

**MINUTES OF MEETING
VILLAGE COMMUNITY
DEVELOPMENT DISTRICT NO. 9**

A Meeting of the Board of Supervisors of Village Community Development District No. 9 was held on Thursday, June 3, 2021 at 1:30 p.m. at the Savannah Recreation Center, 1545 Buena Vista Blvd., The Villages, Florida, 32162.

Board members present and constituting a quorum:

Jack Reimer	Chairman
Don Hickman	Vice Chairman
Steve Brown	Supervisor
Michael Dollard	Supervisor
Dan Ruehl	Supervisor

Staff present:

Kenny Blocker	Deputy District Manager
Carrie Duckett	Assistant District Manager
Mark Brionez	District Counsel
Brittany Wilson	Director of Technology and Board Support Services
Barbara Kays	Budget Director
Anne Hochsprung	Finance Director
Mark LaRock	Purchasing Director
Bruce Brown	District Property Management 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 Reimer 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

The Chairman 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 serve our Country and community.

D. Welcome Meeting Attendees

Chairman Reimer welcomed all those in attendance at the meeting.

E. Audience Comments

No audience comments were received.

CONSENT AGENDA:

Chairman Reimer 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.

On MOTION by Don Hickman, seconded by Steve Brown, with all in favor, the Board took formal action on the following items included on the Consent Agenda:
SECOND ORDER OF BUSINESS: Approval of the Minutes from the Board Meeting held on May 20, 2021.
THIRD 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 execute the renewal documents.

FOURTH ORDER OF BUSINESS: Adoption of Resolution 21-08: Fiscal Year 2021/22 Proposed Budget

Ms. Kays, Budget Director, advised the Board reviewed in detail and discussed the budget at the May 17, 2021 Budget Meeting, where the Board directed Staff to include a 20% reduction in maintenance assessment revenue. Ms. Kays advised the change is reflected in the Proposed Budget and the tax collector fee was decreased as well. The proposed operating budget is \$2,939,583 which is a decrease of \$1,059,065 or 26.5% from the current year original budget, which is due mainly to the elimination of the transfer to the General R & R. Ms. Kays advised Staff is recommending adoption of Resolution 21-08 to approve the Fiscal Year 2021/22 Proposed Budget for September 2, 2021 at 1:30 p.m. at the Savannah Recreation Center.

Dan Warren, Village of Gilchrist, expressed his thoughts on establishing policy for Working Capital, Villa Roads and General R &R and requested these items be included on the Old Business Status Update. Mr. Warren requested the Board reconsider choosing Option 2 and choose Option 3 in regards to Maintenance Assessment Rates. The Board took no action on this request.

On MOTION by Don Hickman, seconded by Mike Dollard, with all in favor, the Board adopted Resolution 21-08 to approve the Fiscal Year 2021/22 Proposed Budget and set the public hearing to adopt the Fiscal Year 2021/22 Final Budget for September 2, 2021 at 1:30 p.m. at the Savannah Recreation Center.

FIFTH ORDER OF BUSINESS: Old Business Status Update

Kenny Blocker, Deputy District Manager, there were no items on Old Business to be addressed.

**SIXTH ORDER OF BUSINESS: Case No. D9-03-21 VCCDD No. 9 vs Michele Pedersen,
2869 Rain Lily Loop**

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 Reimer opened the Public Hearing at 1:43 p.m.

D. Staff Presentation of the Facts

Candy Dennis, Community Standards Manager, advised that Case No. D9-03-21, Village Community Development District (VCDD) No. 9 vs. Michelle Pedersen, 2869 Rain Lily Loop, Unit 176, Lot 101, is in violation of the District's Rule to Bring About Deed Compliance and specifically, the Rule that states: "After the Home has been constructed, no reconstruction, additions, alterations or modifications to the Home, or in the locations and utility connections to the Home will be permitted

except with the written consent of the Developer or an architectural review committee appointed by the Developer.” On April 22, 2021 a complaint was received regarding the exterior of the home being painted the incorrect color and on April 23, 2021 the violation was verified and a Deed Restriction Reminder was written. Ms. Dennis advised that after following the Procedures for Compliance of External Deed Restrictions, a Notice of Public Hearing was sent regular mail and certified mail and the property was posted on May 21, 2021. Staff has met with the owner who stated that during the beginning of the pandemic she attempted to visit the office to view the color palettes; however, the offices were closed. The owner’s contractor advised her that her color choice was on the palette and the owner had the home repainted. On March 19, 2020, District 9 eliminated color palettes 4 through 7 and eliminated the bottom two rows of palettes 1 through 3. Ms. Dennis advised that Staff is recommending 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. D9-03-21 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 owner’s 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 Board inquiries.

E. Owner/Interest Party Presentation

Michelle Pedersen, 2869 Rain Lily Loop, advised in the last few months of 2019, she began preparing to repaint her home and was able to schedule an appointment in January of 2021. Ms. Pedersen stated she did attempt to visit and call the District Office in November and December of 2020. Following communications with her contractor, who stated the color was an approved color, Ms. Pedersen stated she had communication Deed Compliance Staff regarding the base color of the home and the removal of the color palettes from the approved palettes. Ms. Pedersen stated she was advised at

that time that she did not need approval for painting her home as long as it is on the approved color palettes.

Mr. Brionez inquired if Ms. Pedersen believed the color is on the approved list. Ms. Pedersen stated the color was on the color palettes; however, was recently removed from the color palette choices for District 9.

F. Close Public Hearing

Chairman Reimer closed the Public Hearing at 2:06 p.m.

G. Board Discussion/Determination

On MOTION by Mike Dollard, seconded by Steve Brown, with four (4) Supervisors voting “Aye” and Don Hickman voting “Nay”, the Board found the Owner of 2869 Rain Lily Loop, Unit 177, Lot 101 in violation of the District’s Deed Compliance Rule as cited by the Deed Compliance Staff; Owner has ninety (90) days to bring the property into compliance; if the property is brought into compliance within ninety (90) days of the Order of Enforcement, Case No. D9-03-21 shall be closed; if the property is not brought into compliance within ninety (90) 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 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 authorized the Chairman to execute the Order of Enforcement.

SEVENTH ORDER OF BUSINESS: Financial Statements

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

EIGHTH ORDER OF BUSINESS: DPM Monthly Report

The District Property Management (DPM) Monthly Report was provided as information to the Board.

Supervisor Hickman requested clarification on the Atwood Villa Roads project and the amount that was budgeted for project completion. Bruce Brown, DPM Director, advised the engineering analysis has been completed and stated Staff will be meeting with the designer, architectural engineer and the

developer to discuss the villa roads. Mr. Brown advised mill and overlay would resolve the current roadway issue; however, further investigation is needed.

NINTH ORDER OF BUSINESS: District Manager Reports

A. COVID-19 Update

Mr. Blocker advised that the District Offices and recreation centers are open at 100% capacity.

TENTH ORDER OF BUSINESS: District Counsel Reports

Mr. Brionez provided the reminder that there will be a Supervisor only training for Ethics, Sunshine and Public Records Law on June 15, 2021 at 9:00 a.m. offered remotely via a phone or computer and requested any interested Supervisors notify the District Clerk.

ELEVENTH ORDER OF BUSINESS: Supervisor Comments

A. Supervisor Brown: PWAC After Agenda

Supervisor Brown advised that the After Agenda for the Project Wide Advisory Committee (PWAC) meeting held on June 3, 2021 has been provided to the Board as information and stated majority of the meeting was spent discussing a letter that PWAC Chairman Wiley had written to the Sumter Landing Community Development District (SLCDD) Board and the updated Amendment Four to the Interlocal Agreement.

Supervisor Ruehl requested information regarding the requirements for repainting homes be provided and reviewed to ensure the rules and regulations are available to the residents. Ms. Duckett advised residents are encouraged to contact Community Standards when making any change or modification to the exterior of their home. The Community Standards Staff assists with educating residents on the specific rules of the District in which they reside in.

Supervisor Hickman requested the review of the fixed asset report remain on the Old Business Status Update. Supervisor Hickman requested the categories be defined more specifically. Supervisor Brown concurred. Mr. Blocker advised the item would remain on Old Business.

TWELFTH ORDER OF BUSINESS: Adjourn

The meeting was adjourned at 2:31 p.m.

On MOTION by Mike Dollard, seconded by Steve Brown, with all in favor, the Board adjourned the meeting.
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Richard J. Baier
Secretary

Jack Reimer
Chairman