

**MINUTES OF MEETING
VILLAGE COMMUNITY
DEVELOPMENT DISTRICT NO. 2**

A Meeting of the Board of Supervisors of Village Community Development District No. 2 was held on Friday, May 14, 2021 at 9:30 a.m. at the Savannah Regional Recreation Center, 1545 Buena Vista Blvd., The Villages Florida, 32162.

Board members present and constituting a quorum:

Bill Schikora	Chairman
Bart Zoellner	Vice Chairman
Bryan Lifsey	Supervisor
Jim Cipollone	Supervisor
Candy Ginns	Supervisor

Staff Present:

Kenny Blocker	Deputy District Manager
Carrie Duckett	Assistant District Manager
Mark Brionez	District Counsel
Bruce Brown	District Property Management Director
Mark LaRock	Purchasing Director
Anne Hochsprung	Finance 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 Schikora called the meeting to order at 9:30 a.m. and stated for the record that all Supervisors were present representing a quorum.

B. Pledge of Allegiance

The Chairman led the Pledge of Allegiance.

C. Observation of Moment of Silence

Chairman Schikora 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

Donna Conner, 2113 Sansore Street, advised that she was previously before this Board addressing a Deed Compliance violation pertaining to her Florida-Friendly Landscaping, which has been brought into compliance. Ms. Conner addressed the Board about negative comments that Supervisor Cipollone had made about her property, during a public meeting, which ended up being posted to the on-line newspaper and caused her great embarrassment. Ms. Conner requested that Supervisor Cipollone apologize for the comments that he made and requested that the Board consider asking Supervisor Cipollone to resign.

Supervisor Cipollone commended Ms. Conner for bringing her property into compliance.

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 that 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 Schikora 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.

ON MOTION by Bryan Lifsey, seconded by Bart Zoellner, 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 Renewal Agreements 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: Old Business Status Update

Mark Brionez, District Counsel, advised that he would provide the requested Legislative Update under District Counsel Reports.

**SIXTH ORDER OF BUSINESS: Case No. D2-03-21 VCDD No. 2 vs. Joseph Cabasin,
2234 Margarita Drive**

A. District Counsel Overview of Public Hearing Process

Mark Brionez, District Counsel, provided an overview of the Public Hearing process as information to the Board and residents in attendance.

B. Swearing In of Those Providing Evidence/Testimony

Jennifer Farlow, District Clerk, administered the swearing in of those individuals who identified that they would be providing evidence and/or testimony in this case.

C. Open Public Hearing

Chairman Schikora opened the Public Hearing at 9:51 a.m.

D. Staff Presentation of the Facts

Candy Dennis, Community Standards Manager, advised that Case No. D2-03-21, Village Community Development District (VCDD) No. 2 vs. Dorothy C. Cabasin, Estate of and Joseph Cabasin,

2234 Margarita Drive, Unit 23, Lot 54, is in violation of the District's Rule to Bring About Deed Compliance and specifically the Rule that states: "No Vehicle incapable of operation shall be stored on any Lot nor shall any junk vehicles or equipment be kept on any Lot." On February 16, 2021 a complaint was received regarding an inoperable vehicle and on February 17, 2021 the violation was verified and a Deed Restriction Reminder was written. Ms. Dennis advised that after following the Procedures of Compliance for External Deed Restrictions, a Notice of Public Hearing was sent regular mail and certified mail and the property was posted on April 14, 2021. The property owners are deceased, the utilities have been turned off and the property is in foreclosure with Bank of New York. Staff spoke with Celnik, the property preservation department contractor, and has been advised that Celnik does not have the authority to remove the vehicle from the property. Ms. Dennis advised that Staff recommends that the Board find the Owner in violation of the District's Deed Compliance Rule as cited by the Deed Compliance Staff; Owner has three (3) days to bring the property into compliance; if the property is brought into compliance within three (3) days of the Order of Enforcement, Case No. D2-03-21 shall be closed; if the property is not brought into compliance within three (3) days of the Order of Enforcement, impose a \$150 fine to be paid within ten (10) days of the invoice; and impose a \$50 daily fine until the property is brought into compliance; it is the Owner's responsibility to contact the Community Standards Department to request a Deed Compliance Office revisit the property to confirm compliance; if the fines reach \$1,500 and the foreclosure has been dismissed, the case shall be turned over to District Counsel to seek all available remedies which may include initiating a lawsuit, seeking an injunction against the Owner and placing a lien on the property; if the property transfers ownership as a result of a foreclosure or before the fines reach \$1,500 and the fines have not been paid within one (1) year of the transfer of ownership, the fines shall be waived and Case No. D2-03-21 shall be closed, and the Chairman shall execute the Order of Enforcement.

Mr. Brionez requested confirmation that the Notice of Public Hearing was sent regular mail and certified mail and the property was posted on February 16, 2021. Ms. Dennis confirmed the date the property was posted was April 14, 2021.

Supervisor Cipollone requested clarification of who owns the vehicle. Ms. Dennis stated that Staff cannot confirm who the owner of the vehicle is. Mr. Brionez stated that the issue before the Board was whether the car has been parked on the property too long, in accordance with the deed restrictions.

Vice Chairman Zoellner requested the definition of “too long”. Carrie Duckett, Assistant District Manager, clarified the Deed violation was written for an inoperable vehicle due to the fact that the registration and expiration of the tags in March 2019. Mr. Brionez advised that it is illegal to drive a vehicle on the road with expired registration and tags, which defines this vehicle as inoperable. Board discussion continued regarding the definition of inoperable, and Staff and Mr. Brionez responded to the Supervisors’ inquiries.

E. Owner/Interest Party Presentation

No public comment was received.

F. Close Public Hearing

Chairman Schikora closed the Public Hearing at 10:06 a.m.

G. Board Discussion/Determination

On MOTION by Bryan Lifsey, seconded by Bart Zoellner, with all in favor, the Board found the Owner of 2234 Margarita Drive, Unit 23, Lot 54 in violation of the District’s Deed Compliance Rule as cited by the Deed Compliance Staff; Owner has three (3) days to bring the property into compliance; if the property is brought into compliance within three (3) days of the Order of Enforcement, Case No. D2-03-21 shall be closed; if the property is not brought into compliance within three (3) days of the Order of Enforcement, impose a \$150 fine to be paid within ten (10) days of the invoice and impose a \$50 daily fine until the property is brought into compliance; it is the owner’s responsibility to contact the Community Standards Department to request a Deed Compliance Officer revisit the property to confirm compliance, if the fines reach \$1,500 and the foreclosure has been dismissed, the case shall be turned over to District Counsel to seek all available remedies which may include initiating a lawsuit, seeking an injunction against the Owner and placing a lien on the property; if the property transfers ownership as a result of a foreclosure or before fines reach \$1,500 and the fines have not been paid within one (1) year of the transfer of ownership, the fines shall be waived and Case No. D2-03-21 shall be closed; and authorized the Chairman to execute the Order of Enforcement.

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 Statement as of March 31, 2021 was provided to the Board as information.

NINTH ORDER OF BUSINESS: Budget Workshop Reminder

The District 2 Board will hold a Budget Workshop on Tuesday, May 25, 2021 at 9:30 a.m. at the Savannah Recreation Center.

TENTH ORDER OF BUSINESS: District Manger Reports

A. AAC After Agenda

Ann Forrester, District 2 Amenity Authority Committee (AAC) Representative, advised the Board that the After Agenda from the AAC meeting held on May 12, 2021 was provided to the Board and highlighted the following items addressed:

- Sandy Mott was welcomed as a new member to the AAC.
- The contract for tennis court resurfacing and bocce court re-carpeting will be completed per the maintenance plan established by DPM.
- The First Responders Groundbreaking Ceremony will be held on Wednesday, May 26, 2021 at 9:30 a.m.
- The projected completion date of the Silver Lake Executive Golf Course is October 2021.

B. COVID-19 Update

Ms. Duckett advised that on May 13, 2021 the Centers for Disease Control (CDC) has 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

A. June 15, 2021 – Supervisor Only Training for Ethics, Sunshine and Public Records Law

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.

Mr. Brionez advised Senate Bill 60 which addresses anonymous complaints in municipalities, not Community Development Districts (CDDs), would prohibit Code Enforcement Officers from accepting anonymous complaints is still alive and making its way through the process. Additionally, House Bill 853 which proposed that CDD Supervisors complete four (4) hours of Ethics Training annually has died.

Mr. Brionez advised Senate Bill 378, the Prompt Payment Act is still alive which would increase the late payments from 1% to 2%. He advised the Sovereign Immunity Bill and the tree trimming regulation did not make it through.

TWELFTH ORDER OF BUSINESS: Supervisor Comments

Supervisor Cipollone inquired about the Board's insurance policies. Mr. Brionez advised that there is an Elected Official Policy which will cover an individual Board Supervisor if they are acting within their role as a Supervisor. The Resolution adopted by the Board last month identified the Board's Indemnification Policy.

Supervisor Lifsey requested that an update on Automatic License Plate Recognition (ALPR) System project be provided. Ms. Duckett advised an update will be provided next month.

Supervisor Lifsey expressed frustration about the recent communication outages for the AED System, and inquired why communication had not been provided to the Supervisors. Kenny Blocker, Deputy District Manager, stated that there was a computer communication issue, which has since been corrected, and advised that all AED leaders were notified. Supervisor Lifsey stated that he believes that information about the communication outage should have been made with all District Supervisors.

Supervisor Zoellner requested that the Boards be advised of such issues in the future, so that they are able to respond to questions received from residents. Mr. Blocker stated that, in the future, Staff will provide notification to the Boards, as information.

Chairman Schikora inquired requested Board input about scheduling a Special Meeting to review items included under Supervisor Comments.

Supervisor Cipollone stated that he believes holding a Special Meeting would be beneficial and would allow residents to provide input about issues that concern them. Ms. Duckett advised that it would be important to ensure that the items reviewed or discussed during a Special Meeting were items and issues that fall under the purview of the Board.

Chairman Schikora advised that he would want the meeting to focus on the Supervisor's Comments portion of the meeting and how it is conducted.

Supervisor Lifsey provided that previously there had been town hall meetings. Ms. Duckett advised the focus of town hall meetings is items that fall within the purview of the Board. Town Hall Meetings have previously included a Q&A, budget information and Community Standards information. Mr. Brionez advised the spending of public funds needs to be monitored when having additional meetings and that the focus on items that fall within the board's purview. Mr. Schikora advised he wanted to focus on the purpose of Supervisor Comments and the procedures for them. Supervisor Zoellner advised they needed to focus on facts and not personal opinions and could focus on enhancement and enrichment of the Supervisor comments. Supervisor Ginns advised she thought the items could be discussed at a general meeting. The board decided to discuss the Supervisor Comments at the next meeting.

THIRTEENTH ORDER OF BUSINESS: Adjourn

The meeting was adjourned at 10:56 a.m.

On MOTION by Bart Zoellner, seconded by Bryan Lifsey, with all in favor, the Board adjourned the meeting.

Richard J. Baier
Secretary

Bill Schikora
Chairman