

**LELY COMMUNITY DEVELOPMENT DISTRICT
NAPLES, FLORIDA
REGULAR MEETING OF THE BOARD OF SUPERVISORS
November 15, 2017**

The regular meeting of the Lely Community Development District Board of Directors was held on November 15, 2017 at 1:30 p.m. at the LCDD Maintenance Building.

SUPERVISORS PRESENT: William Lee, Chairman
Harold Ousley, Treasurer
Kenneth Drum, Secretary
Gerry Campkin, Supervisor

ALSO PRESENT: Kevin Carter, Dorrill Management Group
Freddy Bowers, Operations Manager

INVOCATION/PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was recited in unison by the Board.

PUBLIC COMMENT

*** Tape began here, with a discussion of and an explanation on how the CND agreement worked for those who live in the LCDD and those who do not, and what the settlement agreement was and how it was reached.

ROLL CALL/APPROVAL OF AGENDA

The Board members as noted above were in attendance. Mr. Fisher was not present. With the addition of items 7A, Spotlight on New Horses; 7B, Road Signs; 7C, Comment on Storm; 7D, Selection of Attorney; 7E, Christmas Bonuses; 7F, Birds behind Legacy, and 7G, Pepsi Machine, **the Agenda was unanimously approved as amended on a MOTION by Mr. Drum and a second by Mr. Campkin.**

APPROVAL OF MINUTES OF OCTOBER, 2017 MEETING

On Page 2, the starred name is spelled Frank Palacki.

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On Page 8, Line 8 where the resident noted that Tiger Island and Lely Island Estates had County roads, Mr. Lee noted that they ***are or aren't? County roads.

With these corrections, the October minutes were unanimously approved on a MOTION by Mr. Campkin and a second by Mr. Ousley.

MANGER'S REPORT

A. October Community Safety and Patrol Summary

Mr. Carter noted that the report was very similar to previous reports; there were three animal related incidents and a couple of loitering and suspicious incidents. There were two trespassing for fishing as well as some property damage, maintenance and safety gate issues.

In terms of the Sheriff's Department there were a number of speeding and stop sign enforcements with several warnings and a few citations.

Mr. Carter noted that the Community Patrol report was very complete with a lot of good information. They continue to do a good job, and Mr. Ousley complemented Mr. Bowers on his work.

B. Follow up on Hurricane

The District continues to operate in a cleanup mode, although they are reaching the end of that phase. The irrigation repairs are about 80 percent completed. There were some significant irrigation issues on the new areas that the District has recently assumed responsibility for, and as the annual flowers are going in, those are being repaired as well.

Mr. Drum asked if they had anyone inspect those lines before the takeover, and Mr. Carter indicated that they had done that. He and one of his staff members had a pre-inspection meeting with Victor Centron and the field manager of Allegro, and created some punch list items, with irrigation being one of them. Mr. Drum asked if those parties would be paying for the repairs, and Mr. Carter indicated that this is what they were supposed to do, but the hurricane has made everything more difficult. Staff, however, is staying on top of that.

Mr. Drum suggested that the District fix the irrigation and then send the Master the bill, and Mr. Carter indicated that this option was something that he wished to discuss with the Master. He had met earlier in the day with staff to discuss what should be done with the irrigation lines that are not repaired, and he has a call into Allegro on this issue, as to when they are coming back to repair the lines.

Mr. Drum felt that since their contract expired at the end of September, and they did not do any repairs, that they may not plan on doing any. Mr. Lee indicated that the Master had

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budgeted quite a bit of money for this work, (Inaudible comments.) Mr. Drum asked what the cost of these repairs would be, and Mr. Carter indicated that it would be mostly labor, with perhaps \$1,500 in supplies, and a week's worth of time for the labor, at approximately \$10 or slightly less an hour.

Staff is continuing to work with the County on picking up the debris pile, and that is expected to be done no later than the end of the month. Not having to chip all that material is a big cost savings for the District. Mr. Lee advised that apparently the County hopes to make one trip to remove the debris before Thanksgiving, and they will make a few more passes after that to get the remainder.

Mr. Drum noted as well that there is illegal dumping going on everywhere, and he did see a regular County truck come through his neighborhood, and they had refused to pick up a couple of piles, claiming that they were dumped there, and Mr. Drum felt that they were probably right. There are now several small piles here and there, and they have attempted to stop the homeowners in their neighborhood from dumping on empty lots. If the County is going to bypass these little piles, Mr. Drum wondered who was going to pick them up.

It could be one of the landscapers that popped up after the storm who did not want to haul away the debris they took out of someone's yard, and the dumping has to be stopped. Mr. Drum added that Triangle Boulevard is a mess with big piles of debris all over the area. Mr. Lee indicated that this is happening all over the County, and they are suggesting that an attempt be made to get license numbers or vehicle types and then call it in immediately.

Mr. Campkin indicated that the debris is still not being picked up, and he has not seen a County truck near their community in a long time.

There was some discussion (inaudible) about the best way to move the trash out of the Lely community. (Overtalk, inaudible) Mr. Drum suggested that there had to be some sort of plan to handle the problem of trash pickup, which the County will not pick up. The Board discussed having Mr. Carter call Code Enforcement as it relates to the dumping on Triangle Circle, which Mr. Carter will do, and agreed that it may have an impact on the problem. Mr. Drum added that there is a basic legal tenet that if trash is on your property you own it, and the owners of the land the trash is on will have to be responsible to get it removed. (Overtalk)

Mr. Campkin noted that since all the downed trees have been removed, it is apparent that some of the remaining ones are dying, and Mr. Carter agreed that there are some trees that will have to come down, which will be the next step. Before these areas are re-sodded the trees will be removed, and the work is just getting to this point.

In response to a question, a resident was advised that eventually there will be a tree

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replacement plan along the boulevards instituted, but many other things will have to be addressed first. There were over 1,100 trees that were lost during this storm.

Ken Bar from Ole noted that in the previous fiscal year they had been talking about a plan to replace the trees along Celeste with some other type of tree as the ones that were there were disease prone. He wondered if there were any special plans going forward for this area, and Mr. Campkin advised that they had a survey done some time ago by a landscape architect, which is still sitting on the back burner. When the money becomes available that can be put on the agenda for further discussion.

C. Attorney Interviews/Workshop

Mr. Carter indicated that these interviews will be held the following month, and Mr. Lee noted that they would begin at 12:15 or 12:30, and there will be either four or five firms represented with 15 minute interviews. There will also be a follow up workshop in January for the Board members to discuss the prospective firms. Mr. Drum suggested that they start the meeting at noon to give everyone time to be heard and to keep the regular meeting at a 1:30 starting time.

FINANCIALS

Mr. Carter reported that the cash presently on hand as noted in the balance sheet was \$175 million against payables of \$168,000.

The income statement showed \$1,948,271 being collected in this fiscal year which was within \$500 of the budgeted amount.

On the expense side, overall the District finished the year at about \$97,000 under budget, which does include the hurricane expenses incurred in fiscal year 2017.

Mr. Drum asked if they expected to receive any money from FEMA, and Mr. Carter indicated that they expect to, and they will be finished with the submittal as they are working with FEMA this week. They expect to get approximately 90 percent back, of \$100,000 worth of expenses associated with the hurricane. Mr. Carter added that FEMA does the debris collection amounts first, which is where most of the District's expenses are.

Mr. Carter asked their FEMA representative when they may expect to receive their first payment, and he was advised that it would be roughly 60 days. Every expense is listed and has been certified and submitted to FEMA related to the two weeks after the storm, and because of having done this work within that time frame, they are eligible for 90 percent reimbursement. (Inaudible statements made regarding when taxes are paid.)

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Mr. Ousley stated that Lely has the best financials base of any CDD, and he wondered if they would put the extra money received into a hurricane fund once everything is over, and Mr. Lee assured him that this would be done. By February they will have a better idea of where they stand.

On a MOTION by Mr. Ousley and a second by Mr. Drum, the financials were then unanimously accepted by the Board.

SUPERVISORS'S REQUESTS

A. Road Signs

Mr. Drum reminded the Board that when the County replaces the road signs in Lely they will be putting in the standard steel frame as opposed to the boutique signs that Lely has used throughout the District. He asked if they had been priced to see if replacing the broken ones with these special ones was possible. Mr. Carter noted that three weeks after the hurricane Lykens Sign Company came out and did a drive through Lely to determine what was needed, and they are now in the process of repairing and replacing signs within the rights-of-way, which will cost the LCDD about \$10,000. An insurance claim has also been filed for them. The posts are the most expensive items, at about \$650 each, if the Board wished to store some.

Mr. Drum asked if the bicycle sign on the way to Publix could be changed to a boutique sign as well, and Mr. Lee indicated that there was another one on Mustang Island as well. Mr. Carter indicated that there are a number of these that were put up by the County, and he was not sure what the decision would be or if the District wished to change them from the standard County signage.

Mr. Drum also asked if any of the No Trespassing signs were lost, and if those remaining are legible. Mr. Carter was not aware of any of those signs being lost, but some need to be straightened up. He suggested that Mr. Bowers may have some knowledge of that as well. Lykens will be fixing all the leaning road signs, and the County is also going to come fix their signs. These have also been included in the FEMA claim, but Mr. Carter noted that they would probably fall under the insurance policy coverage.

B. Monument on Grand Lely - Spotlights

Mr. Drum felt that the LED lights on the monument are weak, and asked if they could get some spotlights that would illuminate the flagpole. Mr. Carter agreed, and advised that a spotlight had been ordered for the flagpole, and felt that the horses themselves could use some better lighting as well. That will also be looked at.

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C. Storm

Mr. Ousley indicated that the recovery from the storm could have been a circus, and with the excellent management and staff, it has gone very well. He credited Mr. Carter for the management job he did with his staff, all on his own. He managed the food for his crews, made sure there was gasoline and that the trees were hauled away. It was felt that no other community had the competent management handling this crisis that Lely did, and Mr. Carter received a round of applause for his work.

Mr. Lee also pointed out that Mr. Carter was very well prepared for the storm with extra chains for chainsaws and gasoline, and the employees with the exception of two were in the next day to help with the cleanup, and they did an outstanding job. Mr. Lee also noted how great their contractor was who hauled the debris away, and thanked Mr. Stock for the area to dump debris.

D. Christmas Bonuses

The Board discussed the bonuses to be given this year, and Mr. Lee suggested that they give them before Thanksgiving so they would have it early if necessary. The range of the bonus would be from \$200 to \$1,000, based upon years of service.

He also recommended that Mr. Carter get a \$1,000 bonus for all the work he did before, during and after the hurricane, and that he continues to do. Dorrill Management should receive a \$1,000 bonus for the work done with the County to make sure that Lely received the help they got. Additionally, the Security people should receive \$1,000 also.

***Please check, Mr. Lee was very hard to hear.

On a MOTION by Mr. Drum and a second by Mr. Ousley, the Board unanimously approved the bonuses as outlined above.

E. Workshop Agenda

Mr. Lee handed out a list of the workshops to be held in the coming year to the Board members. It will be the same with the addition of the January workshop.

F. Soft Drink Machine

Mr. Lee suggested that the machine be taken out and that a refrigerator be purchased and kept stocked with drinks for the employees as they do drink quite a bit of liquid and the machine cans are expensive. He commented again on what good employees they are and how hard they work for the District, and felt it would be appropriate to do this for them. Mr. Carter indicated

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that there would be no problem with cancelling the service with the vendor. **On a MOTION by Mr. Ousley and a second by Mr. Drum, the Board unanimously agreed to have the Pepsi machine removed and replaced with a refrigerator that would be stocked with drinks for the landscaping staff.**

G. Purchase of Microphone

It was suggested by Mr. Campkin that a microphone be purchased as there are sections of the transcript that are inaudible, and it would enable everyone to hear what is going on. The Board agreed that this should be done.

PUBLIC COMMENT

Mr. *** asked who had responsibility for the outside wall landscaping along Collier Boulevard from Skilletts down to the Tamiami Trail, and he was advised that it is owned by the District. He noted that there was a very big difference between the wall north of Skilletts and south of Skilletts, and there are still places south of Skilletts where downed trees from the hurricane have not been touched or picked up. He felt that the wall along Ole does not get the attention that the north end of it does.

***Mr. Lee's comments could not be heard.

Mr. Carter indicated that this work is on the list, and they have a very good relationship with Ole, and there is some question over the tree trimming that was done as far as who did it, and Ole is doing some investigating. If they find that their tree trimmer did that, they will make sure the debris is removed. If a tree fell, that is a different situation. Mr. Carter noted that this area is one of their hot button issues, and that it will get worked out.

The question was also asked about the entrance on Rattlesnake Hammock Road onto Grand Lely, whether there was any schedule as far as upgrading that area. There is no lighting there and the planting is very bad. Mr. Carter indicated that this work is in the process of happening now, and annuals are going in. The Grand Lely extension will be a work in progress for a while, but it is something that staff will try to get done soon, especially the entrance where the urns are broken and fresh flowers need to go in. They are working their way towards this area, and the annual installation has begun.

Mr. *** indicated that he had asked Victor Cintron what the \$7,250 item for street sign repair was for, and Mr. Cintron sent him an email indicating that he would be focusing on the signs all along the main roadways of Lely, including Grand Lely Drive, Lely Resort Boulevard, Lely Cultural Parkway and Celeste, and he indicated that he had already ordered a new stop sign for the

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corner of Triangle Plaza and Celeste. When Mr. *** tried to find out from Mr. Cintron exactly what signs he was ordering, whether they be speed signs or stop signs, but he would not give him any more specifics. The Master HOA must have or think they have some responsibility for the signs, and Mr. Lee advised that the ones the HOA is responsible for are the ones that show the various communities.

Mr. *** noted that it was a confusing situation, and Mr. Lee indicated that all the signs that are between the roadways and sidewalks are the responsibility of the CDD, and Mr. Carter added that they are already on the list to be done. This distinction will be made with the Master.

Mr. *** from the Classics asked what the Board is doing at Pack and Pay on Lely Cultural Boulevard, as he has seen Stahlman working in that area. Mr. Lee indicated that they are only responsible for the sidewalk and the one strip of land. The Classics owns the land from the sidewalk in, or Lely Development Corporation could be part of that, but the District is not taking over any of the other property. In response to this gentleman's question about the median area at Celeste, Mr. Lee indicated once again that they maintain the landscaping in that area, but the road is a County right-of-way. The CDD does maintain the landscaping going into the Classics by the CSA agreement (Further comments by Mr. Lee inaudible.) (Overtalk, difficult to hear, this gentleman saw some work being done in a particular area, inaudible.)

ADJOURNMENT

With the understanding that the next meeting would be held on December 20 with a workshop at 1:00 p.m. , **the meeting was adjourned at 2:30 p.m. on a MOTION by Mr. Campkin and a second by Mr. Drum.**