

**MINUTES OF MEETING
VILLAGE COMMUNITY
DEVELOPMENT DISTRICT NO. 1**

A Meeting of the Board of Supervisors of Village Community Development District No. 1 was held on Friday, May 14, 2021 at 8:00 a.m. in the Ashley Wilkes Room at the Savannah Regional Recreation Center, 1545 N. Buena Vista Blvd., The Villages, Florida, 32162.

Board members present and constituting a quorum:

Kathy Porter	Chairman
Ellen Cora	Supervisor
Judy Biebesheimer	Supervisor

Staff Present:

Kenny Blocker	Deputy District Manager
Carrie Duckett	Assistant District Manager
Mark Brionez	District Counsel
Bruce Brown	District Property Management Director
Anne Hochsprung	Finance Director
Mark LaRock	Purchasing Director
Candy Dennis	Community Standards Manager
Jennifer Farlow	District Clerk
Katie Evans	Assistant to the District Clerk

FIRST ORDER OF BUSINESS: Call to Order

A. Roll Call

Chairman Porter called the meeting to order at 8:00 a.m. and stated for the record that three (3) Supervisors were present representing a quorum. Bill Jenness was absent and Seat 5 is vacant.

B. Pledge of Allegiance

The Vice Chairman led the Pledge of Allegiance.

C. Observation of Moment of Silence

Chairman Porter led the Board and audience members in attendance in a moment of silence to observe those who have served our Country and community.

D. Welcome Meeting Attendees

The Board welcomed all those in attendance.

E. Audience Comments

No audience comments were received.

SECOND ORDER OF BUSINESS: Law Enforcement Quarterly Update

Lieutenant Siemer, Sumter County Sheriff's Office, advised that there have been a large number of catalytic converters that have been stolen from vehicles in the tri-county area recently, and requested that if someone views someone under a vehicle to please report it to local law enforcement. Traffic enforcement is being increased for speeding and the unmanned SCSO cars have a speed sign which records vehicle speeds, and the time of day, which assists in the placement of manned SCSO vehicle to complete traffic enforcement. Lieutenant Siemer advised that the SCSO has been awarded a grant that only five (5) departments in the United States have received which provides either a GPS watch or GEO Bit that assists in locating loved ones who wander away from home, at no cost to the individual. With an estimated 10% of the population of The Villages having Alzheimer's or dementia, it is important to be able to locate residents quickly. Lt. Siemer responded to the Supervisors' inquiries.

CONSENT AGENDA:

Chairman Porter advised the Board that a motion to approve the Consent Agenda is a motion to approve all recommended actions. All matters on the Consent Agenda are considered routine and no discussion is required unless desired by a Board Supervisor or a Member of the Public.

The items on Consent Agenda were addressed on an individual basis.

ON MOTION by Judy Biebesheimer, seconded by Ellen Cora, with all in favor, the Board took the following action on the items included on the Consent Agenda:
THIRD ORDER OF BUSINESS: Approval of the Minutes for the Board Meeting held on April 9, 2021.
FOURTH ORDER OF BUSINESS: Approval of the Annual Agreement Renewals with Asphalt Paving Systems, Inc., Pavement Technology, Inc. and Tri-State

Asphalt Corp. and authorized the Chairman/Vice Chairman to execute the renewal documents.

FIFTH ORDER OF BUSINESS: Enforcement of Signage

Carrie Duckett, Assistant District Manager advised that per the Board’s request, a notice of today’s discussion pertaining to the enforcement of Signage was posted on the website, in the Weekly Bulletin and at all postal facilities located in District 1.

Candy Dennis, Community Standards Manager, provided a historical overview of enforcement of signage within the boundaries of District 1 and advised that the Deed Restrictions provide for home units that “a sign showing the Owner’s name will be permitted in common specifications to be set forth by the Developer. No other signs or advertisements will be permitted without the express written consent of the Developer; villa units: no sign of any kind shall be displayed to public view on a Homesite of the Common area without the prior written consent of the Developer, except customary name and address signs. Professional signs advertising a property for sale or rent shall be permitted. The external deed restriction standards provide the following exceptions: security: small decals or small signs may be placed on doors, windows and planting beds next to the house; lawn care: state law allows for a sign to be placed on the newly-treated lawn until dry.” Ms. Dennis provided the timeline for the enforcement of signage:

- February 11, 2011 - Residents appeared before District 3 and brought forward complaints regarding the lack of enforcement regarding signs.
- March 11, 2011 – Ms. Fuchs’ advised District 3 that the District’s External Deed Restriction Standards outline that the District allows security and For Sale / For Rent signs.
- July 8, 2011 – Agenda item was presented to Districts 1, 2, 3, & 4 to amend the External Deed Restriction Standards. As a result of the audience and board member concerns, staff investigated the applicable deed restrictions as adopted by District Rule, which provides that signs, other than customary name signs, were prohibited unless written consent was obtained from the Declarant. Staff discussed the consent issue with district counsel and it was determined, rather than asking each homeowner if they had consent, the best avenue to determine prior consent had been given was to contact the Declarant’s legal counsel.

- July 30, 2012 - Joint workshop with Districts 1 through 5 and the Amenity Authority Committee to discuss the external placement of signage on residential properties (non-villa units).
- July 30, 2012 - District Counsel Statement: The constitutionality of the regulation is questionable. The complexity of the First Amendment is relentlessly being litigated in the court system. The Districts can choose to enforce the rule regarding sign regulation based on the authority granted to the Districts by virtue of the amendments to Chapter 190, Florida Statutes, or the Districts can decide to remove the sign regulation from its adopted Rule due to its problematic constitutional nature. If the decision is made to enforce the sign regulation, the enforcing District takes a risk of legal challenge. The Districts should consider the costs of defending the Rule, which action could include imposition of legal fees if the District is unsuccessful.
- August 20, 2012 – Affirmation and Consent, from the Developer, for a professionally prepared sign not exceeding 24” by 24” affixed to an exterior window of a residence.
- November 9, 2012 – District 1 Adopted Resolution 13-02 amending and restating Chapter III of the District’s Rule to eliminate the enforcement of signage in home units only.
- January 11, 2013 – District 1 Adopted Resolution 13-09 Amending and Restating Chapter III of the District’s Rule to eliminate the enforcement of signage in villa units.
- March 12, 2021 – District 1 requested the issue of signage be placed on the agenda. The Board directed staff to provide the historical data regarding the enforcement of signage to the Board at its May 14, 2021 meeting.

Ms. Dennis advised that the Board has the option to continue enforcing signage as is currently being completed; or, if the Board chooses to enforce the sign restriction, Staff will conduct the required advertisement of the District’s intent to amend and restate Chapter III of its Rule to Bring About Deed Compliance and that a Public Hearing will be held on July 9, 2021.

Robert Brightman, Village of Tierra Del Sol, advised that the Village of Tierra Del Sol is in the process of revitalizing their social organization, and inquired if the notification signs the social group is utilizing are allowed.

Chairman Porter advised that currently District 1 does not enforce the Deed Restriction pertaining to signage. Ms. Duckett advised that even though District 1 has elected to not enforce the

deed restriction pertaining to signage, the deed restrictions state that signage is not allowed. Additionally, one of the duties of Community Watch is to remove signage located in the road right-of-ways and on District property.

Chairman Porter advised she would be in favor of the District proceeding with the enforcement of signage, and hold a Public Hearing at the July 9, 2021 meeting to amend and restate the District's Rule.

Cliff Wiener, District 4 Supervisor, advised that the District 4 Board recently completed the same review of its signage enforcement, and stated that the Board did not receive much input about the enforcement process until it held the Public Hearing.

On MOTION by Judy Biebesheimer, seconded by Ellen Cora, with two Supervisors voting in favor and Kathy Porter against, the Board voted to continue to not enforce the deed restriction related to signage within the boundaries of District 1.

SIXTH ORDER OF BUSINESS: Old Business Status Update

Carrie Duckett, Assistant District Manager, provided an update on the following Old Business Status Update items:

- Enforcement of Signage: This item was previously discussed.
- Preserve Mowing Schedule: Bruce Brown, District Property Management (DPM) Director, advised that there is not a set schedule for preserve mowing. The mowing is completed on an “as needed” basis depending on the requirements set forth for each specific preserve as it pertains to the height of the grass, rainfall received and the time of the year.

SEVENTH ORDER OF BUSINESS: DPM Monthly Report

The DPM Monthly Report was provided to the Board as information.

EIGHTH ORDER OF BUSINESS: Financial Statement

The Financial Statements as of March 31, 2021 was provided to the Board as information.

NINTH ORDER OF BUSINESS: Budget Workshop Reminder

The District 1 Board will hold a Budget Workshop on Tuesday, May 25, 2021 at 8 a.m. at the Savannah Recreation Center.

TENTH ORDER OF BUSINESS: District Manager Reports

A. Supervisor Tom Papin’s Resignation

Ms. Duckett advised that former Supervisor Papin has submitted his letter of resignation. Staff is requesting direction from the Board to proceed with the advertisement process to fill the vacant position so that the Board can hold interviews of candidates at the July 9, 2021 meeting.

The Board provided direction to Staff to proceed with the required advertisement process.

B. AAC After Agenda

Carl Bell, District 1 Amenity Authority Committee (AAC) Member, advised that the After Agenda from the AAC meeting held on May 12, 2021 was provided to the Board as information and highlighted the following items addressed:

- Staff provided an overview of the GIS/Asset Management Systems.
- The Committee recommended approval of the Fiscal Year 2021/2022 Recreation Amenities Division (RAD) Fund Budget.
- An overview of the May Investment Advisory Committee (IAC) meeting was provided.

C. COVID-19 Update

Ms. Duckett advised that on May 13, 2021 the Centers for Disease Control (CDC) had updated its guidance as it pertains individuals’ wearing masks, which District Management is in the process of evaluating and anticipates providing an update pertaining to the District operations, social distancing guidelines and indoor capacity in the next week or two (2).

ELEVENTH ORDER OF BUSINESS: District Counsel Reports

Mr. Brionez advised there will be a Supervisor only training for Ethics, Sunshine and Public Records Law on June 15, 2021 at 9 a.m. offered remotely via a phone or computer. Any Supervisors interested should notify the District Clerk.

Mr. Brionez advised that Governor DeSantis issued the COVID-19 Civil Liability Protection Law which protects local governmental entities from lawsuits being brought against a governmental entity by an individual who claims they contracted COVID-19 while visiting a governmental facility, so long as the governmental entity utilized good faith efforts to comply with governmental orders.

TWELFTH ORDER OF BUSINESS: Supervisor Comments

There were no additional Supervisor Comments.

THIRTEENTH ORDER OF BUSINESS: Adjourn

The meeting was adjourned at 8:24 a.m.

On MOTION by Judy Biebesheimer, seconded by Ellen Cora, with all in favor, the Board adjourned the meeting.

Richard J. Baier
Secretary

Kathy Porter
Chairman