

Lely Country Club Property Owners Association, Inc.

Board Meeting Minutes

March 11, 2025

1. Call to Order & Establish Quorum:

Paul Labonte called the meeting to order at 6.00 p.m. at Royal Palm Golf Club 405 Forest Hills Blvd, Naples, FL 34113

2. Proof of Notice:

Due notice was given, and a quorum was met with the following attendees:

- Will Rudman
 - Sharon Sutton
 - Paul Labonte
 - Richard Saunders
 - David Tate
 - Bart Andersen
 - Jerry Golf
 - Victor Faszczuk
 - Dana Finnegan
 - Karen Poufcas
- Via ZOOM
Via ZOOM

Also Present:

- Philippe Gabart of Resort Management.
- 3-unit owners in person.

3. Approval of Previous Meeting Minutes:

Paul Labonte asks for comments on the minutes and any changes.

Sharon Sutton moved to approve February 11, 2025, minutes. The motion was seconded by Richard Saunders and passed unanimously.

4. New Business:

a. Attorney Engagement Letter:

Paul Labonte reported:

Paul presented a review of the letter of engagement and associated fees to the Board and audience.

b. Financials:

Richard Saunders reported:

CD Renewal:

A CD valued at \$25,653.90, as listed on December 31, 2024, Balance Sheet, matured on February 28, 2025.

A motion was made by Richard Saunders to renew the CD for 7 months with Wintrust Bank or Alliance, maturing on October 31, 2025. Motion was seconded by Bart Andersen and approved unanimously.

Reserve Account Investment:

The Alliance Reserve Account had a balance of \$53,422.41 as of December 31, 2024. A proposal was made to invest \$25,000 - \$50,000 into a new CD or Market-Linked CD in April, with a formal motion to follow. Discussions with financial institutions are ongoing.

Accounting Framework:

An investigation into switching from Accrual Basis to Cash Basis found that Florida does not allow HOAs/POAs to operate on a Cash Basis. The association is classified as a C-Corp hybrid, meaning homeowner fees are not taxed, but investment profits are taxed.

Maximizing Excess Operating Funds:

To generate interest in excess funds in the Operating Account, a motion was made to open either a Business Savings Account or a Money Market Business Account, whichever is most beneficial. These accounts would allow for the transfer of excess funds while maintaining accessibility.

A motion was made by Dave Tate to open either a Business Savings Account or a Money Market Business Account, whichever is most beneficial and at the discretion of Treasure Stitch Saunders. Motion was seconded by Sharon Sutton and approved unanimously.

c. Strategic Planning:

Sharon Sutton reported:

A general review of the proposed planning was presented and discussed, with a suggestion to keep the process simple soon.

d. Villa Roofs:

Paul inquired about the roofing guidelines in the documents. It was explained that roofs have traditionally been done on both sides, but there have been compliance issues. It was mentioned that some villas have separations in their roofs, while others have not followed the guidelines, leading to inconsistencies. Specific addresses were discussed, emphasizing the need for clear guidelines to ensure uniformity. It was also suggested to adhere to the guidelines and support the process, while it emphasized the importance of promptly addressing any issues. A past issue was recounted where paperwork was not approved in time, resulting in a hearing committee vote. Paul confirmed that if the ARC committee denies a request, it must be brought to the board for a vote. The discussion covered the timeline and communication challenges during the previous roofing project, highlighting the difficulties of addressing compliance issues after a project is completed. A policy was suggested stating that unapproved roofing projects should not be ignored and that the board should support fines for violations. Past experiences of communicating with homeowners about compliance issues were shared. Paul proposed sending roofing guidelines to villa owners annually to maintain awareness. The cost-effectiveness of posting guidelines on the website and including them in the newsletter was also discussed.

5. Old Business:

a. Monument Ideas/Suggestions:

Paul discussed the damage to monuments caused by water from wells and emphasized the need for repair and maintenance.

It was suggested to provide an update on the repair process, including obtaining multiple bids and coordinating with the county. The need to update the monuments to make them more modern and visually appealing was also mentioned.

The discussion covered the repair timeline and the county's involvement in the process.

b. Update on Compliance:

Dave presented a spreadsheet detailing compliance issues, primarily focusing on mailbox violations, and suggested sending letters in batches.

He proposed starting with a friendly letter addressing minor issues before escalating to more forceful notices. It was suggested to include mailbox guidelines in the newsletter to help homeowners comply.

Dave recommended fines for specific violations, such as incorrect lanterns and non-vertical mailboxes. He also addressed rental violations at 196 Palmetto Dunes, proposing a \$1,000 fine to formally notify the homeowners. Additionally, he presented evidence of ongoing rental violations at 438 Cory Pines and recommended imposing further fines.

The discussion covered the process of imposing fines and the importance of properly documenting violations. Dave emphasized the need for consistent enforcement to uphold community standards.

Review of Pending Violations:

Dave Tate reported:

- Impose \$100.00 fine for incorrect lantern at 752 St. Andrew

Dave Tate moved to impose a \$100 fine on Unit 752. The motion was seconded by Richard Saunder and passed unanimously.

- Impose \$100.00 fine for incorrect lantern at 481 St. Andrew

Dave Tate moved to impose a \$100 fine on Unit 481. The motion was seconded by Richard Saunder and passed unanimously.

- Impose \$100.00 fine for mailbox not vertical at 705 St. Andrew

Dave Tate moved to impose a \$100 fine on Unit 705. The motion was seconded by Richard Saunder and passed unanimously.

- Impose \$100.00 fine for mailbox need painting at 580 St. Andrew

Dave Tate moved to impose a \$100 fine on Unit 580. The motion was seconded by Richard Saunder and passed unanimously.

- Impose \$100.00 fine for missing top to lantern at 740 St. Andrew

Dave Tate moved to impose a \$100 fine on Unit 740. The motion was seconded by Karen Poufcas and passed unanimously.

- Impose \$1000.00 fine for rental violation 438 Torrey Pine

Dave Tate moved to impose a \$1000.00 fine on Unit 438. The motion was seconded by Karen Poufcas and passed unanimously.

- Impose \$1000.00 fine for rental violation 196 Torrey Pine.

Dave Tate moved to impose a \$1000.00 fine on Unit 196. The motion was seconded by Karen Poufcas and passed unanimously.

6. Adjournment:

Dave Tate moved to adjourn the meeting, and Sharon Sutton seconded the motion. With unanimous approval, the meeting was officially adjourned at 7:30 p.m.

Respectfully submitted.

Philippe Gabart, CAM