

**MINUTES OF MEETING  
VILLAGE COMMUNITY  
DEVELOPMENT DISTRICT NO. 4**

A meeting of the Board of Supervisors of Village Community Development District No. 4 was held on Friday, June 11, 2021 at 1:30 p.m. in the Ashley Wilkes Room at the Savannah Recreation Center, 1545 Buena Vista Blvd., The Villages Florida, 32162.

Board members present and constituting a quorum:

Jim Murphy	Chairman
Cliff Wiener	Vice Chairman
Mark Hayes	Supervisor
Don Deakin	Supervisor
Cary Sternberg	Supervisor

Staff Present:

Kenny Blocker	Deputy District Manager
Carrie Duckett	Assistant District Manager
Mark Brionez	District Counsel
Barbara Kays	Budget Director
Anne Hochsprung	Finance Director
Mark LaRock	Purchasing Director
Bruce Brown	District Property Management Director
Jennifer Farlow	District Clerk
Katie Evans	Assistant to District Clerk

**FIRST ORDER OF BUSINESS:                      Call to Order**

A.      Roll Call

Chairman Murphy called the meeting to order at 1:30 p.m. and stated for the record that all Supervisors were present representing a quorum.

B.      Pledge of Allegiance

Chairman Murphy led the Pledge of Allegiance.

C.      Observation of a Moment of Silence

The Board and audience members in attendance observed a moment of silence for those who have served our Country and community.

D. Welcome Meeting Attendees

Chairman Murphy welcomed all those residents in attendance at the Village Community Development District (VCDD) No. 4 meeting.

E. Public Comment Period

Richard Cicchillo, Creekside Circle, addressed concerns about the height of the bamboo planted in the buffer behind his home, which has grown to nine (9) feet tall. Mr. Cicchillo requested that the District have the bamboo trimmed to the previously agreed upon six (6) feet, and establish a schedule for the trimming to occur. Bruce Brown, District Property Management Director, advised that Staff will complete a review of the bamboo and provide an update to the Board. This item will be included on the Old Business Status Update.

Supervisor Deakin stated that there are also dead shrubs that need to be replaced and suggested that a review of the irrigation occur to ensure that there are no issues.

**CONSENT AGENDA:**

Chairman Murphy 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 action is required unless desired by the Board Supervisor or a member of the public.

Vice Chairman Wiener requested that the Third Order of Business be pulled from the Consent Agenda.

<p><b>ON MOTION by Don Deakin, seconded by Mark Hayes, with all in favor, the Board took the following action on the items included on the Consent Agenda:</b></p> <p><b>SECOND ORDER OF BUSINESS: Approval of the Minutes for the Board Meeting held on May 14, 2021.</b></p> <p><b>FOURTH ORDER OF BUSINESS: Approval of the Assignment of Agreement RFP #18P-020 Disaster Debris Removal and Disposal Services (Tertiary) with Miller Pipeline, LLC and authorized the Chairman/Vice Chairman to sign the Agreement for Assignment.</b></p>
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**THIRD ORDER OF BUSINESS:                      Approval of Assignment of Agreement ITB #21B-015  
for PROscape, Inc. to Juniper Landscaping of Florida,  
LLC for Preserve and Wetland Mowing**

Vice Chairman Wiener inquired if this Assignment of Agreement is only being brought before Districts 1, 2, 3 and 4. Mark LaRock, Purchasing Director, advised that the agreement only encompasses areas within District 1, 2, 3 and 4.

**On MOTION by Don Deakin, seconded by Cary Sternberg, with all in favor, the Board approved the Assignment of Agreement ITB #21B-015 Preserve and Wetland Mowing with Juniper Landscaping of Florida, LLC and authorized the Chairman/Vice Chairman to sign the Assignment of Agreement.**

**FIFTH ORDER OF BUSINESS:                      Adoption of Resolution 21-08: FY2021/22 Proposed  
Budget**

Ms. Kays, Budget Director, advised that the Fiscal Year 2020/2021 Proposed Budget packet has been provided to the Board. At the May 25, 2021 Budget Workshop, the Board directed Staff to make no changes to the current maintenance assessment rates. Ms. Kays advised that the proposed operating budget is \$3,567,830, which is an increase of \$216,596 or 6% from the current year original budget. Staff recommends that the Board adoption of Resolution 21-08 to approve the Fiscal Year 2021-22 Proposed Budget and set the public hearing to approve the Fiscal Year 2021-22 Final Budget on September 10, 2021 at 1:30 p.m. at the Savannah Recreation Center.

**On MOTION by Don Deakin, seconded by Cliff Wiener, with all in favor, the Board adopted Resolution 21-08 approving the Fiscal Year 2021/2022 Proposed Budget and set a public hearing to adopt the Fiscal Year 2021/2022 Final Budget for September 10, 2021 at 1:30 p.m. at the Savannah Recreation Center.**

**SIXTH ORDER OF BUSINESS:                      Supervisor Comments**

A. Supervisor Deakin: AAC After Agenda

Supervisor Deakin advised the After Agenda from the Amenity Authority Committee (AAC) meeting held on June 9, 2021 was provided to the Board as information, and highlighted the following:

- The AAC requested that Staff provide a proposal for irrigation upgrades along the Springdale Trail to be presented at the July 7, 2021 meeting for discussion.

Supervisor Deakin stated that pertaining to landscape beds within the District's right-of-ways (ROWs) the Minutes from the May 14, 2021 meeting state "the Board previously directed Staff to utilize a public information program for a one (1) year period, which provides that if a complaint is received for an unapproved improvement within the road ROW, communication is made with the homeowner, and a request is made for voluntary compliance prior to October 1, 2021. After October 1, 2021 the District will then have the ability to take action to remove the improvements from the ROW." Supervisor Deakin requested confirmation that if no complaint is received, but a violation exists, would Staff proceed with removing the violation without notifying the resident that the property is in compliance. Carrie Duckett, Assistant District Manager, advised that during the public information period, if a complaint is received, Staff provides notification of the complaint to the property owner, and hopefully the violation is brought into compliance. After October 1, 2021, if a complaint is received, Staff will work with the property owner to bring the property into compliance; however, if the property owner refuses to bring the property into compliance the issue would be brought before the Board for direction and approval to proceed. Ms. Duckett stated that Deed Compliance Staff is not looking for existing violations.

Vice Chairman Wiener advised that there are signs within the District's ROW along Piedmont that have not been removed.

Vice Chairman Wiener stated that during the recent Memorial Day holiday, there were many decorations that were not in compliance with the District's Holiday Decoration and inquired if a copy of the District's policy could be posted at the postal facilities. Ms. Duckett advised that the Holiday Decoration Policy is located on the DistrictGov.org website and has included in the Weekly Bulletin, but advised that Staff would post the policy at the postal facilities located within District 4.

Chairman Murphy inquired if something could be done to address the number of broken gates that occur at the inbound lane of the Belle Meade North gate. Chairman Murphy stated that it seems the

gate is broken more often at this location due to the location of the card reader/button and gate. Mr. Brown advised that Staff would review the location.

**SEVENTH ORDER OF BUSINESS:      Committee Updates**

A. Investment Advisory Committee: Primary – Jim Murphy, Alternate – Mark Hayes

There was no Investment Advisory Committee update to be provided.

B. Multi-Modal Path Discussion Group: Cliff Wiener

There was no Multi-Modal Path Discussion Group (MMPDG) update to be provided.

C. Liaison to MCSO and VPSD: Mark Hayes

Supervisor Hayes advised that an Ad Hoc Fire, EMS and Medical Transport Committee has been formed in Sumter County.

D. Liaison to MCBOCC: Don Deakin

Supervisor Deakin advised that the Marion County Planning and Zoning Board voted not to approve the changes to the commercial property located on CR 42.

**EIGHTH ORDER OF BUSINESS:      Old Business Status Update**

Ms. Duckett provided the following Old Business Status Updates:

- Update on Mistwood Pipe Repair Project: Bruce Brown, District Property Management (DPM) Director, advised that the pipe is scheduled to be replaced on June 23, 2021 and the project should be completed in a day or two (2).
- Soulliere Villa Roadway Maintenance: Staff is currently waiting on receipt of the Engineering Report. Staff met with Kimley-Horn and The Developer last week to discuss common problems that have been identified in the villa roads.
- Replace missing bollard at B2 tunnel south entrance: The bollard has been replaced.
- Provide copy of Road Capital Improvement Plan (CIP); Review to confirm if inconsistencies exist: The CIP was provided to the Board via email on May 28, 2021. Mr. Brown advised the roads are scheduled to be resurfaced based on the road conditions and the engineering survey that was completed.

Supervisor Deakin inquired if Mr. Brown was familiar with the water main break that occurred on Legacy Lane. Mr. Brown advised that Staff would investigate the occurrence and provide information to the Board.

In response to Supervisor Deakin's inquiry about the barriers installed at Clearview Ave, Mr. Brown advised that the barriers have been replaced and there have been no further issues.

Rosemary Williams, resident of Soulliere Villas, shared her concerns about the sidewalks as well as the roads in Soulliere Villas and she inquired if the sidewalks are included in the roadway maintenance. Mr. Brown advised the sidewalk updates would be included in the roadway maintenance which will be included on Old Business.

**NINTH ORDER OF BUSINESS:**                      **Case No. D4-07-21 VCDD No. 4 vs. Lucille Todd, 17479 SE 82<sup>nd</sup> Pecan Terrace**

A.      District Counsel Overview of Public Hearing Process

The overview was provided during the previous Public Hearing.

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 Murphy opened the Public Hearing at 2:17 p.m.

D.      Staff Presentation of the Facts

Ms. Dennis advised that Case No. D4-07-21, VCDD No. 4 vs. Lucille Todd and Alan Berry Todd, 17479 SE 82<sup>nd</sup> Pecan Terrace, Unit 217, Lot 24, is a violation of the District's Rule to Bring About Deed Compliance, and specifically the Rule that states: "Each Owner shall keep his Homesite neat and clean and the grass cut and edged at all times..." On March 17, 2021 a complaint was received regarding mold on the home and a torn tarp on the roof, and on March 18, 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 on April 9, 2021. Staff has spoken with Alan Todd who advised Lucille Todd is deceased and that there is a reverse mortgage on the property, through HUD. Mr. Todd advised that

when he attempted to purchase the property, he was turned down by HUD; however, the Property Appraisers' website lists his name as the owner, and a property search indicates that a transfer of deed from Lucille Todd to Alan Berry Todd was completed on dated April 15, 2019. The utilities are past due and the real estate taxes have been paid through 2020. 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 seven (7) days to bring the property into compliance; if the property is brought into compliance within seven (7) days of the Order of Enforcement, Case No. D4-07-21 shall be closed; if the property is not brought into compliance within seven (7) 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 Owners responsibility to contact the Community Standards Department to request a Deed Compliance Officer re-visit the property to confirm compliance; if the fines reach \$1,500, 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 and the Chairman shall execute the Order of Enforcement.

Ms. Dennis responded to inquiries from the Board.

Chairman Murphy inquired if it was possible for the communications to be sent from Mr. Brionez's Office. Following discussion, Ms. Duckett advised that Staff would coordinate with Mr. Brionez's Office, and the Order of Enforcement and an accompanying letter would be sent from the Brionez + Brionez Office.

D. Owner/Interest Party Presentation

No public comment was received

E. Close Public Hearing

Chairman Murphy closed the Public Hearing at 2:59 p.m.

F. Board Discussion/Determination

<p><b>On MOTION by Cary Sternberg, seconded by Mark Hayes, with all in favor, the Board found the Owner of 17479 SE 82<sup>nd</sup> Pecan Terrace, Unit 217, Lot 24, is in violation of the District's Deed Compliance Rule as cited by the Deed Compliance Staff; Owner has seven (7) days to bring the property into compliance; if the property is brought into compliance within seven (7) days of the Order of Enforcement, Case No. D4-07-21 shall be closed; if the property is not brought into</b></p>
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compliance within seven (7) 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 Owners responsibility to contact the Community Standards Department to request a Deed Compliance Officer re-visit the property to confirm compliance; if the fines reach \$1,500, 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 and Case No. D4-07-21 shall be closed and the Chairman shall execute the Order of Enforcement.

**TENTH ORDER OF BUSINESS: Financial Statements**

The Financial Statement as of April 30, 2021 was provided as information to the Board.

**ELEVENTH ORDER OF BUSINESS: DPM Monthly Report**

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

Supervisor Hayes requested a status update on the damage that occurred to the Woodbury Postal Facility, following a vehicle accident. Mr. Brown advised that DPM is working with the District's Risk Management Department and local law enforcement.

**TWELFTH ORDER OF BUSINESS: District Manager Reports**

Ms. Duckett thanked the Supervisors who were able to attend the First Responders Groundbreaking Ceremony and provided the Board with the program from the event.

**A. COVID-19 Update**

Ms. Duckett advised that the District facilities and operations are open at 100% capacity.

**THIRTEENTH ORDER OF BUSINESS: District Counsel Reports**

Mr. Brionez provided a reminder to the Board that a Supervisors' only training session for Ethics, Sunshine and Public Records Law will be held on June 15, 2021 at 9:00 a.m. The Training session will be offered remotely via telephone or computer. Mr. Brionez requested any interested Supervisors notify the District Clerk.



**FOURTEENTH ORDER OF BUSINESS: Public Comment Period**

No public comments were received.

**FIFTEENTH ORDER OF BUSINESS: Adjourn**

The meeting was adjourned at 2:39 p.m.

<b>On MOTION by Mark Hayes, seconded by Cary Sternberg, with all in favor, the Board adjourned the meeting.</b>
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Richard J. Baier  
Secretary

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James Murphy  
Chairman