

The POA Bulletin

Free Copy

The Property Owners' Association of The Villages



Issue 35.09

Champions of Residents' Rights Since 1975

September, 2009

POA Summary of the IRS/Bond Inquiry

Because we only published the August, 2009, issue of the Bulletin on our website (www.poa4us.org), many of you may not have read this important article on the IRS/Bond Investigation. So, we are running the article again below. This is our best attempt to summarize the major issues identified thus far and the potential impact of a negative outcome.

Past issues of the Bulletin have been keeping you up to date in regard to the IRS investigation. Although not reported in our Daily Sun, the New York Times has reported that the IRS has widened its investigation to cover an additional \$400 million of bonds. Because the facts are complicated and the investigation has been protracted, we thought that this would be a good time to try to explain our understanding of the situation. To comprehend the situation, one first needs to understand how tax-exempt bonds are used to pay the Developer for amenity facilities and amenity contracts.

Developer sells and/or assigns the amenity facilities and our amenity contracts to the two Center Districts.

The "Developer" (a corporation called "The Villages of Lake-Sumter, Inc.," which is owned by the Morse family) has contractually promised Villagers that the Developer will provide them with certain amenity facilities and services, including use of executive golf courses, pickleball courts, recreation centers, etc. We have all contractually promised the Developer that, in exchange for those amenities, we will pay the Developer a monthly amenity fee.

Periodically, the Developer sells and/or

assigns the amenity facilities AND our amenity contracts, including the right to receive our monthly amenity fees in perpetuity, to two "Center Community Development Districts." These two Center Districts are The Villages Center Community Development District (VCCDD) and The Sumter Landing Community Development District (SLCDD). They encompass, respectively, the Spanish Springs and Lake Sumter Landing town centers. The Center Districts have only commercial properties, and are not the "numbered districts" in which our homes are located. The Supervisors of the two Center Districts are elected by the Developer and its affiliates, which own the majority of properties in the Center Districts.

How do the Center Districts generate money to pay the Developer for the facilities and contracts? The Center Districts borrow the money by selling bonds to the general public which are financed by our monthly amenity fees. They covenant with the bond purchasers that the principal and interest payments on the bonds are a priority debt required to be paid by our amenities fees before anything else is paid. In selling the bonds, the Center Districts represent to the buyers of the bonds that the bonds are tax-exempt, that is, the bonds meet all the requirements of the Internal Revenue Code so that the interest thereon is exempt from Federal income tax. For this reason, those bonds pay a lower interest rate than equivalent taxable bonds would pay.

Two bites of the apple by the IRS. This system of selling tax exempt bonds "passed" an IRS audit initiated in 2001 on the 1999

Bond Series, although the final audit report stated that the closing of the case "should not be construed as an approval of your method of operations. We have concerns regarding: the amount of control the developer has over the issuer; the questions of value of the assets sold by the developer to the issuer as these are not arm's length transactions; the treatment of income and expenses; compliance

(Continued on page 2)

Attention: Sponsors of New Recreational Activities

We need your help to document what we think might be happening with some new activities being sponsored by residents. We are concerned that too many new activities are being pushed to facilities at the LifeLong Learning College, where there is a charge for use of the facilities, as opposed to using existing facilities at our recreation centers, where there should be no charge.

If you have completed and submitted a Resident Council Survey Request Form and Application Sheet to the Recreation Department and have been denied acceptance as a Resident Council group, the POA would like to hear from you.

We are especially interested in denials

(Continued on page 4)

September 15, 2009

**THE NEXT POA
GENERAL MEMBERSHIP MEETING**

**Third Tuesday of the Month – 7:00 p.m.
Laurel Manor Recreation Center**

**Ms. Janet Tutt, District Manager of The Villages,
will speak on
"What's Happening in The Villages"**

**Coffee and Donuts
FOR ALL AFTER THE MEETING
ALL RESIDENTS WELCOME – COME AND JOIN US**

IRS/Bond Update

(Continued from page 1)

with state law.” In January of 2008, the IRS initiated a second investigation of the same subject matter, only this time they looked at the 2003 Bond Series.

The current IRS investigating agent issued a 100-page report on the subject, wherein he identified three separate issues. This time, however, the IRS agent concluded that bonds sold by the Center Districts to the public are **not** tax exempt because, **in his view**:

1. The Center Districts do not qualify as a Political Subdivision or an “On Behalf of Issuer” of tax exempt bonds pursuant to the Internal Revenue Code;

2. The Series 2003 Facilities acquisition price did not reflect the fair market value of the assets, the bond issue was not properly sized to carry out the governmental purpose of the bonds, the payment of the sales price to the Developer by the District is the payment of gross proceeds of the bonds to a related party and therefore not a governmental use of those proceeds, using tax exempt bond proceeds to provide private golf courses not available for use to the general public on the same basis as the residents is not an essential government function; and

3. The Series Bonds were used to acquire facilities that meet the Internal Revenue Code definition of private business use and private security and payment tests. As a result these Bonds are Private Activity Bonds, interest on which is not excludable.

The VCCDD has hired attorneys and is contesting the position of the IRS Agent who conducted this investigation. A VCCDD attorney has been in telephone and written contact with the investigating agent’s supervisor. He identified and summarized the status of the three substantive issues that had been raised on the examination of the bond and requested an opportunity to discuss the legal questions with IRS Area Counsel and advised that the VCCDD would expect to request technical advice (the next step in the IRS procedures to contest a finding), if Area Counsel and the Supervisor concluded that the District is not a political subdivision for federal tax purposes and/or that the bond proceeds were not used for an essential government function. Lastly, he acknowledged that it was his understanding that the question as

to valuation of the assets acquired had been referred to a technical specialist. The fees and expenses of those attorneys are currently being paid from the amenity fees received by the VCCDD from residents living in the VCCDD geographic territory.

The continuation of amenities may be at risk IF the IRS prevails AND IF this results in significant costs to the Center Districts. The POA cannot predict whether or not the IRS can sustain its arguments, or whether the VCCDD will successfully defend what they and the Developer assert are legitimate business and governmental transactions in accordance with Florida laws and IRS regulations. Of course, if review by IRS Senior officials concur with the findings of the investigating agent, it is always possible that the IRS and the VCCDD will reach a compromise, the costs of which can be accommodated within the current budgets of the Center Districts Recreational Amenities Divisions. However, if the IRS prevails without compromise, or if a “compromise” is one-sided in favor of the IRS, then the taxes, penalties, and other expenses and liabilities could cost the Center Districts Recreational Amenities Divisions a large amount.

If the amount is large, then the question becomes, “Can the Center Districts Recreational Amenities Division budgets absorb those costs and continue to furnish the promised amenities to Villagers?” The uncertainties of where the money would come from and whether the costs would be so great that the continuation of the amenities to Villagers might be jeopardized are the primary reasons for Villagers to be concerned about this IRS investigation.

In a letter dated May 18, 2009, the IRS Agent offered to settle his investigation if the Center Districts would (a) repurchase about \$355 million in bonds; (b) pay about \$3 million (out of \$16.5 million that the IRS agent claims is due) in back taxes on the interest on the bonds; and (c) agree not to issue tax-exempt bonds in the future. If the settlement offer by the IRS Agent was not accepted, then the IRS suggested that it might expand its investigation into additional bonds that both Center Districts claimed were tax exempt.

Under the terms of the proposed settlement, the cost to Center Districts of repur-

(Continued on page 3)

POA Mission Statement

The Property Owners’ Association of The Villages is an independent organization devoted to our home ownership experience.

The Vision/Objective of the POA is to make The Villages an even better place in which to live, where Residents’ Rights are respected, and local governments are responsive to the needs and interests of residents.

The POA serves Villagers through programs of education, research, analysis, representation, advocacy, and legislative action.

The POA also functions as a “watchdog” organization overseeing the actions of our developer and our local governments.

Specific POA attention is focused on housing, community, neighborhood, and local government issues. Special emphasis is focused on the Amenity Authority Committee (AAC), our Community Development Districts (CDDs), the Florida Chapter 190 law that regulates CDD operations, and our developer.

The POA has no ties or obligations to the developer of The Villages which might compromise the POA position or its advocacy of Residents’ Rights.

The POA, founded in 1975, is the original homeowners’ organization in The Villages. Membership is open to all Villages residents. □

The Villages Residents’ Bill of Rights

RESIDENTS have RIGHTS to:

1. Be treated in a respectful, fair, and responsive manner by the developer and our local government officials.
2. Have decision-making authority for important issues in our community.
3. Elect our top government officials and approve appointments of the top administrative officials in our community.
4. Approve major purchases of common property and the related debt obligations assumed by residents.
5. Have local governments that are free of any conflict-of-interest issues.
6. Be charged honest monthly amenity fees that are used only for the stated purposes.
7. Receive full disclosure when purchasing a home here in The Villages.
8. Receive an objective market appraisal for major purchases of common property.
9. Receive objective, unbiased, un-slanted news reporting from local news sources.
10. Be informed beforehand by the developer on any major change in our community. □

IRS/Bond Update

(Continued from page 2)

chasing the bonds would include the additional interest that would have to be paid on taxable bonds sold to raise money to repurchase the original bonds, plus the costs of selling the new taxable bonds and any additional liability to the holders of the original bonds. Depending on the credit-rating of the taxable bonds, the prevailing interest rates when they are issued, and the extent of any additional Center District Recreational Amenities Division liability to the holders of the original bonds, the costs could, in fact, be large. In addition, with the loss of the ability to utilize tax-exempt financing, it is unclear as to what might happen to the Developer's plans for developing the rest of The Villages.

As of this date, the VCCDD has not accepted the settlement offer, and the IRS Agent has, apparently as a consequence, expanded his investigation -- even in the face of the prior IRS decision regarding the Series 1999 Bonds, wherein the IRS established that the bonds DID meet the standards to have the interest thereon be exempt from federal income taxes.

Certainly the POA cannot predict how the controversy will finally conclude.

The POA'S Objective in this Matter. The POA is **not** taking a position, at this time, on the relative merits of the positions of the IRS and the VCCDD in this controversy, although we sincerely hope that the VCCDD is able to prevail. The POA has had, and continues to have, issues about some practices of the Developer -- thus our support of the recent class action lawsuit.

In regard to the current IRS investigation, the POA's primary objective is to try to protect the rights and interests of the residents of the Villages, who have made The Villages

their retirement home. Most Villagers are not wealthy and have worked hard in order to now enjoy an active life style in The Villages. Any action that takes away what Villagers have worked so hard to gain is an action that the POA opposes.

In this regard, we are following closely the developments in order to try to ensure that any resolution of the IRS investigation does not jeopardize the residents' amenities or result in the costs of an IRS victory being passed on to the residents. We have expressed our concerns to the IRS, and we are making every effort to keep the residents we represent informed through the POA Bulletin. In addition, the POA has now contacted legal counsel in order to help us do all we can to legally protect our rights and interests.

We are doing all we can to help residents in this complex matter. We, in turn, do need your help. Please encourage your neighbors to join and support the POA. Also, if you can, please send a contribution, using the form in this Bulletin. We are all volunteers, and in these tough economic times we are currently struggling in our efforts to continue publishing the Bulletin, an important and independent vehicle, in which to convey essential information to Villagers.

The legal expenses just mentioned will put an additional strain on POA finances. But no matter what, the POA will make every effort to keep you informed on the IRS investigation and to represent the interests of residents of The Villages to the best of our collective abilities. □



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New Activities

(Continued from page 1)

based on the following Recreation Department determinations:

1. We already offer enough of that activity (i.e. line dancing, etc.);
2. We cannot commit anymore rooms to your particular activity;
3. You must first take a class through the LifeLong Learning College and then you can be assigned a room as a ‘practice group’;
4. If you want to teach a class, you need to go through The LifeLong Learning College, and/or
5. That activity can only be presented through the LifeLong Learning College or through The Wellness Center, (i.e., aerobics).

We are also interested in knowing:

1. If you are presently teaching a class at the LifeLong Learning College rather than through the Recreation Department because you were encouraged to go that route, and/or
2. If you would like to teach or take a class by going directly through the Recreation Department where your amenity fees already cover the activity and any facility charge.

The POA continues to hear rumors that these practices may be continuing (even after the AAC has directed staff to discontinue this practice). The Recreation Staff continues to state that those are just rumors and not actual occurrences. So, in order to determine if there really is a problem, we need names, telephone numbers and a few details. We are willing to move forward on your behalf, but in order to do so we need to know who you are so that we can present evidence on your behalf to the District Manager.

Please email or write the POA giving us your name, telephone number, and a brief description of your experience.

Email address is: poa4us@gmail.com

Regular mail is: The Property Owners’ Association, P.O. Box 1657, Lady Lake, FL 32158.

Thank you in advance for your help on this project. □

Villagers -- Please tell an advertiser in the Bulletin that you saw their ad here. That will help us a lot at ad renewal time.

AAC Working To Improve Current Guest ID Policy

The AAC is pursuing what residents of The Villages are requesting.

Prior to the formation of the resident elected AAC, residents had absolutely no voice in determining amenity policies. Now residents have ‘half a voice’ in the sense that residents north of Hwy. 466 can elect the supervisors of the AAC. Hopefully one day soon the residents who live South of CR 466 will be able to elect their own representatives as well.

The AAC has the legal authority to determine amenity policies for the VCCDD service area. The Sumter Landing Community Development District (SLCDD) Board, which is “elected” by the commercial property owners

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Guest ID Policy

(Continued from page 4)

in the Sumter Landing District (i.e., the developer), determines the amenity policies for the service area south of CR466. However, the AAC Interlocal Agreement provides that amenity policies must be consistent all across The Villages, so both the AAC and SLCCDD must agree on any modifications of amenity related policies

The existing guest ID policy was put in place a number of years ago by the Village Center Community Development District (VCCDD) board, which was and still is “elected” by the commercial property land-owners (i.e., the developer). Not surprisingly, that policy allows unlimited use of amenity facilities by all “qualified” guests, since it is in the best interest of the developer to have as many people as possible spend time here and discover what they are missing by not purchasing a home here. This now means 365 days of use in a year for any qualified guest.

That’s fine from a marketing and sales perspective for the developer, but what about the folks who already bought and are living here?

Some residents feel that the increasing number of guests, for these long periods, has made it difficult at times for residents to get into a class, attend a recreational event or find a lounge chair at a pool.

The POA feels that since it is amenity fees from residents which pay for the facilities and related maintenance and upkeep, it is the residents who should decide how their facilities are used.

AAC members were inundated with calls and emails from residents complaining about the “unlimited use” policy which becomes more and more troublesome as the number of residents in our community grows beyond 78,000.

To address this issue, the AAC convened a Resident Focus Group. A major activity of this group was to review the guest policy and consider alternatives.

After many hours of resident discussion in the Focus Group and with the AAC board, over an eight month period, the resident consensus was that there should be a limit as to how many days a given guest could use facilities provided and supported through amenity fees. The limit proposed by the Resident Focus Group and approved by the AAC board was 30 days of actual usage per year per guest.

At the SLCCDD board meeting in June they did approve the penalty phase of the AAC proposal, but they did not approve the AAC resident proposal limiting guest facility usage to 30 days per year per guest. While there seemed to be a distinct indication at that time that some board members clearly agreed with the residents, the SLCCDD board decided to defer approval until their July meeting.

At its July meeting, the SLCCDD supervisors surprised the AAC when they would not approve the resident proposal on the limits to the guest program as approved by the AAC.

In a community of this size, there will never be any issue for which 100% of the residents are on the same side. However, from the emails, phone calls, meeting comments, etc. to staff and AAC members, a very large majority of the residents want limits on the use of facilities by guests.

Mark your calendars for October 21st at 1:00 pm at the Laurel Manor Recreation Center. The SLCCDD has agreed to participate in a Workshop with the AAC to discuss this issue and further exchange information. The Workshop is open to the public and we encourage you to attend. The October POA Bulletin will include an article which clearly presents the current policy as well as identifies the proposals for modification presented by the AAC. □

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AAC Meeting August 12, 2009

Old Business:

Updated Budget information was provided by staff for discussion at budget workshops scheduled for August 19th and 26th at the District Office Board Room on Laurel Manor Drive.

The AAC approved a recommendation from staff to leave the current policy of allowing dogs to accompany their owners to the softball complex. (Note: subsequent to the meeting it was determined that the real issue was that dogs were “off leash” at the complex and some owners were allowing their dogs onto the playing field after the game. Staff will provide additional notices to advise residents that these practices are not permitted.)

Approval was given to provide additional signage at the Del Mar/Avenida Central intersection to address traffic concerns and to change the button at the Del Mar Gate from call-in to automatic opening to assist in smoother traffic flow.

The Committee agreed to defer any action on a guest ID policy survey until after the joint workshop with the Sumter Landing Board.

Approval was given to hold a workshop on October 15, 2009, at 1 pm at the Savannah Center to provide residents of the Lady Lake/Lake County portion of The Villages the ability to provide input to the engineering firm working on the recreation trails project.

The joint workshop meeting with the Sumter Landing CDD board has been sched-

uled for October 21st at 1 pm at the Laurel Manor Recreation Center. The purpose of the workshop is to discuss future policy considerations and to provide information to the SLCDD regarding guest ID policies.

The AAC has scheduled a workshop for September 16th at 1:30 pm at the District Office Board Room on Laurel Manor Drive to discuss the Lifelong Learning College and related issues.

The Committee requested staff to complete the solar energy cost benefit analysis and research additional solar alternatives. This issue will be included on the AAC’s Work Plan.

New Business:

The AAC approved a staff recommendation to provide the Tee Time System staff the ability to implement a penalty policy for misuse of the golf tee time system or falsification of information. The penalties could begin with a courtesy phone call to discuss a minor infraction and range upward to include revocation of golfing privileges.

Approval was given to enter into a five year contract with the Villages.net to continue to provide Wi-Fi at regional recreation centers.

Informational Items:

**Remember 9/11
September 11, 2001
We Must Be Vigilant**

Staff is reviewing several options for replacement of the chairs used at the Scarlet O’Hara Theater in the Savannah Center. Residents were particularly interested in finding replacement chairs that are wider than the current seating.

Meeting Information:

Please go to the District website (www.districtgov.org) for the Official Minutes, Agendas and Meeting Schedule.

Next AAC Meeting:

September 9th, 1:30 pm, at the Savannah Center. □

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Neighbor-to-Neighbor Resident Committee Group Is Now in the Villages

Neighbor-to-Neighbor has finalized its roster of who will be present at our EXPO to be held September 21 at Paradise Center from 10-Noon.

The purpose of Neighbor-to-Neighbor is to provide appropriate referrals for residents of The Villages to experienced agencies and organizations which can lend a helping hand to those in need of assistance.

Marlene O'Toole, Florida State House Representative, District 42, will be among the participants.

The agencies and representatives helping to meet the concerns which senior Villagers have in facing day-to-day challenges are:

- Bill Stewart, The Salvation Army;
- Don Schreiner of Volunteer Lake;
- Fred Harrop, Veterans Services Department;
- Crystal Holmes of Elder Options;
- Helping Hands Bill Dyer of The Villages Homeowners Association;
- Sonny Brady of the Angel Food Network;
- George Popovich, Mid-Florida Community (Senior) Services.

Representing The Villages will be District Manager Janet Tutt; Mike Tucker of Community Watch, and Rich Lambrecht of the AAC (Amenity Authority Committee).

Elder Options and Mid-Florida Community Services work as a team and with other agencies to reassure seniors as life progresses with dignity, purpose and security.

Should you know someone in The Villages, or if you, as a Villages resident, are one who is now in need of assistance emotionally, financially or physically, please attend the Expo to learn how to be helpful and

what help is available.

The Rotary Club of the Lady Lake Area is supporting the Committee Group, and will provide refreshments while you visit and learn from the support agencies.

SEE YOU AT THE EXPO!! □

Violence on the Town Squares

Printed below is a letter from the woman assaulted in the Sumter Landing Town Square in an incident arising from the seating arrangements. The POA Bulletin carried articles about this incident in a few past issues.

Hello, I was out of State when you printed my Letter to the Editor in June 2009 regarding unacceptable adult behavior in the Sumter Landing Town Square. I'm sending you my follow-up letter [to the District staff] to thank them for their action and taking the situation seriously. I would appreciate you printing it as too many people just complain and don't take the time to say thank you when action is done. Thank you too [to the POA Bulletin].

Deanna Reidy

To: Ms. Janet Tutt, Mr. John Rohan, Diane Tucker and Chief Tucker
CC: Property Owners Association
From: Deanna Reidy
Subject: Town Square Issues and Public

Safety

I want to thank all of you for your prompt attention in the serious issue involving adult behavior in the Sumter Landing Town Square whereby two men used unacceptable language as well as one of them hitting me on the head and knocking off my cap.

My letter was forwarded to Chief Tucker, Fire and Public Safety, who spoke with the Chief of Police and other officials to discuss my situation and to address my specific question on what action I should have taken at the time.

Chief Tucker set up an appointment for me and my husband to sit down and discuss the issue. He was very professional and understanding explaining I should have imme-

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Town Square Violence

(Continued from page 7)

diately called 911 to report the situation and to give a full description of the gentleman who struck me.

He also had some good suggestions to keep in mind: when there is a verbal confrontation, just try to defuse the situation or walk away. But in my case, where someone struck me, it was clearly an assault which would not be tolerated.

To help police work on eliminating these types of situations, focus on getting a good description and let the police take it from there. Always wait for police to arrive to report any issues you felt necessary to call 911. It doesn't help to dispatch officers if no one is there to talk to them. Never take action into your own hands, concentrate on the description.

My suggestion was to have police officers, already on duty from 6:00 pm to midnight, walk into the square's gazebo area so people can see them, just twice, sometime between 6:00 and 8:45pm. Most people can't see them if they stay outside the gazebo area, they need to walk in and around the gazebo to show their presence.

I really think this will help and it doesn't cost money for extra staffing or time, it's simply adjusting what is done during [the officer's] regular shift. With more police presence, I truly believe there will be fewer incidents with people fighting over chairs, drinking too much, etc. Can we just try it?

Some people would say it doesn't look good for the Square, but others would say it makes them feel better...so what's more important?

Thanks to all who took this seriously and took the time to review and follow-up with me and my husband.

Deanna Reidy □

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Letter to the Editor:

Lightning in Florida

I'm a snowbird who just heard that another home in the Villages may have been destroyed as the result of a lightning strike which disintegrated the attic gas line. If so, this would be the third or fourth such incident I've heard of since I bought my home.

I have a great deal of admiration for your [the POA] work, constructive criticism and the results you've attained in other areas. I would like you to look into the vulnerability of Villages homes, most or all of which have poorly grounded, flimsy attic gas lines.

I suggest this for the following reasons:

1) Heavy lightning strikes are more common in central Florida than perhaps any other location in the country.

2) Since Villages homes are built on slabs, the traditional iron pipe, well grounded, below ground basement gas line systems found in most other areas are not used here.

3) Fragile flex gas lines are used here, located in the attic - all for the convenience and lower cost for the builder. A couple of years ago a nationwide class-action suit was settled against three of the largest manufacturers of these flimsy gas lines. The court decided the

thin lines and their attic locations could not withstand the electrical charge of a typical lightning strike. The court's remedy was that homeowners who had those gas lines (including thousands of Villages homes), would receive direct reimbursement for the installation of lightning rod systems on their homes. There were time and procedural restraints on reimbursement claims and the eligibility deadline has long since passed.

4) To the best of my knowledge, the Vil-

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Lightning in Florida

(Continued from page 8)

lages has made no changes in construction specs following the above settlement or the incidents when Villages homes have been destroyed. However, if you look up, you will notice that every Villages town square and community building that might contain a gas line has a lightning rod system.

I apologize if I'm misinformed about any of the above statements, or if I've missed something the POA has already done to address this issue. Whatever the case, keep up your outstanding work!

Peter Allen

Editor's Note: This problem was identified several years ago. Comments from Villages officials seem to suggest: Install lightning rods systems if you want to; or, rely on the odds that a very small percentage of homes are ever hit by lightning with a resultant fire. The developer has never acknowledged responsibility for this issue. We have heard of some families cutting off the gas supply at the street and totally converting to electric appliances. □

Lightning Issues in The Villages

by Len Hathaway
Villages Resident

To date, this has been a very active lightning season. Two homes have been destroyed by lightning in a nine day span; August 12th in Virginia Trace and August 21st in Sunset Pointe. This brings to seven the number of homes destroyed by lightning in the last six lightning seasons here in The Villages. None of the seven were equipped with a Lightning Protection System (LPS) commonly referred to as lightning rods.

Here are some of the commonly asked questions about how to deal with this threat:

Should I Install an LPS to Protect Against a Direct Lightning Strike? Only you can make that decision for your family and home. If you are considering the installation of a LPS, the selection of a qualified installer is very important for this specialized work. The Study Group on Lightning has observed that some of the installers working

in The Villages may not be designing and installing systems to the national standard, National Fire Protection Association (NFPA)-780, for the Installation of Lightning Protection Systems, 2008 edition.

Where Can I Find a Qualified Installer?

Caution, the place to start may not be in the Yellow Pages. You have a better chance of obtaining a system that meets NFPA-780 if you choose an installer that is "listed" by one of the two following organizations:

Lightning Protection Institute <http://www.lightning.org/?page=members&subnav=installers#> then select "Florida"

Underwriters Laboratories www.ul.com/lightning/ select "Additional Resources", then "Find Listed Installer", followed by "Refine Your Search" and select "Florida"

How Much Does an LPS Cost? You should expect to pay \$2,000 to \$3,000 for a designer home, less for a villa or ranch, and more for a premier. This will be more than the non-listed installers will charge but you have a greater chance of receiving a quality installation. There are some Villagers who have gone the extra mile and paid an addi-

(Continued on page 10)

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Lightning in The Villages

(Continued from page 9)

tional \$400 fee to have their LPS "Certified" by an Underwriters Laboratories engineer.

Will I Get a Credit on my Homeowners Insurance for an LPS? Unfortunately, there are very few insurance carriers who will voluntarily give rate credits even here in the Lightning Capital of the USA. Over the last two plus years the Study Group on Lightning has lobbied State Senator Carey Baker, Representative Hugh Gibson and his successor Marlene O'Toole to introduce legislation that would require homeowner insurance carriers to offer a meaningful rate credit for a properly designed and installed LPS. Currently, this is still a work in progress. Those of you with an LPS may wish to make your thoughts known to our elected officials to the Florida Legislature.

Where Can I Get More Information? In the June POA Bulletin newsletter http://www.poa4us.org/bulletins_files/bulletin200906.pdf (page 10).

In the June VHA newsletter <http://www.thevha.net/the-villages-voice?op=3&issue=6&article=72>

University of Florida www.lightning.ece.ufl.edu/

LPI and UL at the above web sites

Sumter County Library here in The Villages has University of Florida Professor Martin Uman's latest book, The Art and Sci-

ence of Lightning Protection.

Presentations to Village Groups and Organizations The Study Group on Lightning, a small group of volunteers in The Villages with no affiliation to any firm or organization related to the lightning industry, offers a 30-minute Power Point presentation on lightning including direct lightning, indirect lighting and CSST gas pipe. If interested, contact Len Hathaway at lhatha@aol.com or Bob Freeman at STALIT1@aol.com. □

Corrugated Stainless Steel Tubing (CSST) Gas Pipe Update

In many Villages homes equipped with natural gas service, the gas is routed through your home in Corrugated Stainless Steel Tubing (CSST). The routing is typically into your house through a side wall of your garage, to a distribution manifold in your garage attic, and then multiple lines down your inside walls to appliances like your water heater, gas range, gas clothes dryer, etc.

This CSST is thin-walled and may possibly rupture if the house is struck by lightning and the electrical discharge is not properly routed into the ground. Gas leaking through the walls of ruptured tubing may possibly ignite.

A nationwide class action lawsuit was adjudicated in Arkansas in 2007. The lawsuit claims, "that CSST poses an unreasonable risk of fire due to lightning strikes." The CSST defendants denied the allegations but decided to settle rather than risk further legal costs. The case involved the failure to warn the consumer about the lightning-induced fire problem. There was no product recall and CSST continues to be permitted in all states. Homeowners with CSST that were not warned were entitled to apply for a \$1,000 or \$2,000 voucher for a lightning protection system. The filing closing date expired on September 5, 2007. Under this class action lawsuit, an estimated 500 Village residents made a claim and received a voucher that was applied toward the installation of a code-compliant lightning protection system.

TECO, our gas supplier, recently reported in the Daily Sun that they have 23,650 customers in The Villages. We assume that the

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CSST

(Continued from page 10)

vast majority have CSST gas pipe. We are also aware that a few residents have engaged plumbing contractors to replace the CSST with heavy-walled steel pipe at their own expense.

An Internet search will reveal that lightning fires linked to CSST continue to be reported. Most recently TV outlets in Columbus, Ohio (June 2, 2009) and Charleston, SC (July 20, 2009) have featured segments on the experience in those communities. In the past, TV stations in Oklahoma City and Indianapolis also aired similar stories, and it was featured on a segment of ABC's Good Morning America. We have yet to see any TV stations in Florida pick up on this theme.

The CSST manufacturers have authored articles in the trade press regarding the need for bonding and grounding but state that this is to address INDIRECT lightning and not a DIRECT lightning strike. One manufacturer's warning tag to the homeowner states in part, "In order to maximize protection of your entire structure from lightning damage, you should consider installation of a lightning protection system per NFPA 780 or local codes, particularly in areas prone to lightning."

There is also much discussion of CSST behind the scenes between the technical committees responsible for the National Electrical Code and the National Fuel Gas Code.

We will continue to monitor this matter and report on future developments. □

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Bulletin Delivery by Email?

Listed below is a summary of the comments we received from residents regarding the POA decision to publish the August Bulletin on the internet only:

- Keep up the great work! I just read the Bulletin online, and having a hardcopy shouldn't really be a necessity for anyone that has computer access. If you could come up

with a way to know which people opted out of getting a hardcopy you could save a lot of money by not publishing as many copies.

- I loved reading your Bulletin on line and this note reminded me. I think you should move more and more towards on-line. My other clubs and church do that. Saves money and paper. It's the way in 2009.

- This is the way it should be done year round (12 X \$5,000 = a lot of money). If anyone objects, I suggest you tell them the POA is going green. That's what Dell told me

(Continued on page 12)



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Bulletin by Email?

(Continued from page 11)

when I asked for an Owner's Manual for an expensive computer.

- The Bulletin should always come in the email. It will reach a majority of our membership. The rest can be informed where to pick up a copy. If they are really interested, they'll pick one up. Think of the money we can save to use on legal fights, etc.

- Your POA News is just about the only "paper, paper" that I read. I currently read 4 on line newspapers everyday.

- I don't think spending 5K to send out a newsletter is cost effective. Having them on the website after a blast e-mail should be sufficient and the cost savings will help maintain the club support for some things that we need to support and investigate those matters that need to be reviewed.

- I think you did a fabulous job in producing this web based version.

- If the [POA] does have the 5K hanging around doing nothing -- we could use the money for a cocktail party after the next meeting....who doesn't want a drink and some food :~)

- Suggestion: E-mailing the Bulletin is a good idea. Why don't you consider polling members on whether or not they would prefer receiving the Bulletin via e-mail? This might allow for a much smaller printed/

delivered run each month and save a lot of money.

- I think that is a great idea. You should print in the Bulletin that you are only going to do a hard copy every quarter and online monthly. It would save a lot of money. My co-workers are hard-fast VHA members and throw the POA in the trash without reading it. Maybe you could have copies at CVS, etc., for free instead of throwing it in driveways.

Editor's Note: Thanks to all for the kind comments.

The POA Board has considered the possibility of publishing the Bulletin only on the internet. But, we feel that we would lose a majority of our readers and the overall mission of the POA of informing residents would be severely compromised. Thus, we are dedicated to publishing hard copy.

We are emerging from our "cash squeeze" and expect to have enough in funding to be able to publish hard copy in the future. So, the crisis is, hopefully, over.

Incidentally, we have been publishing the Bulletin every month on the internet on our website (www.poa4us.org). Just go to our website, click on "Current Bulletin" and see the Bulletin by about the fifth day of the month or earlier. And, we also have the Bulletin Archived Section going back by month for about seven years. So, you can read the Bulletin every month on the internet from anywhere in the world !! □

POA Says "Thanks" For Membership Renewals and Donations

We would like to say "thank you" to all the POA members who either just joined or who renewed their membership.

In processing new or renewal membership forms, we haven't been able to personalize the "thank you" because of the large number of memberships received. Nevertheless, we want to extend a sincere "thank you" to everybody who cares enough about this community to join the POA. Thanks for joining and, when you can, thanks for any additional donation you can make to the POA.

Your donations are important to us – now especially as we scramble to cover the \$60,000 annual cost of the Bulletin and also as we prepare for what could be a costly effort regarding the IRS/Bond investigation. □

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Letter to the Editor:

Golf Cart Parking on the Squares

In the August issue of the Bulletin ... [a] letter suggested that owners of golf carts be given preferential treatment for parking around the squares, and people who drive other vehicles should have to park farther away. The last time I looked, I was still a resident of The Villages, despite not playing

golf or owning a golf cart. Although I am not disabled, many of our disabled neighbors rely on vehicles other than golf carts to get around. I find this suggestion both ill-advised and discriminatory.

The golfers who live in The Villages should not have additional privileges outside of the golf courses. The rest of us have paid just as much to live here as they have. I hope all who do read that suggestion think about how unfair it is to many of their friends and neighbors who are not golf cart owners.

Gail Kennedy □

Discount Partners Continued from Page 15

(Continued from page 16)

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Our Monthly Gardening Column:

Those Wild Weeds

by Anne Lambrecht
Master Gardener

I’ve been weeding in the garden,
All the live-long day!

Weeds have taken over all our gardens. It’s that time of year. Weeds in the lawn; weeds in the landscape; weeds in the cracks of our driveways. For survival, weeds are copy cats and will mask themselves with your favorite flowers making it hard to find them and harder to pull. But what wonderful therapy to pull them!

Did you know there are just three types of weeds? We’ve got grasses, broadleaf plants and sedges. That’s it. All weeds fall into these three categories.

Grasses have hollow rounded stems with nodes (joints) and parallel veins in their true leaves. Examples are crabgrass, goosegrass, crowfootgrass, sandspur, annual bluegrass, torpedograss and smutgrass.

Broadleaf weeds have net-like veins in their true leaves and usually showy flowers. Examples are clovers, chickweed, Florida Pusley, Creeping Charlie, and Dollarweed.

Sedges can be identified by their triangular stems. If you twirl the stem between your fingers, you will feel the edges of Sedges. Rushes have round stems. Both like it moist. Examples are Nutsedge, Globe Sedge, and Purple Nutsedge.

The first and best method of weed control in your turf begins with proper management practices which encourage dense, healthy turf. Healthy turf shades the soil so sunlight cannot reach weed seeds ready to germinate. A thick turf also minimizes the physical space available for weeds to become established. If a lawn is overwatered and fertilized or mowed too low or too infrequently, the turf is weakened and cannot outcompete weeds. Turf damaged by insect pests does not recuperate quickly enough to outcompete germinating weeds.

Several methods of control are available:

Mowing: if proper mowing height and frequency are maintained, many annual weeds will be eliminated. Mowing prior to seedhead formation will also reduce weeds.

Hand pulling: If only a few weeds are present, it is simpler to physically remove them.

Smothering: Smothering with non-living

material to exclude light is effective in certain areas such as flower beds, foot paths where turf is not grown. Use 2-3” of straw, sawdust, hay, wood chips or plastic film. The plastic film is a good method not only for killing weeds but to kill everything in the soil including all pathogens and nematodes which are invisible “worms” in the soil. If you’ve ever tried to grow parsley and when you pull it out by the roots, the roots are all gnarly and knotted, then you’ve got nematodes. Soil solarization, a term used by the Master Gardeners, is a good, organic way to clean out your garden space of weeds and nematodes. The thick, clear plastic must be kept in place for a period of 4 – 6 weeks during which time the soil temp should rise to 130°.

Herbicides: An herbicide is any chemical which injures or kills a plant. Please always follow the label instructions which will tell you the proper timing of application, proper rates and dispersal methods. Timing the herbicide application during the weed’s growth cycle is also important. For example, weeds not controlled prior to seedhead formation are harder to control and are able to deposit new seeds for future problems. I’m all for organic gardening and minimal use of chemicals. I give my neighbor, Jim, a hard time when I see him outside with his gargantuan size RoundUp complete with mini-sprayer. But I have learned over the years that RoundUp does serve a purpose like in the cracks on your driveway or in a spot without

much vegetation or if you want to get rid of a large amount of turf to make room for a garden.

There are those who say that a weed is merely a misplaced plant. I’ve got some weeds in my garden that I just love. Many are pollinator attractors.

Some weeds have great names: Poorjoe, Cupid’s-Shaving-Brush, Common Venus-lookingglass, Hairy Beggartick, and Henbit.

Just when you’ve heard it all, there is actually a Weed Science Society of America! It promotes research, education, and extension outreach activities related to weeds; provides science-based information to the public and policy makers; fosters awareness of weeds and their impacts on managed and natural ecosystems. www.wssa.net.

Other great sources used in this article:

Florida Lawn Handbook – An environmental approach to care and maintenance of your lawn by Ruppert and Black.

Weeds of Southern Turfgrasses University of Florida Extension IFAS

August is our anniversary and this year the husband and I will be going to the Caladium Festival way down south in Lake Placid. He’s willing to put up with plant vendors, rides into the caladium fields and eating barbecue gator on a stick in exchange for taking me to some romantic spot like we usually do each year. I’ll bet he thinks it’s a lot cheaper but he’s got no idea how many hundreds of bulbs I intend to buy! □

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Villages Resident

352-406-4754



**Audrey Ann Originals
Embroidery • Heat Transfers**

Creative Logos for your Club, Village,
Business or Special Events
Golf Shirts Tee Shirts Hats Towels



Call Audrey Ann
352-259-0131



The Recreation Centers and the Customer Service Center have the **Roundabout Brochure** available. This shows how to drive through those often confusing Roundabouts in The Villages. You can pick up your copy now.

**2009 MEMBERSHIP FORM
PROPERTY OWNERS' ASSOCIATION
P. O. Box 1657, Lady Lake, FL 32158**

NAME(S) _____

ADDRESS _____

VILLAGE _____

COUNTY _____ ZIP _____

PHONE _____

E-MAIL _____

NEW _____ RENEWAL _____ DATE _____

ANNUAL DUES: \$10.00 _____

EXTRA DONATION: \$ _____

Please return this form with your membership dues. Memberships are for households and run annually from Jan 1st to Dec 31st. Please include a stamped, self-addressed envelope for return of your membership card by mail. If an envelope is not included, your card will be held at our monthly meetings for you to pick-up. Thanks for your continuing financial support.

peepers

EYE CARE AND VISION CENTER

301 Colony Plaza, The Villages • 259-1621

Comprehensive Eye Exams
Treatment & Management of Eye Disease
Full Service Optical w/ On-Site 1 Hour Lab

\$50 EYEGLASS OFF FRAMES Coupon Required
with purchase of complete pair of glasses.



Ollie's Frozen Custard

"If you like Ice Cream-you'll love Ollie's"

**\$1.79 Cones/Cups
Limit 2 With Coupon
Offer Expires 9/30/09**

Next to BLOCKBUSTER in The Spanish Plaines Center
Open Noon-10 pm Daily Phone 259-3568

The POA Discount Partner Program

The POA Discount Partner Program is a continuing benefit for POA members. Just show your current year POA Membership card when ordering the product or service listed here. And, please say "thanks" to our Discount Partners for participating in this program. (* = new this issue)

All Things Fine - 1171 Main St., Spanish Springs, 352-257-7384. 10% off all regularly priced merchandise. Excludes sale items. Not valid with any other offer.

* **All Trades Partners** - 352-628-4391 - Additional 10% discount after bid on any jobs our contractors perform for you.

Ameriprise Financial, 3507 Wedgewood Lane, The Villages - 50% off on plans and 25% off on all fees 352-350-2397.

Andrew's Air Conditioning, \$25 off reg. \$75 service call, Free estimates for 2nd opinions; 352-552-4174.

Away From Home Pet Sitting Service in The Villages, 352-454-2623. 25% off first day service of pet sitting while you are away.

Bonne Chimie Custom Skin Care - 990 Alvarez Ave., Spanish Springs. 352-391-9600. 20% discount. Not valid with other promotions.

Bravo Pizza - 1080 Lake Sumter Landing, 352-430-2394. 10% off dine in & take out (whole meal). Not valid with other discounts.

Caribongo - 1041 Canal St., Lake Sumter Landing, 352-750-6147. Free color changing Tote Bag (retail value \$9.99) with the purchase of \$30.00 or more at the time of purchase. Offer not valid with any other offer or promotion. Sale items excluded. Limit one Tote per family.

Charley Bars By Jack - Secure your sliding glass door from break-ins. Install CHARLEY BAR W/Key. 10% Discount to POA. 259-7637.

Chick-fil-A - 730 Hwy 441, N. Rolling Acres Plaza, 352-430-0223. Value Size any meal and get a free chicken sandwich.

Cingular (Spectrum Global Network) - 972 Del Mar Drive, Spanish Springs, 352-205-7513. 10% off all phones with activation.

The Club Golf Cart Security System, email at yunk38@comcast.net, 352-391-5077. \$3.00 discount (apx. 10%) for the Club Golf Cart Security device for POA.

Colonial Medical Supplies - 724 S US Hwy 441, Plaza One north of Oakwood Grill, 352-391-5169. 10% item discount to the POA.

Comfort Suites - 1202 Avenida Central, 352-259-6578. 25% discount, May 1, 2009, through October 31, 2009. All reservations are based on availability. Must call hotel directly in advance for individual reservations.

Copy Depot- Color copies, fax service, social cards, 10% discount, call 352-561-4100.

Coral's Casual Patio and Fireplace Shoppe, U.S.Hwy 441/27, across from Wal-Mart, 352-307-8522. Free bottle of "Dew Not" with the purchase of \$300.00 or more. One per customer.

Cozco Handcrafts - 1121 Main St., Spanish Springs, 352-430-0386. 10% off non-sale items.

Crews Family Lawn Care & General Maintenance, 10% discount; 352-502-7346 or 873-1628.

Custom Apparel & Gifts - 920 Bichara Blvd, La Plaza Grande, 352-750-1600. 10% off any item in stock in store; 25% off custom framing.

* **East Coast Flooring** - 9180 S. Hwy 441, 352-307-9995, FREE GIFT w/ any purchase. \$100 credit for any referral (Purchaser must state they were referred by a POA member).

Edible Arrangements - 11962 CR 101 - Palm Ridge Plaza, 352-391-1334. \$4.00 off purchases over \$25.00.

Enterprise Rent-A-Car - 1076 Lake Sumter Landing. 352-751-2417. Special rates for POA members. A pick-up service and one-way rentals to Orlando and Sanford airports are available.

Flags & Flag Poles - 845 CR 25 across from Lady Lake Post Office. 352-751-1876. \$4.00 off flag pole order of \$119 or more for POA members showing their current year membership card. Discount on "check and cash orders" only.

Funeral Planners Inc. - For the POA, 10% off regularly priced funeral planning package or 15% off deceased identity theft protection service. Visit <http://www.FuneralPlannersInc.com>

Funtime Piano or Keyboard Lessons - Call Nancy. Beginners to Advanced; All Types of Music. POA Special \$12 per 1/2 hour weekly lesson (\$3 off regular \$15 price). 352-750-6475.

Golf Clubs & Bag Lock, Gator Jaws, \$30 each or 10% off for 2 or more, 352-750-0488.

Gourmet Go Go - A delivery service for dinner menus from local restaurants. \$1.00 discount off regular delivery fees. 352-205-0829.

Great Day on the Water Boat Tours - Discounts of \$5.00, \$7.00 or \$10.00 per person on various boat tours. Call 866-269-6584 for details.

Haagen Dazs - 1001 Lake Shore Drive, Lake Sumter Landing, 352-751-0261. 10% discount.

Henry's Golf Carts, Rent, Buy or Sell, 20% discount; 352-750-0904 or 352-454-8515.

Home Power Washing, Villages resident, 10% off, call Bob at 352-391-1944.

Island Images - 1112 Main Street, Spanish Springs, 352-259-7623. 10% Discount on Mondays. Excludes sales items.

I. Stern & Co., High Quality Golf Clothing, #200 Highway 484 Ocala FL 352- 307-4878 - 10% off on all purchases.

Johnny Rockets - 976 Old Mill Run, Lake Sumter Landing, 352-259-0051. 10% discount.

Kilwin's Chocolate and Ice Cream - 1108 Main Street, Spanish Springs, 352-430-3600. Buy one, get 50% off on any ice cream menu item. One offer per family membership.

LaFlamme, Steven & Gary - Flooring, Carpentry, Painting, Light Plumbing, Free Estimates, 10% discount, call 352-391-0424.

L. Rae Jewelry Appraisal Services - Certified Gemologist, Villages resident, By Appointment only, 10% discount, call 352-430-2991.

Massage Therapy - In your home or my office. 10% discount from normal \$50 per hour. Call Susan at 352-638-7649

Miami Granite Designs Inc., 1806 N.E. 2nd Avenue, Ocala FL. Free stainless steel sink with kitchen counter do-over.

MOE'S Southwest Grill - US Hwy. 441 North, Rolling Acres Plaza, 352-430-3610. Buy 1 Get 1 Free every Saturday with the purchase of two medium drinks! Not valid with any other offer. One benefit offer per family membership.

Ocala Lincoln Mercury, 407 So. Magnolia Street, Ocala FL 34470 352-732-2866 -- 3% over dealer cost on all new cars.

Odd's & Errands by Paula. Your affordable Personal Assistant. 352-430-0764. 10% discount.

Ollie's Frozen Custard - Next to Blockbuster in the Spanish Plaines Shopping Center. Use the Ollie's Coupon in the Bulletin or get 10% off.

Panda Express - 869 North Hwy. 27/441, Home Depot Plaza, 352-751-2507. 10% off, not valid with coupons or specials.

Plaza Jewelers - 16770 S. Hwy. 441, Baylee Plaza, Summerfield, 352-307-3846. 20 to 40% saving off the already low retail price, & all watch batteries \$3.00.

Quality Hearing Center - 16850 S. Hwy. 441, Suite 306, Baylee Plaza, Summerfield. Call 352-307-7377 for an appointment. 10% discount.

Radech Home Improvement, remodeling & repair, 10% off, 563-271-1296.

ScentSational Candles and Gifts - 994 Alvarez Avenue, Spanish Springs, 352-753-1604.

(Continued on page 13)

POA Members !!!
When taking advantage of the POA Discount Partner program, please mention that you saw their listing here in the POA Bulletin.

Advertisers !!!
Contact Nancy Spreng at 391-5700 for a FREE listing as a POA Discount Partner