

The POA Bulletin

Free Copy

The Property Owners' Association of The Villages



Issue 36.09

Champions of Residents' Rights Since 1975

September, 2010

A Quick Question, Honey?? Where's the Money??

The POA has had a number of questions regarding the use of the funds from the lawsuit settlement in March, 2008. Below is the summary of the settlement and the planned use of the funds provided.

Villagers living north of CR 466 will recall from information provided to them in the January, 2008, "Notice of Pendency and Settlement of Class Action and Hearing on Proposed Settlement" that the Plaintiffs claimed "...a breach of various agreements to provide appropriate levels of amenity services and facilities to the subject Class."

The complaint requested damages which were identified at the Court hearing as "...an increasing shortfall deficiency (deficits) in Recreational Amenity Division (RAD) funds available for the provision of amenity services and facilities and reserve fund for the renewal and replacement of amenity facilities."

The Defendants denied each and every claim raised by the Plaintiffs. However, the parties entered into negotiations in connection with the alleged insufficiency of the Reserve and Replacement account and other matters and entered into the Settlement Agreement.

The Villages of Lake-Sumter Inc. (the developer's corporation) agreed to pay to the VCCDD/AAC a sum not less than

Back To Laurel Manor Recreation Center



\$39,824,168 over the next 13 years.

There was an initial lump sum payment of \$11,886,150 in April of 2008. Annual payments commenced as follows: December 2008 - \$1,748,700 and December 2009 -

\$2,400,400 for a total paid to date of \$16,035,250. As of June 30, 2010, funds had been used for the Paradise bond payoff in the amount of \$2,933,268, and \$891,765 had been paid for engineering services et. al. for the recreation trail reconstruction project.

Along with interest earned of approximately \$330,000, the settlement fund currently has a balance of \$12,640,499.

The Buena Vista (including Saddlebrook), El Camino (including Summerchase), and the Paradise Park recreation trail reconstruction projects expenses will be approximately \$6,500,000, leaving a balance of approximately \$6,000,000.

The settlement funds are used pursuant to the terms and conditions of the Interlocal Agreement which established the Amenity Authority Committee (AAC) which was given discretion over all non-bond required amenity funds as well as the settlement funds.

Eleven additional annual payments will occur on December 31st of each year as follows:

2010 - \$2,410,500;
2011 - \$2,120,800;

2012 - \$2,216,400;
2013 - \$2,557,000;
2014 - \$2,767,800;
2015 - \$2,811,600;
2016 - \$2,229,900;
2017 - \$2,482,800;
2018 - \$3,104,200;
2019 - \$1,004,200; and
2020 - \$166,700.

These payments total \$23,871,900 which

(Continued on page 2)

Amendment #4 Hometown Democracy

Voters in Florida will have to decide on Amendment #4, also known as the "Hometown Democracy Amendment," on the November ballot. You will start hearing more about this. We suspect there will be a blizzard of advertising starting soon.

This Amendment to the Florida Constitution, if approved by voters, would require any change to a local development plan to be approved by voters in an election.

Now, changes to development plans are generally approved by county boards of commissioners. Most changes are routinely approved under the general heading of "development." The Amendment would stop this and require voter approval for any changes to the county's development plan.

Proponents of the Amendment cite excessive and sometimes thoughtless development of real estate that puts a strain on roads, schools, water resources, taxes, and the quality of life of Florida residents who have to pay for and tolerate the inconvenience of rampant development.

Proponents say that it is just developers who ultimately benefit financially from these activities at the expense of current residents who end up having to pay the extra costs.

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September 21, 2010

**THE NEXT POA
GENERAL MEMBERSHIP MEETING**

**Third Tuesday of the Month - 7:00 p.m.
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**Come and Meet the Candidates for Various
Elected Offices in The Villages, Including the
AAC and many of the Numbered CDDs**

**Coffee and Donuts
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Money, Honey???

(Continued from page 1)

will be coming in over the next ten years.

Additional funding was not required beyond 2020 because the annual bond debt will be reducing approximately \$4,000,000 a year (from \$16 million to \$12 million) at that time due to scheduled amortized pay-off of some of the earlier bonds. This will allow the regular amenity related fees to be sufficient to provide the necessary funds.

All of this money was dedicated to the exclusive use of the Amenity Authority Committee (AAC) for whatever amenity related purpose the AAC deems appropriate in accordance with the terms of the Interlocal Agreement and the Settlement Agreement.

The AAC is in the early stages of addressing how these funds should be expended.

Thus far, the Paradise renovation loan has been paid off per the Settlement Agreement and the arterial recreation trails were ‘commissioned’ by the AAC to be fully reconstructed.

We hope that the AAC will be good stewards of these funds, and continue to use them to remedy the problems addressed in the lawsuit, (while under no legal requirement to do so) including funding for an appropriate general Renewal and Replacement (R & R) reserve fund and agreeing to assume the repair, maintenance and replacement costs of the newly constructed Buena Vista and El Camino recreation trails from the numbered Districts.

While there are many small groups that are asking the AAC for a portion of the settlement funds, the AAC should assure that they have first considered those areas that were the basis for the damages justification.

In addition to the trails and R & R mentioned above, these areas include pool monitors, additional recreation facilities monitors, after hours executive golf course ambassadors, Community Watch Services, and also

retention pond maintenance and sink hole repairs on executive golf courses.

Hopefully, the completion of the Long Range Capital Improvement Plan by District staff will be able to give guidance to the AAC as to how much money should be reasonably placed in the Renewal and Replacement Reserve fund, so that remaining monies from the annual payments can be used to remedy the other alleged insufficiencies identified in the lawsuit.

We would also like to mention that it was through the hard work of five POA members acting as lead plaintiffs in this lawsuit that the settlement was ultimately achieved for the benefit of all. This follows from the motto of the POA: Champions of Residents’ Rights Since 1975. □

Amendment #4

(Continued from page 1)

Proponents also cite the tens of thousands of available vacant homes, due to the ongoing real estate downturn, and criticize developers for proposing more development.

County boards are criticized for approving any and all development projects in a quest for more taxes. Some boards are criticized for never seeing a development plan that they didn’t like.

Opponents of the Amendment say that this would stop development cold and with it economic activity in general. They say that voters are likely to vote down every change. Or, at least cause delays and additional costs as developers try to deal with the restrictions. Election ballots, presented for voter consideration and approval, might be dozens of pages long. Housing costs would ultimately increase by a substantial margin. The impact could be severe.

Developers would likely challenge the

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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. □

The POA Bulletin is published monthly by the Property Owners’ Association of The Villages, Inc. Articles represent the opinion of the POA or the writer, and Letters to the Editor or Forum postings represent the opinions of the writers. Care is taken to insure that facts reported herein are true and accurate to the best knowledge of the POA and are taken from reliable sources. The POA assumes no liability for any information published, opinions expressed, or delivery to any person or location. The POA does not endorse or recommend the products or services of any advertiser or discount partner. All publication rights are reserved. Publication or reprinting of any material contained herein is by written permission only.

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Amendment #4

(Continued from page 2)

situation in the courts leading to a general paralysis of development and a bonanza for the legal profession. In this scenario, legal battles could rage for an extended period of time and ultimately discourage developers who might exit the state.

This scenario has already happened in the St. Pete Beach area where a version of this Amendment was voted in several years ago. The result was a complete stoppage of development activity and one lawsuit after another paid for by county residents through property taxes. The general economy suffered as jobs, payroll, and spending evaporated. Only the lawyers benefitted.

So, voters will have to decide: will it be business as usual for development, jobs, payroll, etc? Or, will it be voter approval of projects with the resultant costs, delays, and uncertainties, but possible benefits for taxes, roads, schools, water, quality of life, etc.?

Please read up on these issues and study the arguments as you see and hear more in the press and on TV.

We plan to have a debate about Amendment #4 at the October 19th general membership meeting of the POA. We will have speakers on both sides arguing their points of view. If you want to learn more about this controversial amendment, please plan on joining us at the meeting. □

AAC Meeting August 11, 2010

Old Business:

- Multi-Modal Paths - Richard Busche of Kimley-Horn provided the latest status on the Recreation Trail reconstruction project. Construction is on schedule, with work progressing at three locations – along Buena Vista Blvd. in Marion County, along El Camino Real starting at the Savannah Center, and adjacent to the Saddlebrook Golf Course.

- The Committee reviewed the bids for the Paradise Park portion of the trail reconstruction project. The lowest bidder was significantly higher than the engineering estimate. As a result, the Committee decided to defer acceptance pending individual meetings of each AAC member with the engineer at the site. (The meeting was “continued” to August 18th at which time the AAC agreed to accept the low bid and proceed with the Paradise Park project).

- The AAC approved the purchase of approximately 500 new chairs for the Scarlett O’Hara Theater at the Savannah Center. The Committee also discussed with staff the lighting and sound equipment available for resident use at the theater. Staff has agreed to begin a training program to certify interested residents on the usage of the equipment.

- The Recreation Department brought forward a request to provide pickleball court lighting at one of three recreation centers. There was no consensus from the AAC to proceed with lighting.

- The AAC was asked to consider expanding the existing lawn croquet field or constructing a new facility. There was no consensus from the AAC for either alternative. A suggestion was made that the next lawn croquet field should be constructed at one of the facilities south of CR466.

- Due to the limited number of sports pools north of CR466, the AAC declined to reduce the age for users of the sports pools. The staff will continue to address individual requests as received.

- It was reported that staff will provide cost information regarding decorative posts for traffic signs at the September meeting.

New Business:

- The Villages of Lake-Sumter has offered

(Continued on page 4)

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AAC Meeting

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to transfer ownership of the building housing La Hacienda Catering (adjacent to the La Hacienda Recreation Center) to the AAC/VCCDD. The amenity system would also hold the lease with the caterer which currently provides approximately \$50,000/year in revenue. The AAC has approved transfer subject to an inspection of the premises.

Staff Reports:

• District Manager Janet Tutt announced that the Lady Lake Town Commission has appointed Joy Anderson to fill the unexpired term of Eldon Sheldon, the AAC representative for Lady Lake/Lake County.

Other Matters:

- Please go to the www.districtgov.org website for the Official Minutes, Agendas and Meeting Schedule.
- Next AAC Meeting – Wednesday Sept. 8th, 1:30 pm at the Savannah Center. □



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Letter to the Editor:

Funding Cart Path Reconstruction

I enjoyed your recent article about the reconstruction of the recreation trails. It was very informative but raises a couple of questions that I hope you can answer.

You quote the developer promotional materials that says "enjoy our country club lifestyle at a price that's surprisingly affordable and includes ... private fishing lakes, waterfront parks, recreation and fitness trails... all covered by our current monthly contractual amenities fee..." I have two questions on this.

One: has the developer changed his promotional material on this statement, and

Secondly: does the settlement agreement say that the developer is now free from that obligation for the future?

A little later in the article it says: "The recreation trails are used by all residents.... The burden of repair and maintenance should not be on the residents of one district when everybody else is using them." My question here is who will be responsible for maintenance costs of recreation trails in the future both north and south of 466 and where would that now be documented???

I hope you can shed a little more light on this or suggest where I might go with my questions. This is important information;

thank you for reporting on this.

Dick Sunderman

Editor’s Note: The responses to your questions are as follows:

The developer has changed his promotional material on the ‘estimated cost’ statement by eliminating the words ‘recreation trails.’ However, he continues to use the terminology on all of his signage South of CR 466 and on his maps.

Yes, the settlement agreement relieves the developer of all responsibility for maintaining the recreation trails North of CR 466 with amenity funds. However, his annual required contributions to the VCCDD amenity funds through the year 2020, which average \$2,155,413 per year, will provide more than adequate funds for the Amenity Authority Committee, also established by the Settlement Agreement, to contract with CDDs 1 through 4 to take over the repair, maintenance and reserves for the arterial recreation trails which are now undergoing reconstruction. (Commencing in 2021, the required debt service reduces by approximately \$4 million per year, so additional funds from the developer are not necessary to maintain our con-

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Cart Paths

(Continued from page 4)

tracted lifestyle after that point.)

The question of whether or not the AAC was willing to take over maintenance, etc., responsibility for the reconstructed trails was raised at the time Agreements were being made between the VCCDD/AAC and CDDs 1-4 for the reconstruction project. However, it was decided that there was no urgency in making this decision at that time because the trails would be new and any initial maintenance would be minimal for several years.

The settlement agreement provides that the money (approximately \$40 million) "...is to be dedicated to the exclusive use of the Amenity Authority Committee for whatever amenity related purpose the Amenity Authority Committee deems appropriate in accordance with the terms of the Interlocal Agreement and this Settlement Agreement."

It is, however, important to note that the \$40 million figure was determined based upon the damages that were identified by the plaintiffs (affidavit filed with the Court) which included under annual payments:

"Funds for annual maintenance of the recreation trails and tunnels were added as a new item to meet the contract requirements for providing all the recreation facilities. It would start at \$200,000 and increase to \$285,150 in 2020 for a total sum of

\$3,123,548;

Renew & Replacement funds were established for the recreation trails and tunnels. The base amount needed was projected to be \$212,180. Thereafter, this amount would increase at the rate of 3% per year and end at \$302,514 in 2020 for a total sum of \$3,313,758."

The POA urges the AAC to use annual settlement funds to maintain, repair, and provide reserves for the reconstructed trails and tunnels so that residents will not have to continue to pay for it in their annual assessments from their numbered CDD. Also, to provide for proper maintenance and repair for the entire eight miles, rather than leaving decisions on needed repairs up to the residents of a particular CDD which would have to vote to assess themselves for the repair of the trails in their District when these are actually being used by all residents in the VCCDD.

The maintenance, repair and reserve funding for trails and tunnels south of CR466 is currently being paid for by the residents as a part of their annual CDD maintenance assessments and not provided by their amenity fees. The residents are assessed through the use of a Project Wide Agreement which provides for the SLCDD to maintain the recreation trails and tunnels (as well as other items defined in the Agreement) in exchange for payment back to them from the numbered districts.

We will provide a full explanation and

evaluation of the Interlocal Agreement for Maintenance of Project Wide Improvements and the items contained therein in a future POA Bulletin article. □

Letter for 2010 POA Dues Renewal

We have just put into the mail letters to all POA members who have not yet paid their 2010 dues. If you haven't yet paid your 2010 dues, please check your mailbox.

Yes, it is late in the membership year which runs from Jan 1 through Dec 31. But, we have had significant operating expenses going all the way back to Jan 1.

When we put together our operating plan for the year, we look for membership renewals and new membership dues as major sources of revenue. Dues for this year are set at \$10 per household.

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POA Dues Renewal

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The Bulletin alone cost about \$70,000 per year to print and distribute. Advertising doesn’t pay all this cost. Thus, we have to subsidize the cost of the Bulletin with membership dues. And, the bills started arriving way back in January, even if dues were not paid early in the year.

So, you can see the bind that we are in. We need your support and membership dues to publish the Bulletin and to do the work on your behalf that so many of you value.

If you haven’t yet renewed your membership and paid your dues, or if you are thinking about joining and supporting the POA, please do it now. If you are new to the POA, you can join with the Membership Form on page 19 of this Bulletin.

Please, we need your help and your support and your membership dues. □

New POA Volunteers

We are pleased to announce several new additions to our Board of Directors and a new Webmaster.

Jerry Ferlisi has joined the POA Board as Treasurer. Jerry moved here from Staten Island, New York, where he served as a Senior Vice President and Chief Financial Officer for a hospital chain. He has a B.S. degree from Long Island University. Jerry moved to The Villages recently with his wife Maureen and lives in the Village of Poinciana.

Pat Layman has joined our Board as Director and will focus her attention on membership issues. She moved to The Villages five years ago from a suburb of Detroit and lives in the Village of Poinciana. Pat has a B.S. degree from the University of Michigan in Administration and Management Information Systems. In her business career, Pat worked for the Burroughs Corporation, a privately held bank, and retired from the state of Michigan.

Angelo Grotticelli has taken over responsibility for the POA website. Angelo served

proudly as a U.S. Marine and currently manages the website for the Marine Corps League. Angelo attended the University of Virginia and worked in his business career for General Electric, Honeywell, and Talbots. He hails originally from Virginia and moved here in 2004 from Pineallas County, Florida. He lives in the Village of Calumet Grove with his wife Saber. □

Letter to the Editor:

Sex Offender Database

Sex Offender Listings made available to Village residents originating from bona fide state and police records are a valuable public service and need no apologies.

I commend the POA for it's efforts to keep us informed. During holidays, children are seen at many venues. Before leveling criticism at this service, do some professional research.

Prostitution, for example, is not victimless. Many prostitutes are still legally children. One would have a better chance at winning the lottery than seeing a rehabilitated

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Sex Offenders

(Continued from page 6)

child molester. This fact is put forth by professional presenters in the U.S. and abroad.

Many child molesters have committed multiple acts with different victims or with a single victim for years. Child abductions and disappearances frequently result in torture and murder, or murder to prevent the perpetrators' discovery.

The number of convicted child molesters spreading through the neighborhoods of the U.S. is staggering and increasing.

Did I read about this? Have I participated in seminars by noted experts? Have I participated in the recovery of missing, dead and tortured children? Have I experienced the agony of their parents? Yes, to all of these.

Stealing a child's life or destroying his/her future with unmentionable acts is an abomination. Our society MUST be protected from them.

The Villages POA has done us a great service by providing the information on these CONVICTED criminals.

Paul Endersbee

Editor's Note: In this debate about the propriety of printing sexual offender names and addresses in the Bulletin, we are sadly reminded of Jessica Lunsford. You may remember Jessica, the child for whom Jessica's Law was passed in Florida in 2005. Jessica was abducted, brutalized, and buried alive by

John Couey, a neighbor who had previously been convicted as a sex offender. He should have been on a Sexual Offender's website and database, but he was not. None of his neighbors knew about his past. And, he brutalized that little girl. This is why the POA printed those names and addresses -- for the memory of Jessica.

The database was taken from the State of Florida posting at the address: (<http://www.fdle.state.fl.us/mcicsearch/sexpreds.asp>) on the internet.

Another website shows a map of any area

in the U.S. and pictures of these sexual offenders by location. This website is (<http://www.familywatchdog.us>) and is a good interactive view of sexual offenders in our community.

Remember, we are not trying to persecute the people on the list. We are trying to inform residents so that they can take any precautions for their visiting family that they think would be appropriate. □

Letter to the Editor:

Dog Park Trees

... at the dog park ... trees are marked to be cut down so that the Archery Club would have a parking lot. ... almost every one of the gorgeous, majestic, huge trees has a very small orange dot on it. ... why are these trees marked in this manner?

If it is to provide a parking lot to the archery range, I don't think this is appropriate; there are very few people using the range.

I would agree that on weekends when they have an occasional tournament they would benefit from 30 additional parking spots.

There is plenty of room for additional parking at the end of their range or on the side of the range. I don't feel they should cut down these beautiful trees.

If this information is correct, is there anything that we can do to ask them to provide

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Dog Park Trees

(Continued from page 7)

another spot for their parking lot?

We need the shade and the beauty of the park more than they need 20-30 parking spaces for once or twice a month.

More people enjoy this area for fishing, sitting in their golf carts watching the moon, meeting others and just enjoying the serenity of the area than we would benefit from parking spaces.

Debbie Williams

Editor’s Note: The pathway through the parking lot going north from the bridge will be re-routed in a way that residents should find pleasing. The pathway will no longer run through the parking lot because the lot will be moved slightly east. This should improve safety for golf carts using the path since they will not have to travel past parked cars or cars pulling out. Some of the trees will have to be cut down. However, not all. We suspect that the finished cart part, parking area, dog park, landscaping, and archery area will be attractive for all. And, we also think that the ducks will enjoy their remodeled feeding and lounging area. □

Home Sales in The Villages

Debbie Okruhlica (Broker/Owner, Realty Executives Tri-County), guest speaker at the August POA general membership meeting, offers this follow-up to a question:

Concerning the question on how many homes are selling in The Villages monthly, here is my conclusion. The Villages are selling home sites and the buyer has two years to build their home. I'm sure that these are included in their 200 + homes sales. That may explain why she doesn't see the construction to match the numbers.

It's very difficult to try to prove anything when it comes to Villages closed sales. We don't know what is propaganda and what is the truth.

When trying to explain the market in the Villages, the one thing I'm sure of is that we are never going to see 2005-2008 home prices ever again. To try and determine how much money you lost would take an individual evaluation on each home. If you bought your home in 2001-2004, you should have some equity. □

Architectural Review Committee

Ron Husted, a POA director, received a call from a Kenneth Allisburg who lives in Bevedere and has been having problems with his neighbor regarding "bushes" which Kenneth planted on his property.

He had asked the Architectural Group for approval and they gave it to him. Once he planted his bushes, his neighbor filed a complaint with The Villages and Kenneth was given a citation and told that he must cut a path through the bushes or tear them up.

At this point he looked in the Bulletin and

(Continued on page 9)

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Review Committee

(Continued from page 8)

called Ron Husted. Ron recommended he call Janet Tutt as she was the one to appeal to for resolution.

Ron called Kenneth later to see if he was OK or needed more assistance. Janet had referred him to one of her staff. Within one-half hour of calling someone came to his house, looked at the problem, told him to rip up the citation since he had not violated any covenant.

He was, to say the least, thrilled with the action. (He and his wife are joining the POA).

Ron's message is that without delay Janet and her staff did a terrific job of responding to a complaint and quickly resolving a problem that seriously angered one of the Villagers.

Kudos to Janet and her staff. The POA thinks they are doing a great job! □

Lightning Matters

By Bob Freeman
The Study Group on Lightning

Many new residents of The Villages who relocate here from other states and countries are most likely to know that we have a history of hurricanes in this part of the country. What they may not know, or appreciate, is that we have frequent lightning and Florida is considered the Lightning Capital of the USA.

Geography is the reason. We are on a peninsula with the Atlantic Ocean on the east and the Gulf of Mexico to the west. Sea breezes move inland from both coasts and frequently converge over central Florida.

Bill Koenemann, a retired meteorologist, a member of the Study Group on Lightning, and instructor in Basic meteorology for the Lifelong Learning College explains, "sea breezes are caused by temperature differences between the ocean and land. As the land heats up during the day, cooler air moves in from the ocean and gulf producing a low-level boundary similar to a weak front. Sea breezes are the primary triggering mechanism for lightning producing thunderstorm development during the moist summer months."

According to the National Weather Service, we experience on average 80 thunderstorm days per year here in central Florida. This maybe two to four times more lightning than where you lived before moving to this

part of Florida.

Bill also points out that currently we are under a dry La Nina condition which has the potential to produce frequent hurricane activity. A key characteristic of La Nina is a decrease in wind speeds at very high elevations. These lower wind speeds mean that we do not have the benefit of wind shear as was the case last year that suppressed the formation of significant hurricane activity.

This year, Caribbean and tropical Atlantic waters are very warm – in fact at record levels. The implication is that the exceptionally warm water provides the energy that drives hurricanes.

So what does all of this have to do with lightning? Maybe nothing – maybe everything. However, these climatic conditions will likely lead to more thunderstorms that produce lightning as they come ashore. As of this writing in mid-August, the sea breezes that are the main catalyst for pushing thunderstorms into our area have been rather hit or miss. There have been impressive amounts of lightning to our east and south. Earlier this summer, five homes in Jacksonville were struck and damaged in a single storm.

Last year at this time, we were experiencing a lull in lightning activity. But all of that changed over a 13 day period when three Village homes were struck by lightning and two were destroyed.

(Continued on page 10)

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Lightning Matters

(Continued from page 9)

For more information on lightning see our monthly Lightning Matters columns that can be found in the previous issues of the POA Bulletin on line at the POA web site poa4us.org.

Lightning Tips for Villagers

The Study Group on Lightning, a small group of volunteers, with no affiliation to any firm or organization related to the lightning protection industry, offers a free 30-minute Power Point presentation, Lightning Tips for Villagers, that addresses direct lightning, indirect lightning, validation of lightning protection systems (rods), surge protection, corrugated stainless steel tubing (CSST) gas pipe, common myths and misunderstandings. It is intended to help homeowners make an informed decision on their own residential lightning risk. If your group or organization would benefit from a presentation contact Len Hathaway at (430-1164) lhatha@aol.com or Bob Freeman at (751-0505), STALIT1@aol.com. □

"Laugh when you can, apologize when you should, and let go of what you can't change. Kiss slowly, love deeply, forgive quickly, take chances, give everything, and have no regrets. Life is too short to be anything but happy."

Source unknown

Performing Arts Center Favored

Area residents who answered an online survey are nearly-unanimous in supporting plans for a new performing arts center for the tri-county area. And they'd most like to see such top-drawer entertainers as Norah Jones, Johnny Mathis, Tony Bennett, and Harry Connick, Jr.

Of the 2,235 persons who answered the survey, some 96 percent (2,149 persons) said they favored the idea of creating a facility at a convenient site for Lake, Marion and Sumter counties. Some 98 percent said it was important to support cultural advancement in the community. (The responders, from seventy zip codes, represent households with nearly 4,000 residents.)

Richard St. Amant, president the steering committee of the Volunteers Performing Arts Alliance (VPAA), said, "We are excited by the fact that there is such broadly based support across the community. We're actively engaged in locating a site that will bring world-class entertainers to what will be a major attraction for the area."

"We're very grateful to the POA for their consistent help and support on this issue. It was a major factor in generating such a great response for the survey."

VPAA, also known as Performing Arts of

Lake, Marion and Sumter (PALMS) proposes to build a state-of-the-art, 1,200-seat facility that will attract top-name performers, as well as host local amateur and professional talent.

Donovan Management Inc. of Orlando supervised the 21-question survey from July 1-18, 2010. The results included:

Two-thirds of the responders already attend plays and concerts away from the three counties.

Sixty percent said they were willing to support the center financially; 33 percent were undecided, while only six percent said "no."

Asked to rate their "passion" on a scale of one to five, with five the highest, 73 percent listed four or five. Eight-five percent said they'd consider volunteering.

Some 92 percent felt that the center would be "very valuable" or "considerably valuable" in boosting the economy and being a drawing card to the area.

With 98 percent, modern seats were the most requested feature of the center. Other popular aspects were having enhanced sound and lighting and adequate restrooms.

Considering how many members in the household were "represented in the responses," the total number of persons agreeing with the answers was 3,970.

The organization is seeking to build a cutting-edge performing arts center at a site of at

(Continued on page 11)

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Performing Arts

(Continued from page 10)

least 15 acres conveniently located for Villages residents. The center would be self-financing through ticket sales, grants, concessions and rents. No local taxing or amenity fees would be involved.

Formed as a not-for-profit citizens' group several years ago, VPAA/PALMS is in the process of completing a broadly-based 15-member board of directors from central Florida. Information: www.vpaa.org □

Over Age 55 Communities

We often get questions about how people under age 55 can live in The Villages. If we are an "over age 55" community, the questioning goes, how can we have people under the age of 55 living here?

Since there are federally-backed mortgages used in The Villages to finance the purchase of homes, the U. S. Department of Housing and Urban Development (HUD) requires that there be no age discrimination in the development. To accommodate residents in our community (and others like us), the working rule is that over age 55 developments must allow up to 20% of the housing units in the development to be available for those under age 55.

In conjunction with this requirement, people age 19 and under are not allowed to live

in communities like ours for more than 30 days a year. The rationale here is that communities like ours would be hard-pressed to provide a range of activities and facilities for children, not to mention school buses going up and down our streets twice a day. □

Letter to the Editor:

Gates in The Villages

I suggest that in the next POA Survey of Residents that a query be made as to the need, desirability and effectiveness of the gates. The gates appear to have no practical use other than appearance. I am continually reading comments about how residents are held up going through the resident's entry while visitors pass through virtually without stopping. In practice, the gates do not prevent anyone from entering as the streets are

(Continued on page 12)

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Gates in The Villages

(Continued from page 11)

public roads on which anyone is entitled to drive. At some gates all that is required is that a button be pushed. As a matter of fact has anyone ever been denied entrance at any gate?

Gates are manned 24 hours a day at some cost. The maintenance of the gates must also come at a considerable expense as the barriers seem to be continually being broken or bent. In addition the expense of buying and issuing gate cards would be totally eliminated. Couldn't these funds be better transferred to posting full time monitors at pools and other amenities to ensure that outsiders are not using them? (If you haven't already noticed several complexes are already in place or currently under construction that are within easy access of The Villages.)

What is the purpose of the gates? What need do they serve? Are they worth the cost

and expense? Placing such a question(s) on the survey would certainly be an effective means of determining just how important, and for what reasons, residents feel about the gates.

Frank Wenzel

Editor’s Note: Gates serve several functions, as follows:

First and foremost, gates serve as a deterrent to some degree to criminals wanting to get into The Villages. Obviously, this is not 100% effective. But, license plates are photographed on all cars entering any of the gates.

Second, gates slow down the traffic so that golf carts crossing the street at gate facilities can cross without being endangered by fast moving cars.

Third, gate attendants can provide information, as needed.

Yes, anyone can enter through the gates – but, that is a county requirement for the free flow of traffic on streets and roads maintained by the county. If we wanted to restrict traffic to only Villages residents and service vehicles, we would have to assume the full financial responsibility for maintenance and repair of our roadways. □

From the POA Forum:

Golf Cart Cut-Thru

Just off of Paradise Drive [on the east side of Hwy.441/27] there is a cut-thru golf cart path and gate that many people take to the different medical buildings and doctors [offices]. It also is the way to get to Lowes, WalMart, Bealls. etc. You know the area, right? I thought this cut-off path was a service to the Village residents? The arm to this cut-thru was taken down a long time ago because it was being broken off most of the time. I guess, Villagers kept forgetting their gate pass at home or was it people from other community using our cut-thru? I notice the people from Stonecrest use our cut-thru ... we made it so easy for them by taking the gate arm completely off. These folks use the golf cart bridge to go shopping and to go to Town Square. They could be using the doggie park too. What other facility are they using? Could we trespass at free will in their community? It's something to think about and should be stopped!!

Editor’s Note: County requirements are that roads must be open to anyone, otherwise residents would have to bear the cost of repairs and maintenance. If you see people who are not Villagers using our facilities, please call Community Watch - 753-0550. □

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Letter to the Editor:

Return of Postal Box Fees

I have just sold our home in The Villages after ten wonderful years.

When I bought the house I was told by the sales lady that I would need to pay \$100 for the mail box but it would be refunded when I sold the house and the new owner would be required to pay the \$100.

The new owners have paid \$100 but when I inquired about my refund, I have now been told that this will only be refunded if I buy a new house.

Can the developer just change the rules regarding this without any reference to us? Is this legal? Can the developer just pocket \$100 every time there is a change of ownership of a property?

Joe Elliott

Editor's Note: Below is the response from Carrie Duckett, Customer Service Center Supervisor, The Villages Districts:

The \$100.00 you paid when you bought your house was not for the mailbox keys, but a user fee for the box.

You are correct that if you purchase another home within The Villages, you will have to pay another \$100.00 but then may be refunded for the fee on your first home depending on when you purchase the new

home.

You can reach our Prorations Department for specific questions by calling 352-753-7598.

This information can also be found in your Declaration of Covenants and Restrictions which can be downloaded on our website, www.districtgov.org. Section 16 states, "Mailboxes are provided by the U.S. Postal Service at no cost to Owner, however, those boxes shall be housed by Declarant at a one time lifetime charge to Owner of \$100.00 per box." □

Letter to the Editor:

High Cost in Villages Hospital

We received a Letter to the Editor from Mr. Edward E. Pierce regarding his treatment at the Villages Hospital. This treatment and cost may or may not be typical; but, it is interesting and significant enough that we wanted to report some details to our

(Continued on page 14)

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Hospital Costs

(Continued from page 13)

membership.

Mr. Pierce fell and hit his head on a tennis court one morning. He had what looked like a superficial cut.

The paramedics came, cleaned and disinfected the wound, said it looked like an abrasion rather than a cut, and applied a loose bandage around his head. There was no apparent further trauma, no dizziness, no headache, and very little blood. Ed was satisfied with the treatment and saw no necessity at that time to go to the hospital Emergency Room (ER).

Later he decided to go to the hospital ER just to be safe. He went to the ER, got a CT scan of his head, use of the emergency room, some minor drugs (probably pain killers), a vaccination for tetanus, some respiratory treatment, a staple to close the wound, and a

follow-up visit to remove the staple. The attending doctor assessed the cut as “superficial.” Total cost \$4055.

Most of the \$4055 was either paid or disallowed by Medicare or insurance companies so that the final charge to Mr. Pierce was less than \$100.

But, Mr. Pierce was shocked by the amount of the \$4055 bill. He wondered if this was an error, or Medicare fraud, or just plain greed on the part of the Villages Hospital.

He speculated that one of the local Urgent Care Centers could have treated him just as well for, maybe, \$200 or so. That might be possible, but we don’t know. An attending doctor would have had to decide how extensive the required treatment should have been.

We do believe that Mr. Pierce probably got top-notch care at the Villages Hospital even though it appears to have been excessive and expensive under the circumstances.

This all points to the need for everybody

to get familiar with the Urgent Care Centers in our community.

When you have what looks like a minor health care issue, consider going to an Urgent Care Center rather than to the hospital ER. Obviously, you should go to the ER for something major.

But, for what might be considered minor, go to the Urgent Care Center near you. If your health issue turns out to be major, the Urgent Care Center can stabilize the situation and send you on for more comprehensive care in the hospital.

We have great healthcare facilities in The Villages, we must learn to use these facilities wisely. □

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We can only be what we think we can be.
We can only have what we think we can have.
What we do, what we are, what we have
All depends on what we think.*

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Roof Shingles

We have no more information on the status of warranty repairs for prematurely defective roof shingles from the Owens Corning Company. The company has had a team of investigators in The Villages looking at the problem. We expect to hear more within a month. However, we have not yet been advised whether the team is considering a modification of its policy for second-owners who were not notified by either The Villages, or the selling agent, or the original homeowner as to the requirement for a 60-day transfer of the warranty and payment of a \$100 transfer fee. The POA has taken the position that the warranty transfer procedure is murky at best and that Owens should cover premature failures of the shingles in any event. If Owens Corning takes a hard line on this issue, we have talked with an attorney and will call for a meeting with affected homeowners to decide the next steps. □

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Letter to the Editor:

Cracks in House's Concrete Slab

Just wondering if you have come across this before?

We're doing renovations in our home and had our carpet removed and the floor is being prepped for new flooring.

We saw a huge crack in the concrete in two of our rooms. Last week it was a crack in

the Master Bedroom floor. We called the Village Home Warranty Department and they said: "It's nothing to worry about. It happens to many of the homes in The Villages and in Florida as the homes are built on sand." If you have a contractor he will tell you the same thing.

Sure enough, our General Contractor handling our renovations said the same thing. It's nothing to worry about.

We proceeded and had the bedroom floor

(Continued on page 16)

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Cracks in Slab

(Continued from page 15)

finished but I told the Home Warranty department to make a note of my complaint & please have it dated in case I have untold problems later.

Today, they started to prep my living room and the same thing. Another huge crack! I took pictures this time. Obviously, at this time it doesn’t appear to be all-the way through the foundation but then again I don’t have Superman’s X-Ray vision.

Again, my contractor seems unfazed by it. We’ve seen much worse; the ground is treated prior to the foundation going in, etc.

My question, is has this surfaced before by other home owners who have lifted their carpet? Do you have any suggestions or recommendations? It could develop into a significant problem down the road.

Jerry Ferlisi

Editor’s Note: Yes, this is a not uncommon problem and many homes have had the same experience. If this happens during the one-year warranty period, and the crack is wider than the thickness of a five-cent piece, the warranty department should help with repairs. After that, residents are on their own for repairs. The standard treatment under a carpet is to seal the crack. If the crack occurs in a tile floor, the tile may need to be replaced. Mr. Ferlisi is the Treasurer of the POA. □

Letter to the Editor:

Back-Up From Shower Drain Line

[We] had a home built in September, 2009, and just moved into our new home in Bonita Village full time in The Villages, FL on Wednesday July 14, 2010, looking forward to all the fun in the sun.

On Thursday July 15, 2010, we were busy getting the rest of our household goods delivered and unpacked.

On Friday July 16, 2010, we woke up to an inch of water in the laundry room, master bath and bedroom and in the garage. We shut off the water, but the water was still all over

the place. We then realized the water was coming from the master bedroom shower drain.

We called everyone we could think of and in about twenty minutes plumbers who were sent by the warranty department showed up and assisted us in getting the problem under control, shortly after that the water department showed up and cleaned the drains from the house to the main water line. Neither the water folks or the plumbers could tell us what caused the problem other than there was mud in the sewer line from the house to the main sewer line and that caused the SEWER water to back up into our new home.

We did not hear from anyone until Monday morning. That was when we were told by the Warranty folks the water back-up was our problem, or the City Water folks problems, but Warranty was not responsible, nor was the builder. We talked to city water and they said it was not the city problem, we were at fault for not using the water lines

(Continued on page 17)

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Shower Drain

(Continued from page 16)

since the house was built in September, 2009, and letting the mud build up in the sewer lines!

We were lucky and our insurance is paying to fix all the problems, but it is sad that The Villages and The City Water folks point at each other and then blame the problem on the home owner. It is also sad that we have had to spend our first three weeks here in The Villages getting our new home repaired due to water damage!

We love The Villages, the idea of The Villages, the fact so many folks helped us in the immediate emergency, we are having fun when not having to wait at the house for workers to come fix our new home, but we also are not happy with how this problem was handled by The Villages and the fact if we had not had insurance all this repair work would be at our expense.

There is much more but that is another story, just thought you should know it is not just a grading yards problem.

Bob Busby

Editor's Note: Your water back-up was within the one-year warranty period. We think that if your repair costs were substantial, you might be able to recover them from the warranty department through legal action. We are not attorneys so we cannot advise you on this step. Sadly, this is just an-

other example of the stonewalling, denial, and intimidation tactics of the warranty department. We remember similar story from one homeowner who's toilet backed up and he found that construction debris had apparently been swept into the open toilet hole during construction. Caveat Emptor: Let the Buyer Beware! What a sad commentary on the developer's activities. He should stand behind his houses no matter what. □

Letter to the Editor:

Driving Range Dress Code

As a long time PGA Professional at a private club with an outstanding Junior Golf Program, I was shocked the other day at the Sarasota [golf ball driving range]. I was there with my 5 year old grandson to hit a few balls and was turned away because he didn't have a "collared shirt" on. I understand dress codes and I understand rules. I also understand we are trying to "learn The Game" to the younger generation. But a collared shirt is needed to hit floating golf balls into the water? Give the kids a break.

Allan Mitchell Jr.

Editor's Note: We understand the rules as they apply to adults – but, we also feel that an exception should have been made for a five year old. □

Discount Partners Continued from Page 20

(Continued from page 20)

Snowbird Home Watch - Watch your home while you're away. \$40.00 per month; 10% discount to POA. 352-259-1143 or check out our website at www.bikinbob36@aol.com

Sonic Drive-In - Wal-Mart Shopping Center, 352-347-2860. Tuesday Nights: 5 single patty burgers for \$5 after 5 PM. Add-on at extra charge. Wednesday Nights: 1/2 price single patty burgers; 99¢ single topping sundaes. Valid at the Summerfield location only.

Southern Image Photography - 97 Del Mar Drive, Spanish Springs, 352-430-2056. 10% POA discount on the Special of the Month.

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Our Monthly Gardening Column:

Snakes in the Grass

by Anne Lambrecht
Master Gardener

We gardeners occasionally see a snake or two while working outside. Our initial reaction is a frozen-with-terror panic stricken inhale. But I am guided by two facts: one, most snakes are not venomous and two, snakes are more afraid of you than you are of them (I hope). Florida has 37 species of snakes. Of these, only six species are poisonous.

Snakes live in all habitats—including your yard—and play an important role in our ecology by being both predators and prey. Snakes eat rodents, frogs, insects, birds and other reptiles and all kinds of eggs. Snakes also control the population size of other animals. This is good if you live in an area where there are a lot of rats. The daughter of a lady I know walks her dog in their large Orlando apartment complex where she counted 17 snakes in one night.

On the whole, snakes are good creatures. I don't like them – and many people don't--because we are misinformed or lack knowledge about them. But deep down we know they are good in that they eat some of our more obnoxious pests. We just don't want them to eat us!

Most of us have seen Black Racers in our yards. Large and active during the daytime, it is probably the most common snake in Flor-

ida. They are about 4' long, jet black with a white chin. Racers are accomplished climbers. I once had a cute little white throated young racer in my rosemary shrub. While not poisonous, they will bite. Racers, constrictors, do not constrict: they swallow their prey alive. They rear up in intervals as they are "racing" away. One time we got a really big one stuck in one of those box insect traps that the lawn and pest guy leaves in your garage. His belly was stuck so flat onto that box, I knew we'd never get him loose and to leave him there would mean certain death to the creature. Luckily the pest guy told us to use cooking oil spray to release him from the box. Other creatures such as geckos get stuck in these boxes and it's always so pathetic and heart wrenching when they look up at you, pleading for you to help them. I feel so much better knowing I can free them using the spray.

The other day I found I was less than six feet from a coral snake, a beautiful but extremely deadly poisonous snake. I did the reactionary terrorized inhale and backed away. After reading about them I learned that they are shy and want to get away--but not as much as you want to get away from them. They have red and black bands with smaller yellow bands separating the colors. They bite their prey with venomous neurotoxins which attacks the nervous system causing paralysis, suffocation or blindness. Remember this: "Red next to yellow, kills a

fellow". Despite the potency of venom, the coral snake always tries to crawl away when confronted and only strikes when molested. Luckily, anti-venom is available for this species. Our friend down the street, Chuck, was disappointed that I didn't kill it. This beautiful creature has a right to live, just like we do, scary and poisonous or not.

Snakes lack ears but no one is certain that they are totally deaf. They are very sensitive to vibrations in the ground so it is good to shuffle and stomp your feet while walking in the brush (and especially swampy brush). If you live near any kind of water: retention pond, lake, stream, you should know that you will have more and different kinds of snakes.

A healthy snake sheds its skin several times a year, a process called molting, and it is not unusual to see a snake skin in the yard. Snakes are cold blooded which basically means they need the sun to warm themselves before they can act. But sometimes when it's hot, you can find one curled in a flower pot.

I've been stung, bitten, tormented, lacerated, chewed on, pierced, stunned, cut, scraped, and the other day I was stung on the legs by a bunch of very large and angry hornets. The Husband quickly strapped on his back pack of high powered spray insecticide, and ran outside, offering to hose the whole yard down. His knightly intentions are good but he just doesn't understand: I was disturbing the hornets. So I declined his offer.

You may reach Anne Lambrecht at annegarden@embarqmail.com

Black Snakes Identification and Ecology by SA Johnson <http://edis.ifas.ufl.edu/uw251>

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Island Images - 1112 Main Street, Spanish Springs, 352-259-7623. 10% POA discount on Mondays. Excludes sale items.

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

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

Kilwin's Chocolate and Ice Cream - 1108 Main Street, Spanish Springs, 352-430-3600. Buy one slice of fudge, get one slice free." One offer per family membership.

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

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

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

Minami Granite Designs Inc. - 1806 N.E. 2nd Avenue, Ocala FL. Free stainless steel sink with kitchen counter do-over. 352-671-9800.

Mobility Express of Fruitland Park - US Hwy. 441/27, Fruitland Park Plaza. 352-365-2055. Walkers, wheelchairs, lift chairs, etc. 12% discount to POA.

MOE'S Southwest Grill - Rolling Acres Plaza, 352-430-3610. Buy 1 get 1 free every Saturday with purchase of two medium drinks! Not valid with any other offer. One benefit offer per family membership.

Nature's Liquids - SeaAloe and Super Fruits 100% naturally absorbable vitamin supplement. Free Sample and 25% POA discount on first order. Call Diane 750-2246. naturesliquids@comcast.net

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

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

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

On-Site Drapery Cleaning - Any drape or window treatment cleaned in place in your home. 10% discount for POA members. Call 352-246-8891.

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

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

Premier Tower, Inc. - Electric contractor, quality safe installation. Free estimates. 10% POA discount. Michael. 352-978-7015.

Radech Home Improvement - Remodeling & repair, 10% POA discount, 563-271-1296.

Relax In Comfort - Beds and mattresses. Lake Sumter Landing. 10% POA discount, 352-674-9300.

ScentSational Candles and Gifts - 994 Alvarez Avenue, Spanish Springs, 352-753-1604. 20% POA discount on any one non-sale item.

SmartSafe Tornado Shelters - One day installation in garage floor or carport. Call Pat Tripp at 352-702-6386. 5-10% POA discount on selected models.

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