to speak to Stock's counsel to see if they wished to pay for and install them if staff ordered some for them.

Mr. Dorrill indicated that while they have not determined the exact location for the benches, it is his intention to stagger them on both sides of Lely Resort Boulevard, and primarily take advantage of some of the nice views. The Board will be provided with a site plan before they are installed, and Mr. Dorrill will be required to get a permit from the County as they will be installed along the right-of-way.

**E. Budget Amendment Resolution**

This budget amendment for \$26,000, authorized the previous month, was to pay for the emergency generator and the associated electrical work, permits and the storage area. In the event of power outages in a storm, the maintenance building will be able to serve as a response station with power. The Chairman to sign it following the meeting.

**ATTORNEY'S REPORT**

**A. Today's Speaker**

Mr. Bryant commented on the Sheriff's attendance at the workshop with his staff, indicating that he knows of no other CDD that brings in important speakers from the community to address various issues. Next month Mr. Casalanguida will be speaking on transportation, lights, and improvements at intersections. The following month, Jennifer Edwards from the Supervisor of Elections office will address the Board.

**B. Water Use at Commercial Site**

Mr. Bryant's letter to Mr. Koester regarding the water at the commercial site at Collier Boulevard and Grand Lely Drive has not yet been responded to, but they were advised not to connect to the District's irrigation system without approval of the Board. Mr. Ellis has indicated that they will need a four inch line for that connection, and it would be metered so that the Board would know how much water is actually being used.

The site at Rattlesnake and Grand Lely Drive is an even bigger area, and whatever Stock decides to put in there, it is another site outside of the District that is going to require water.

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Mr. Drum asked if there was any agreement related to the site at Rattlesnake and Grand Lely that Mr. Bryant knew of where Stock would be able to provide fill to other places. Mr. Bryant will follow up with the County Engineer as to what the plan is for that particular site, and also bring to his attention that it is turning into an industrial development there as they are doing rock crushing and storage of fill material.

Mr. Drum also asked if the eight acres on the south side of Grand Lely across from the eight acres being developed was in the District, and was advised that it is, and there has already been an assessment made establishing a number of units on the south side.

The Board discussed the issue of Stock's continuing to change his plans for the various parcels, and what could be done to get an accurate number on the units in Lely, the reasons for the present litigation, and the part the water will play in the two commercial sites the Board had been discussing.

Apparently there is another area that is being irrigated with District water without payment which was done as part of the original development in 1991 that this Board had no knowledge of as it was not metered. Mr. Bryant will be advising Stock that he will have to start paying for that, and Mr. Drum felt that no one should be allowed to have free water that the District is providing, and felt that the water issue needed to be looked at more closely. Mr. Dorrill advised that Stock would have to request an irrigation main and account with the Collier County Utility Division to use potable water in his latest developments.

Additionally, the County advised that they are not taking on any new effluent water customers and are reducing the amount of effluent water provided to their present customers by 50 percent. A meeting is being planned with the County Manager, Mr. Dorrill and Mr. Bryant, and they will ask their County Commissioner to be present as well to address this issue. Lely was the original customer for irrigation water from the Collier County Water/Sewer District, and that allocation has been relied on for 20 years as part of the Master State permit.

**C. Ongoing Litigation**

The next hearing on the counterclaim in the Stock litigation is to be held on April 13. It was discussed that at some point the residents will have to assert themselves on the turnover issue, as the residents' money is funding this lawsuit against itself.

## **FINANCIALS**

The four month financials showed a combined \$2.3 million in cash on the balance sheet, \$700,000 of which is in the capital reserve fund. The final budgeted amount of \$50,000 will be deposited into that fund in the near future. There is approximately \$100,000 in payables. The income statement showed \$90,000 in revenue was received in January, and year-to-date almost 85 percent of revenue has been received.

On the expense side, with the exception of legal fees and the budget amendment that was authorized for the final payment on the generator, the overall operating expenses through the first four months were approximately \$50,000 over budget, due primarily to some of the annualized payments made up front.

**On a MOTION by Harold Ousley and a second by William Lee, the financials were unanimously accepted by the Board.**

## **SUPERVISORS REQUESTS**

### A. Lely Horses

Mr. Dorrill indicated that the horses have a re-patina put on them on a regular preventative maintenance schedule twice a year, while the horses in storage don't need any attention at this time. Mr. Drum asked how long it would take to prepare either of the sites that Stock may choose to put the new horse monument, and Mr. Bryant advised him that after the discussion on this the previous month he had called Stock's office to ask Gilbert if they had any plans to move forward with this. Stock's office returned the call indicating that he was out of town, but would contact Mr. Bryant as soon as he returned.

The Board members agreed that they would wait until the contract with Stock expires, but would continue to ask for a preliminary design meeting to determine what Stock's plans are. If Stock is not planning on moving forward with the horse installation, it would be helpful for Mr. Dorrill to know this as he will be submitting a tentative budget within 60 days to the Board. The feeling was that it would be to everyone's benefit if Stock and the Board could discuss this issue, and Mr. Bryant will write them a letter suggesting a meeting to determine the direction the Board should take.

### B. Dog Park

Mr. Dorrill will check to see if the parcel the dog park sits on has a designation within the methodology, and if a CDD is being collected. He will follow up on this with the Board.

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**PUBLIC COMMENT**

Mrs. Klinkerman asked about line-of-sight issues, noting two areas that could present safety issues. The first is the two driveways coming out of the Publix where the shrubs get very high, and both right and left turns are difficult to make safely. Mr. Dorrill advised her that he would follow up with that after the meeting. The second spot is when exiting at the back of Publix, you can turn both ways and the lanes are not clearly delineated. Mr. Dorrill suggested that Mrs. Klinkerman come to the April meeting and discuss that with Mr. Casalanguida who will be offering a workshop on roadway issues.

Mrs. Lewis from the Champions noted that coming out of that neighborhood onto Lely Resort Boulevard they will periodically smell sewer gases near Indian Wells. Mr. Ellis indicated that there are sewer lift stations all along Lely Resort Boulevard, and occasionally there is an odor. They are all owned by the County.

Mr. Ogure from Twelve Oaks asked Mr. Dorrill to look at the line-of-sight issue on the road that comes out of Twelve Oaks and Indian Wells on the other side, as the plantings in that area obscure traffic and makes any turn difficult. Mr. Dorrill will check that as well.

**ADJOURNMENT**

The Board will next meet on April 15th beginning with the Transportation workshop at 1:00, with the regular meeting following. **The meeting was then adjourned on a MOTION by Kenneth Drum and a second by Gerry Campkin at 3:16 p.m.**