

Property Owners' Association of The Villages

CHAMPIONS OF RESIDENTS' RIGHTS SINCE 1975

BULLETIN



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December 2001

The POA Bill in The Silver Hair Legislature Achieves Priority Status

The bill sponsored by the POA in the Florida Silver Hair Legislature's (FSHL) recent 2001 session in Tallahassee has been given Priority status.

The bill, HB-109 Consolidated, addresses problems, abuses, and loopholes in the Chapter 190 law that created Community Development Districts (CDDs) in the early 1980s.

Priority status is significant. Only seven bills out of the 130 or so originally considered by the FSHL are given this status. This means that the FSHL will emphasize the Priority bills in its lobbying efforts with legislators. These bills are lobbied to the Governor, his Cabinet officers, Florida State Senators and Representatives, and the U. S. Congressmen from Florida.

In addition, the POA has provided CDD background information to about a dozen Florida state officials in various departments and offices. Included here are the Florida State Attorney General's office and a leading candidate to succeed the current Attorney General in next year's election. The thinking here is that the more state officials that understand the problems with the Chapter 190 law, the greater will be our chances of success in getting these changes passed into law.

We are also fortunate that a member of the POA has been asked to represent our area at the national Silver Hair Legislature's annual session to be held in Washington, DC, from February 28, 2002 to March 6, 2002. Russ Day is looking forward to talking about these CDD problems with officials in the George W. Bush administration. The opportunity to discuss these issues with interested officials at the national level should be helpful for our efforts at the state level.

The point needs to be made again, however, that FSHL bills are only recommendations to the real Florida legislature. These bills do represent the judgements and concerns of the FSHL, but final passage of these bills is not certain. Final passage into law is subject to the legislative process and passage is often a long-shot on any bill.

Remember also that powerful state-wide lobbies of developers, builders, lawyers, accountants, realtors, etc., have a vested interest in the status-quo of the Chapter 190 law and will probably resist any change. This is a significant issue.

That is why it is important for all POA members to write their elected officials and voice their opinions about these needed changes in the Chapter 190 law. Addresses for our Florida state senator and representative are listed elsewhere in this Bulletin. If you have the time, please consider writing a letter expressing your opinion. That action will help the cause of resident's rights that the POA is championing on your behalf.

-- Tom Poss --

POA ELECTIONS – NEW ADMINISTRATION TO TAKE OFFICE FOR 2002

Joe Gorman was elected POA president at the November general membership meeting. Joe steps up from his position as POA Secretary in 2001.

Win Shook was reelected as Vice President. Charlotte Poss was reelected as Treasurer. Monica Carter was newly elected as Secretary.

Tom Poss, former president, will continue his service to the POA as a Director. Ted Morris and Frank Renner were also reelected as Directors. Other new Directors include Dorothy Cheshire, Paul Heim, and Bill Snyder.

In commenting on the elections, Joe said that he hoped to continue the POA focus on resident's rights as the single, most important issue facing the POA. He cited the recent successes of the POA working with the Florida Silver Hair Legislature (FSHL) on abuses and loopholes in the Chapter 190 law that created the Community Development Districts (CDDs). "We hope to get some of this legislation considered which may help solve the ongoing problems that directly impact residents' rights here in The Villages," he said.

Commenting further on the administration of the outgoing president, Tom Poss, Joe said: "We owe a debt of gratitude to Tom for his leadership as president over these past two years. Tom has set the tone for a resurgence of the POA by focusing attention on residents' rights. This is a significant issue for consideration by all POA members. Our thanks go out to Tom for his commitment and service"

Joe called for involvement by all POA members in helping to shape these significant issues in the future. "If we all get involved," he said, "we can overcome apathy and make a difference for residents. Remember that the objective of the POA is to make this wonderful life we enjoy here in The Villages even better. Together, we can do it."

Joe plans further comments on the POA program for the upcoming year. An announcement will be made within the next month or so about the committee assignments to be filled. "All of this will be devoted to making your POA even better," he said.

Happy
Holidays
And A
Happy
New
Year



HB-109 CONSOLIDATED

A SUMMARY OF THE DETAILS

Here is a summary of this important bill, in its five parts. This bill was passed almost unanimously by the Florida Silver Hair Legislature in its recent annual session in Tallahassee and also received Priority status.

The bill is directed at the loopholes and abuses in the Chapter 190 law that created Community Development Districts in the early 1980s.

Part 1 - Conflict-Of-Interest Regulations. This part requires that state conflict-of-interest regulations apply to various advisors to developers and CDDs who also advise the local and county officials responsible for approving CDD activities and operations.

Part 2 - Election of CDD Supervisors. This addresses the problem, existing in the Villages, in which residents cannot elect the VCCDD supervisors who buy property from the developer at inflated prices and obligate residents to pay the related debt, now estimated at over \$250 million. This is a taxation-without-representation issue. This requires popular election of supervisors.

Part 3 - Approval to Purchase Facilities. This addresses the problem, existing in The Villages, where residents are not allowed to approved property purchases or the assumption of the related debt obligation. This is another taxation-without-representation issue. This requires resident approval of facilities purchases and issuance of the related bonds.

Part 4 - Appraisal Method Used for the Purchase of Property. This bill addresses the problem, existing in The Villages, in which inflated valuations based on the "income" appraisal technique are used by the developer to sell property to the VCCDD. A market-based appraisal method is required.

Part 5 - Dismissal/Retention Vote for the District Administrator. This bill addresses the problem in which a District Administrator is beholden to the developer who hired him or her, and is, furthermore, insensitive to the interests and needs of residents in the CDD community. The procedure for a popular, district-wide dismissal/retention vote for the District Administrator is defined.

Consolidation - This consolidated bill, HB-109, was passed unanimously by the FSHL in both Senate and House committees, unanimously in the full House, and with only one dissenting vote in the full Senate. The bill was also accorded Priority Bill status by the FSHL. This is a remarkable record for any bill. This shows a high level of concern among delegates to the FSHL about the abuses and problems with the Chapter 190 law. Delegates recognized that this is a state-wide problem that affects all of us Floridians, not just residents in The Villages or in CDDs.

ON TAXES AND PRODUCTION REAL PROPERTY TAX REFORM

There is much discussion today in newspapers and legislatures about taxes and how to stimulate an economy in a recession. Below is a list of taxes that depress the economy and a list of those taxes that stimulate the economy:

Taxes That Depress Production

- Sales taxes,
- Income taxes,
- Intangible taxes,
- Taxes on the value of buildings and other improvements,
- Capital gains taxes,
- Taxes on imported goods,
- Inventory taxes,
- Personal property taxes.

Taxes That Stimulate Production

- Taxes on land values.

Is it any wonder that we have recurring recessions, unemployment, and inflation? We rely heavily on taxes in the first list that increases prices and unemployment, that tax earned incomes, and we rely very little on the one tax that collects only unearned income and promotes non-inflationary full employment.

Land values are created only by growth of population and development of the whole economy, not by any productive effort of individual land owners.

The incidence of our taxes is upside-down, anti-economic, and problematic.

The Florida Silver Haired Legislature's HB-83 (2000), Real Property Tax Reform, is a modest proposal to gradually change this condition. Please ask your state legislators to support it.

-- Ted Morris --

CONTACT YOUR STATE LEGISLATORS

Senator Anna P. Cowin
716 West Magnolia Street
P. O. Box 490238
Leesburg, FL 34749
352-315-9335

Representative Hugh H. Gibson III
916 Avenida Central - The Village Green
Lady Lake, FL 32159
352-750-1671

THE P.O.A. HAS FORMS FOR FREE PRESCRIPTIONS

PLEASE COME TO A MEETING AND PICK UP COPIES OF ALL THE INFORMATION THAT YOU WILL NEED FOR THIS SERVICE. YOU CAN SEND A SELF ADDRESSED STAMPED ENVELOPE AND WE WILL MAIL YOU THE INFORMATION. --TOM POSS--

STAINING YOUR CONCRETE DRIVEWAY

This is offered as a "Public Service" so other Villages residents might avoid the problems we have encountered.

In June, 1998, Painting Unlimited stained the concrete driveway at our home and did what appeared to be a nice job. However, within six months the stain began to chip off.

After several attempts at patching the chipped stain, Painting Unlimited determined the solution was to RE-STAIN OVER THE ORIGINAL STAIN with a new product which they assured us would "penetrate THROUGH the original stain and INTO the concrete" making a lasting bond.

Two weeks later, the new stain began to chip off. In LESS THAN SIXTY DAYS, large areas of chipping stain have become visible.

As an after-thought, we examined the stain manufacture's application instructions found on the stain cans left at our house. They read: Dycor Tuff Deck is "formulated to provide a hard protective finish on UNPAINTED, UNSEALED concrete." "Apply Tuff Deck ONLY ON UNPAINTED, UNSEALED concrete that has cured for at least 30 days."

The original owner of Painting Unlimited says he sold the equipment and materials of his company to his son-in-law in June, 2000, and retired. The son-in-law claims he then formed a spin-off company, Painting Unlimited Concrete Designs. Further, he claims that he only helped the former owner of Painting Unlimited apply the new stain and he is therefore not responsible.

FACTS:

1. The original owner AND the son-in-law TOGETHER made the product claims which we believe were false and misleading.
2. The original owner AND the son-in-law TOGETHER applied the new stain with disregard for the manufactures instructions provided on each can of stain.

We are left with an ugly mess for which those individuals (owner/operators) who actually applied the stain choose NOT to accept responsibility for their actions.

So, if you are thinking of having concrete stained at your home, you may want to carefully consider the possible outcome before signing the contract.

Also, check with the Better Business Bureau.

--Bill & Barb Hecht--
1202 Camero Drive

Editor's Note: Any other residents experiencing these same driveway problems should plan on attending the December 19th POA meeting. We plan to discuss this problem and how best to proceed.

FLOWERS AND WEEDS

The Flowers and Weeds column is a good idea. And, the POA will not duck the hard issues that need to be mentioned. We ask readers to submit material for future columns.

FLOWERS - To the Daily Sun for the Entertainment Information feature on page three of the Lifestyles section. This is a great overview of what's going on in the Villages.

WEEDS - To all residents who spread fertilizer on their lawn and then don't clean up the extra granules that fall on the street. If these extra fertilizer granules aren't swept back into the lawn, they are washed into the storm sewer system and end up in the retention ponds where they promote algae growth that clogs the ponds with those unsightly floating masses of whatever.

FLOWERS - To The Villages District Administrator for the worthwhile CDD school presented for residents twice a week. Everybody should go to this two hour session -- it explains how our government here in the Villages works. But, once you go to this school and get the basics, come next to a POA meeting for the rest of the story.

WEEDS - To the traffic planners for the lack of good traffic flow management on El Camino Real. Although the idea is not popular, we need stop lights at several intersections or we are going to have some horrendous accidents sometime soon.

FLOWERS - To the developer and the Hospice group for recognizing the concerns of residents about the location of the new Hospice facility and deciding to put it outside the residential areas of The Villages.

WEEDS - To Starbuck's management who never quite understood how to merchandise its products to us Villagers. You should have taken a lesson from Ollie's on how to do it right. But, now it is too late....

WEEDS - To the motorist, who saw a car drop an American flag from its window going through the Boon Gate, and who then picked

up the flag and keep it for himself. Please contact the POA and we will give you \$1.00 for a flag for the other side window of your car.

FLOWERS - To the new officers and directors of the POA for volunteering their time and energies to the POA in its continuing effort to champion residents' rights in The Villages. Apathy cannot prevail when good people get involved with community issues.

WEEDS - To Katie Belle's for jacking up prices and serving up mediocre food with indifferent service. Everybody goes there once for a meal -- then they know better. And, then the word spreads....

FLOWERS - To the Lifestyles Festival organizers who put on a great show. Why not do that more often?

WEEDS - To the pulpit pontificator who displayed a serious lack of understanding of the issues affecting residents in The Villages.

FLOWERS - To all of us good people as we approach the holiday season. Good health and happiness to all of us as we enjoy our wonderful life here in The Villages.

--Publius--

EDITOR'S RESPONSE OWLS, FOXES, & CATS

Pam Bassett brings up some good points about the balance of nature and how it should work for owls and foxes. We should respect nature's plans for these wild animals.

We should also re-dedicate ourselves to the idea of neutering cats and dogs and making sure that unwanted animals are taken to the humane society's offices in Bushnell.

The fact is that when a fox goes down one of the gopher tortoise hole looking for a meal, the owls, both adults and youngsters, don't stand a chance. The owls are protected by state laws -- so, we should do our part to help protect these animals. And, the price of this protection for the fox is often a move to another rural area. The benefit of this protection for the owl is life.

The Villages has a policy of trapping the foxes that menace the owls or residents and relocating these animals when possible to far-away areas. That is a good way to address this problem.

Sometimes, the fox trapping effort achieves a higher purpose. This writer was witness to the recent trapping of a red fox in the owl preserve between Hacienda Hills Country Club and Augustine Drive. This fox had been seen raiding owl burrows over the past few weeks. The fox was caught in a live trap by the animal control service contracted by The Villages to set traps. This fox was emaciated, almost blind, diseased, and displayed a nasty, aggressive temperament. It was good to see this potentially dangerous animal removed from the neighborhood.

The owl preserve in front of Hacienda Hills Country Club has just a precious few owl nests, especially on the West side. This is in spite of the fact that the area is perfect for owl nesting. We should do our part to help Mother Nature tip the balance in favor of these birds which have little natural protection from predators, especially during nesting time.

So, residents should consider if they want to help in this effort. If you do, and you see foxes or wild cats, call the District maintenance department at 753-4022 to report a problem. They will decide how best to handle it for the benefit of all concerned.

--Publius--

LETTER TO THE EDITOR OWLS, FOXES, & CATS

This is in response to the person concerned about the owl preserve. There is I believe only one species of ground dwelling owl. When left alone it is amazing how nature can take care of itself. The foxes in these preserves serve a purpose of keeping other four-legged animals (such as rats and mice) under control. A problem nobody wants to deal with.

As for the stray cats maybe this concerned person should concentrate on legislation requiring spaying or neutering of all pets and keeping them enclosed plus stiffer penalties for those "dumping" unwanted animals to fend for themselves.

The so-called nature preserves (except for the wet lands) are all mowed so what is being preserved? And, isn't it amazing that they have power lines running thru them. Could it possibly be a right-of-way area for the power company?

Maybe man's intrusion and interference have affected the animal balance not nature itself.

-- Pam Bassett --



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Due to the overhead of the Bulletin (P.O.A. Paper) any
contributions above the amount of membership will be appreciated.

**Dec 19 POA GENERAL
MEMBERSHIP MEETING**

Our next meeting is scheduled for Wed. Dec. 19,
7:00 PM. Paradise Rec. Center

Installation of new Officers.

P.O. A. Birthday and Christmas Party, Please
bring something to pass around.

Coffee will be provided along with many other
treats. Come Join us.

Dec. 19, 2001 7 p.m.

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Board of Directors - 7:00 PM

1st Tuesday of the Month

Charlie Chaplin Rm - Paradise Center

(all POA members welcomed)

General Meeting - 7:00 PM

3rd Wednesday of the Month

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