

Lely Civic Association, Inc.
d/b/a Lely Golf Estates
c/o Anchor Associates, Inc.
2340 Stanford Court
Naples, FL 34112
(239) 649-6357, office (239) 649-7495, fax

Board of Directors Meeting Minutes

Date: Tuesday, June 20, 2023

Place: Kemp Hall at Lely Presbyterian Church, 110 St. Andrews Blvd, Naples, FL 34113

Call for speaker sign-up: Prior to the start of meeting members had an opportunity to sign up to speak in regards to any item on the agenda. Maximum of three minutes per item.

• **Certification of the Presence of a Quorum & Proof of Notice** – Signs were displayed throughout community 3 day prior to date of meeting, and it was placed on website 7 days prior.

Present:

EVENT	NAME	POSITION	STATUS
Lely GE Board Meeting June 20, 2023	Lisa McGarity	President Forest Hills	Present
	Charles Schnell	Vice President Pinehurst Estates	Present via phone
	Tillie Mihalovich	Treasurer Unit 1	Present
	Ellen Clifford	Secretary St Andrews West	Present via zoom
	Linda Jorgensen	Forest Hills	Present
	Joyce Erickson	Forest Hills	Absent
	Nancy Wojcik	Sant Andrews East	Present
	Tom Connolly	Saint Andrews East	Present
	Stephanie Earnhart	Pinehurst Estates	Present
	Laura Mann	Pinehurst Estates	Present
	Denis Daniel	St Andrews West	Present
	Todd Schilling	Saint Andrews West	Absent
	Frank Mazza	Unit 1	Present via zoom
	Sheldon Gofberg	Unit 2	Present

Present: Maya-Ashley Francois, CAM, Anchor Associates Inc. – for Lely Civic Association, Inc.

Call Meeting to Order: Lisa McGarity called the meeting to order at 6:03 PM.

Minutes of Prior Meetings

- 2023 Annual Meeting Minutes were sent to all board members via email for review, Sheldon made the motion to waive the reading of the minutes, Tom 2nd, motion passed. Lisa suggested we approve the minutes as 'draft' and publish with the watermark draft on the document as traditionally, annual meeting minutes are not reviewed and offered for approval until the next annual meeting (12+ months later.) A discussion was had, Laura mentioned that Robert's Rule states that the Board can approve the Annual meeting minutes at the next meeting after Annual meeting. Sheldon made the motion, to approve minutes with the watermark of Draft to be published on website. Tom 2nd, All Board member present voted yes, motion carried.
- 2023 Organizational meeting minutes were reviewed. Tom made the motion to waive the reading of the meeting minutes; Sheldon seconded; all Board members present vote yes, motion carried. Discussion was had: Laura stated that Florida HOA rules mandate that any vote needs to be recorded: who voted and what their vote was (secret ballots need to record only the number of votes received) if there was an election. The election for Board president was the only position with more than one candidate. Tom made the motion to amend minutes to add vote numbers, Sheldon seconded, all Board members present vote yes, motion carried. Ellen made the motion to approve the amended minutes, Tilly seconded, all Board members present voted yes, motion carried.

Reports of Officers

- President's Report

MTSU signage - Amendment Drafts – Lisa reported the MTSU has agreed in principle to accept responsibilities for the Lely GE decorative signs and maintain them. A message was received by the board officers immediately before the meeting from Dan Schumacher, MSTU Project Manager about the "Transfer of Decorative Signage from the Lely Civic Assn to the Lely Golf Estates Beautification MSTU" outlining what the MTSU is requiring from the HOA to complete the transition. (Message attached).

Amongst the requirements are:

1. The need to support a CPA audit of the Lely Civic Association,
2. Amend each neighborhood's documents(covenants) to "Reserve an easement solely for the LCA Storm Water flood pump and delete references to Common Fixtures." Pinehurst has already included this language in their covenants.
3. Final versions of amendments for all of the Units are to be submitted to the MSTU for review and verification by the MSTU that the amendments are correct and have been recorded by the LCA with the Clerk of Courts.
4. Four – Execution of a of a zero-dollar (\$0.00) Bill of Sale from the LCA to the MSTU

Lisa outlined a process for successfully completing the requirements in a timely fashion and requested a motion to approve:

1. Board to review the amendments requested by the MSTU, confirm the language to be included in each neighborhood's covenants by June 30, 2023 to the Board President, Secretary and Anchor Manager.
2. Once language is approved, board members are to relay the changed language to their constituents in writing, to the Board President, Secretary and Anchor Manager.

Nancy moved to approve the process presented by Lisa; Linda seconded the motion. Motion approved (Stephanie Earnhart, Laura Mann and Chuck Schnell abstained as Pinehurst has already met the requirements.)

- **Vice President's Report** – no report submitted.

- **Secretary's Report**

- Website – The OurLely.com website is currently undergoing updating and maintenance and the Publicity Committee welcomes any feedback on improving the site. 2023 meeting minutes are a priority for posting.
- Meeting space – Kemp Hall at Lely Presbyterian has been secured for Lely Civic Association meetings indefinitely at a cost of \$100 per use. A larger space is available when required.
- Board Certificate status – All are required to complete the 'Florida Department of business and Professional Regulation Division of Florida Condominiums, Timeshares and Mobile Homes Homeowners' Association Board Member Certificate Form' emailed out before the board meeting. Please read the new regulations, sign the form and send it to Maya-Ashley Francois, CAM, Anchor Associates Inc via email, US mail or by dropping off at the Anchor offices. Board members have 90 days from the 2023 annual meeting (May 9, 2023) to complete this task to be in compliance.

- **Treasurer's Report**

- Finance Report – This month's budget performance was reviewed. Tillie reminded the board that Anchor prepares the budget report after month close and submits it the 2nd week of the month in time for the monthly board meeting. There was a discussion re the handling of 2023 dues as the delayed annual meeting and approval of the budget meant that dues were not eligible for collection until after the meeting on May 9, therefore notices were delayed. Discussion ensued. Laura mentioned that in the Bylaws it states anyone who did not pay the annual dues is considered delinquent as of June 1, 2023. Tillie Mihalovich made the motion to formerly extend the delinquent date from June 1, 2023, to August 1, 2023 for this year only. Stephanie seconded the motion. All Board members present voted yes; Motion carried.
- Financial: Tillie went over financials. Tillie discussed the HOA Capital fund account. She asked if anyone looked into another program that might have a higher percentage in yield earnings.

Committee Reports

- **ARC** – Laura Mann Chair: 11 ARC applications were submitted since the last meeting; all were approved.
 - **Nominating** – Tillie Mihalovich: 2 open positions in Unit 2 and one in Unit 1. She asked if we knew anyone from those sections who would like to join, please contact her.
 - **Public Relations** – Lisa McGarity: Newsletter to be distributed via email unless specifically requested by USPS. Newsletter is the Secretary’s responsibility. Lisa reported attendance at US highway 41 overlay meetings, all recommendations are being implemented, including things like widening sidewalks, more green space and no more self-storage facilities.
 - **Publicity** – Ellen Clifford: the committee members are responsible for posting meeting notices and supplying a few paper agendas. The members will also remove the signs and remaining agendas in the week after the meetings. We are moving forward with securing email addresses for all members and using emails for distribution notices and information. There was a discussion about how members received information. Maya-Ashley, property manager, explained that Anchor has a new program called Tops to simplify how members receive emails. This only works if members sign the consent form indicating what is agreed to be received from Anchor (i.e. opting for just notices, just invoices, or all communication in regards to HOA business.) Many members who opt in either changed the email address, or don’t look at them. There was discussion about sending out a new consent form for email address usage and the committee will pursue this for 2023.
 - **Violations** – Maya-Ashley Francois/Laura Mann: 32 violations have been investigated with 22 corrections. 10 open, six of them are short-term rentals. Laura discussed the property at 224 Pine Valley Circle which is being addressed by the county. A neighbor reported seeing people enter the property at night and in morning find garbage. The neighbors are afraid this property might have the potential for squatters. Unit 1 had a boat & RV storage issue, but the owners have made considerable efforts to cover/camouflage them and the area reps have accepted their solution. Another resident brought up another home in Unit 1 which has been an issue for a while. Laura explained that the daughter is now in possession of the home and is addressing issues, albeit slowly. It is being monitored. There was discussion about an ongoing issue where a violation occurs, is corrected, and then re-occurs. Astrid DiGrazia asked about the hearing committee, how many are on the committee and why she has not been called to a hearing yet since she is one of the members. Laura stated there are 6 members, each from different sections, the hearing committee is only called if there is a fine against the owner and our Documents state if an owner receives a fine, they have 14 days after notice to request a hearing. As of July 1, 2023, the amended state statute now reads that if a fine is issued, holding a hearing is mandatory in all cases.
- Old Business
 - Update on Pinehurst Re-vote – Laura stated she is waiting for a few more ballots to come in. Astrid Digrazia questioned the vote. Laura explained that she and Chuck went door to door and explained why we needed to do a revote. Each owner received a package that had a letter, the proposed covenants, and a copy of the current covenants with a notation explaining where those restrictions are now in the new formatted proposed documents. Those who are seasonal received their package by mail and email.

- New Business - Board

- Resolution for Information Requests – Lisa McGarity: All Board member received a copy of a resolution on procedure for record request created by the HOA attorney by email just prior to meeting. She reviewed some of the restrictions. Sheldon made a motion to accept the resolution, Tom seconded, Laura Mann abstained; all other Board member present voted Yes, Motion carried.
- Committee assignments and meetings – Ellen Clifford/Laura Mann: NONE

- New Business – Resident speakers: None

Adjournment: Tom made a motion to adjourn. Sheldon seconded; all Board members present voted Yes. The meeting was adjourned at 7:40pm.