

Lely Civic Association Board Meeting Minutes
Date: Tuesday, September 17, 2024
Place: Kemp Hall at Lely Presbyterian Church,
110 St. Andrews Blvd, Naples, FL 34113

MEETING MINUTES

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

• **Certification of the Presence of a Quorum & Proof of Notice** – Quorum was achieved. Signs were displayed throughout the community more than 3 days prior to the meeting, and it was placed on the website 48 hours prior to the meeting.

Name	Position	Status
Laura Mann	President Pinehurst Estates	Present
Charles Schnell	Vice President Pinehurst Estates	Absent
John Clifford	Treasurer Unit 1	Present
Ellen Clifford	Secretary St Andrews West	Absent
Linda Jorgensen	Forest Hills	Absent
Joyce Erickson	Forest Hills	Absent
Lisa McGarity	Forest Hills	Present
Nancy Wojcik	Saint Andrews East	Present
Tom Connolly	Saint Andrews East	Present
Daniel Denis	Saint Andrews West	Present
Todd Schilling	Saint Andrews West	Absent
Carolyn Messere	Unit 1	Present
Tillie Mihalovich	Unit 1	Absent
Thomas Smith	Unit 2	Present
Maya-Ashley Francois	Cam, Anchor Associates	Present

Call Meeting to Order: Laura called the meeting to order at 6:00 PM

• **Minutes of Prior Meetings:** Tom Connolly moved and Tom Smith seconded to waive the reading of the prior meeting minutes and approve the minutes of the August 20, 2024 Board Meeting. All board members present, (except Lisa McGarity who abstained) voted in favor; motion carried.

• **Reports of Officers:**

President Report:

- Bay Electric sent a map of the layout of the electrical and hand hole boxes for the storm water pump. Each board member will receive a copy for their records.
- Anchor paid the invoice from Bay Electric in full for the repairs of the storm water pump. We also sent Lely Country Club c/o Resort an invoice for reimbursement for their share of the bill.

- Laura will be reaching out to Bay Electric to break down the cost of material needed to repair the sections damaged by the Hibiscus Golf Course renovation. Once we receive that then we will be sending a letter with an invoice for reimbursement to the owners of the golf course Nassif Ventures LLC.
- On September 12, Laura received a call from Mr. White at 106 Torrey Pines PT. He wanted to discuss the pump and the pond behind his house. Tom Smith and Laura met with him and his wife this afternoon. They explained the pond belongs to Royal Palms Golf Club. They also discussed the history of the pump. He and his neighbors feel the runoff on the road and the water being pumped into the pond is causing the algae. Laura explained that there is algae bloom all over. It was suggested they reach out to Royal Palms Golf Club to see if they will do something. He claimed he did but received no answer. Tom and Laura then went to Royal Palms to report the neighbors' concerns and left a message for Scott Knake.
- 410 Forest Hills: Laura received court papers on August 29 from Anchor regarding a civil action around a foreclosure and the cancelation and resetting of a hearing. After contacting Anchor, Laura came to understand that the HOA was served a summons c/o of Anchor in March of this year, with several more in the following months. The officers nor anyone on the Board were notified at the time. When questioned about this, Brad Phelps stated he had decided there was no need to file because the owner was in good standing and Brad was trying to save the HOA the cost of filing the paperwork.
Laura reached out to our Attorney, Merdith, who stated, "We typically file an answer so we can more easily monitor the progress of the case" and "preserve any claim the Association might have to surplus proceeds." Laura told Maya-Ashley, our CAM, that in the future, the Board should be notified of any court papers and the decision as to how to respond is the Board's responsibility, not Anchors'.

Vice President's Report - None

Secretary's Report – (Laura reported in Ellen's absence)

- **New Residents – Purchases:** 167 Pebble Beach Blvd closed on August 26; 249 Pinehurst Circle closed on September 17. **Leases:** 373 St. Andrews Blvd, September 2024-July 31, 2025; 108 Willow Creek, September 16, 2024- September 16, 2025; 226 Pinehurst Cir. September 12, 2024-March 3, 2025.
- **Annual Notice and Proxies:** According to our By-laws, for Annual Meetings, they "shall be held the third week in February" and "notices must be mailed to each member not less than 2 weeks prior". After discussion, the Board proposed that the date for the 2025 Annual meeting be February 18, 2025. Notices will be sent no later than January 13, 2025 with a return deadline of January 27, 2025. This will give the area reps at least 2 weeks to go door to door to collect more proxies if needed to make sure we have a quorum. We need to ensure we reach a quorum to prevent incurring the cost of cancelling and rescheduling another meeting and the cost of double mailings.
- **Proxies:** In the past, the proxy format seemed to confuse many members when they filled out their proxy. A draft of instructions on how to fill out a proxy and new a new format for the proxy was sent to each board member for review. Discussion occurred and a few changes were suggested. The updated draft will be sent out again for final approval.

Treasury report:

- John did not receive the financial report until 6pm; therefore, no report was prepared.
- We still have 66 members who are delinquent.

- John will look over the report and give a thorough report at next meeting.

Committee Reports

- ARC – Lisa McGarity: Many ARCs request coming in. such as Painting, Windows replacements, and generators. She stated that the process used for these requests is working well.
- Nominating – Laura Mann reported for Tillie: The following board members terms are expiring: Lisa, Joyce, Nancy, Ellen, Daniel, John, Carolyn, Charles, and Stephanie (who has recently resigned due to moving). For the 2025 Election we will have 2 open seats in each section. Notices will be sent out no later than December 6, 2024, with a return deadline of January 6, 2025. This will ensure if there is an election within a section than we will have time to add ballots to that section’s mailing for the Annual Meeting Notice.
- Public Relations – Laura Mann: the MSTU meeting was canceled last month – the next one is September 19, 2024 at 2pm at the Regional Library. Laura asked Lisa if there was any update with the street sign transfer. No update because no meeting last month. Lisa stated the transfer still needs to go through the County Commissioners. We received an email from Salvador Oscana: General Maintenance of Transportation; the decorative street sign on the corner of Hidden Valley and St Andrews is leaning. Discussion was had on who would be responsible for the repair, Transportation, MSTU or us. Lisa opined that as it is on our decorative street signpost and transfer has not taken place, we would need to repair it. Lisa will send Laura the contact information on the company used in the past. Laura and Tom Smith will look at it first to see if it is something we can do before getting a quote for repair. Lisa stated this is the second notification we received.
- Publicity – Ellen Clifford: No report
- Violations – Maya-Ashley/Laura -updates on Violations – Many members are mixing up By-Laws and Covenants. “By-Laws are documents that are specific rules that explain how the HOA runs on a daily basis, mainly pertaining to the Board.” “The covenants are the rules and restrictions for living within the HOA.”
A letter has been sent to 361 Forest Hills for a commercial box truck parked in the driveway and owners are not in town. Laura asked all area reps help in to reporting any violation in their section. Lisa inquired about two violations she reported. 102 Doral was sent a letter. The other was investigated, and it was determined there was no evidence of dead and unkept landscaping. The owner of 333 Pinehurst states their neighbors’ bushes in back are dead and garbage has grown in the back, and she claims their growth is leaning on her roof. She states none of her other neighbors are taking care of their bushes either. Laura asked her to send picture of the area she is referring to.
- **Unfinished Business** – Follow-up of Kaufman language:
We contact our attorney to clarify the new State Statutes and if our docs have Kaufman language. We are still waiting on the outline but, Meredith the attorney stated she doesn’t see Kaufman Language in our documents. Without the language the Association should be able to continue enforcing each section’s existing restrictions. Such as the restriction “concerning vehicles despite any changes to the Homeowners’ Association Act that would preclude an association from implanting restriction prohibiting their personal work vehicle that does not otherwise qualify as a commercial motor vehicle (as defined in another Florida Statute) in the driveway.” Instead, we would look at the law in effect at the time the Declaration was passed.

New Business:

Owners on Pebble Beach Blvd and Pinehurst Cir. have contacted Laura in regards to major flooding occurring on Hibiscus golf course ever since the renovation. Unit 1 owners have

reached out to Hibiscus about the debris pile from Hibiscus on empty lot and have not received a response. Tom Smith and Laura went to the county for records pertaining to our HOA drainage system due to major flooding behind and on Pebble Beach Blvd. They also talked to Adam in Code enforcement about the dumping of the concrete and yard waste on empty lot and dumping the concrete from removed golf paths throughout the course. Both put in a complaint and Adam suggested that we encourage the residents affected to also put in complaints. Laura received pictures from a resident, three days later, of golf course workers cleaning up the pieces of the concrete from the empty lot and distributing the pieces in the low-lying area behind Pebble Beach Blvd where the flooding occurs. Hopefully Hibiscus will continue to clean up debris piled on the empty lot and by filling in the low-lying area it will help with the flooding issues. Laura and Tome will continue to monitor.

Adjournment: Motion to adjourn was made by Lisa, 2nded by Tom Connolly, meeting adjourned at 6:58 pm