

The POA Bulletin

Free Copy



The Property Owners' Association of The Villages

Issue 37.11

Champions of Residents' Rights Since 1975

The POA Website – www.poa4us.org

November, 2011

Questions & Answers

From October POA General Meeting Forum

1) I submitted a claim to Owens Corning (OC) at least six months ago. I called them and they told me I was on the list they sent out. Is there anything else I can do? A: Everyone on the OC list should have a CLAIM NUMBER. If you do not know yours, call OC at 1-800-ROOFING and ask for it. Taking care of the claims on the list is ongoing. OC has an inspector who inspects your roof and if you qualify for a new or partial shingle replacement, OC will provide the shingles and hire a local roofing contractor to do the installation.

2) When will all of the recreation centers have automatic doors for residents in wheel chairs to be able to get in and out? A: There is no plan to make that changeover. All of our facilities have been recently reviewed for ADA Standards. If you go to the district web site - districtgov.org - there is a section pertaining to ADA and if you will fill out a form and send it in, our ADA compliance officer will address any questions or issues.

3) What is the status of the tunnel under CR 101? A: The attorneys have now come together and on Friday, October 14th, District 3 signed the Agreement which had previously been signed by the manufacturer. The manufacturer now has a 75 day window to complete construction and put the new tunnel sleeves in. Concurrently, they will also be working on the path itself, because the tunnel floor must be dropped by a foot. This necessitates that they reconfigure the path to allow the appropriate slope into the tunnel.

4) I live on a retention pond. They cleaned it twice but it is still has the same scum. A: As far as cleaning, the District normally does not clean. We treat for the hydrilla which can show up in any pond - all it takes is a bird carrying a little piece. It is an intrusive vegetation. We treat for the hy-

drilla which then causes the green algae on the top of the pond which then has to be treated to get rid of the algae. The ponds are really living organisms. They get sick, they get healthy, contaminated, etc. (District staff will take a look at the particular pond - Palermo Circle - in question.) Note, however, that care must be taken to be sure that there are not so many chemicals in the pond that there is a fish kill. (As a promised follow-up, we were advised by Janet Tutt that this pond has been sprayed and once the surface covering dies, it will sink to the bottom.)

5) I live in Bridgeport at Lake Sumter. When we bought here there was a lake behind us. It appears that they play with the water level of that and I am wondering what the plan is to that as it is now almost dry. A: Some ponds are used for holding facilities for effluent, some are used for storm water and some ponds are not used for anything and simply dry up, by nature or by sink holes. The water feature he is referring to is the wetland on the Arnold Palmer Course. This would not be a pond that was drained as it is part of the natural environment. Drying up is part of a ponds natural evolution. However, in heavy rain events, water CAN be

released into the area to relieve the burden on other water bodies.

6) I see in our monthly statements from the VCDD that the cost of the water is going up next month. Is the new owner subject to any public utility regulations or does there have to be a public hearing before any raises can be put into effect? I have the LSSA utility. A: This utility is owned by the Village Center District. The utility has a scheduled 2.5% annual increase that was a result of a rate study that was conducted two years ago which was designed to establish adequate reserves for the future of the utility. In addition, one of the challenges with water systems in Florida is when the water management district imposes restrictions and you

(Continued on page 2)

UPDATE

AC Underground Refrigerant Line Service Warranty Extended

In the October Bulletin we reported on the new, broadened, AC Underground Refrigerant Line Service Warranty provided by the Developer. In case you missed it, we are again providing a copy of the Extended Service Plan which can be found on page 6.

The POA is continuing to follow this issue as homeowners make their applications to Home Warranty for reimbursement of expenses related to the copper tubing that has already been replaced. We have heard from some residents who have benefited from the Extended Service Plan, as well as others who have been unsuccessful in obtaining refunds.

The most frequent question we have received is how to proceed with new failures, especially if they would occur on a weekend. We contacted the Warranty Department and

(Continued on page 2)

November 15, 2011

POA GENERAL MEMBERSHIP MEETING

Third Tuesday of the Month – 7:00 PM

Laurel Manor Recreation Center

Speaker: Diane Tucker

VCDD Administrative Operations Manager

Deed Compliance Procedures

in The Villages - How They Work!

Presentation followed by
Question & Answer Session

Coffee & Donuts

FOR ALL AFTER THE MEETING

ALL RESIDENTS WELCOME – COME AND JOIN US

Q&A

(Continued from page 1)

cannot use the water, it then reduces the revenues back to the utility. Thus, when you cutback water usage there still has to be revenue to operate the plant. Thus the scheduled 2.5% increase. What the District has committed to do is at the 4 to 5 year mark, review this to determine where we are in water consumption as to whether or not that increase has to continue. □

Warranty Extended

(Continued from page 1)

the following is the advice they provided: “Residents should always **contact the Warranty Office** first. If a problem arises after regular business hours the recording at the Warranty Office business number will refer them to an after hours emergency number. That number is active 24 hours a day if the Warranty Office is not open.”

Reminder to residents who will be seeking coverage under this Extended Service Plan:

1) If you sent the POA the survey form with your original documents attached, and you did not retain a copy of the receipts for yourself, please contact us at rym101@aol.com and we will return your copy as it will assist you in applying for reimbursement with the Warranty Department.

2) It was noted in the article in the September 16, 2011 edition of the Daily Sun that if you paid for this repair previously but do not have your receipts you should still go to Home Warranty with as much information as you have because, “...they are committed to solving all the issues related to the leaking refrigerant lines.”

3) You will find the required Request for Reimbursement Form on page 14.

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 ensure that facts reported herein are true and accurate to the best knowledge of the POA and are taken from reliable sources.

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While we’re very pleased that the majority of residents are having success in getting refunds for the costs associated with replacing their defective underground copper line sets, we are disheartened by some of the feedback we’ve received, which shows that The Villages Home Warranty is still avoiding responsibility and denying some claims in a way that seems contrary to the intent of the new extended warranty on copper line sets offered by Mr. H. Gary Morse.

In one instance, homeowners Don & Anna McTigue in Lynnhaven, an area that has been affected with a particularly high rate of failing line sets, applied for a refund and were denied. We’ve been told their air conditioning failed in 2009 and their regular AC vendor convinced them to put a whole new system in their 5-year-old home. The new system was installed without replacing the original underground refrigerant lines. Within a week of the installation there was no cool air. After several refills of coolant had also leaked away, the original copper was finally replaced with new lines running through the attic instead of underground. The new copper lines fixed the problem, but this work was not billed out separately by the vendor. It seems obvious that the copper tubing was the culprit in the first place, and was very likely the cause of further damage to the system due to moisture from the underground lines getting into other system components. It’s even conceivable that because of leaking copper line sets the McTigues were the victims of a possibly unscrupulous AC vendor who recommended a whole new system costing thousands of dollars, instead of replacing the failing components of their original, 5-year-old system. This vendor is now out of business.

In a similar case, Lynnhaven resident Rosemary Finnerty was also convinced by a vendor that a whole new AC system was needed when her cooling failed this summer in her 7-year-old villa. A neighbor who was aware of the ongoing copper tubing issue pointed out that the copper line set was probably the culprit and that a new line set should be run for the new system instead of relying on the original underground tubing, as the installer had intended. Because of the high rate of line set failures occurring in the neighborhood, leaking copper lines were very likely causing or contributing to the

(Continued on page 6)

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 Update

Issue Number One

At the August 18th VCCDD meeting, District Manager Janet Tutt reported to the Board that, “On August 3rd, the District’s attorneys and I met with the Chief Counsel’s office of the Internal Revenue Service. The purpose of the meeting was to clarify the time frame involved for the Technical Advice, identify any additional documents and information being requested, and to clarify issues. The meeting was very productive. We are providing the requested documents and we are revising the legal analysis to incorporate additional information requested...”

The parties agreed to a tentative submission date of September 2nd for both the District’s and IRS Agent’s legal analysis. The VCCDD was ready on the 2nd, but the IRS Agent requested more time. The IRS Agent did not submit the requested documents and information until early October. According to Ms. Tutt, “...Chief Counsel has advised while they will address this issue in a timely manner after document submission, no scheduled response time has been or will be provided as they wish to conduct a thorough review of the issues.”

Issue number one – Does the Villages Community Development District (VCCDD) meet the IRS requirements to be classified as a political subdivision within the meaning of section 1.103-1(b) of the Income Tax Regulations (“Treas. Reg.”)? (Note: Rev. Rule 78-276, 1978-02C.B. 256, states “...that the term ‘political subdivision’ has been defined consistently for all Federal tax purposes as denoting either (1) a division of a state or local government that is a municipal corporation, or (2) a division of such state or local government that has been delegated the right to exercise sovereign power.”)

The District’s submission concluded as follows:

“IV Conclusion: The Center District is properly treated as a political subdivision of the State of Florida.

As discussed above, if it is a separate requirement that a political subdivision be treated as a ‘division’ of a state or local government, the Center District is properly treated as a division of the State of Florida.

(Continued on page 4)

NOW ACCEPTING 2012 POA MEMBERSHIPS

On behalf of the Officers and Directors of your POA, we would like to say “thank you” for the tremendous response of members renewing their 2011 POA memberships and also for the many, many new members who have joined with us in 2011 as a way of supporting Residents’ Rights for all Villagers. Our desire is to keep each of you informed of facts about issues which may not have been clearly or fully presented in other media. The POA Mission Statement and the POA’s ‘Bill of Rights for Villages Residents’ can be found on page 2 of this Bulletin.

Our membership year runs from January 1 through December 31. We are now accepting 2012 POA memberships. Please use the form below. POA members will have access to discounts provided by our Discount Partners listed on pages 20-23 and POA members who have provided us with an e-mail address will receive our monthly POA Email Newsletter reminding them of the speaker and date of the upcoming monthly POA membership meeting, as well as informing them of any mat-

ters that we believe they should be aware of on a timelier basis than what our monthly Bulletin can provide.

We would also like to cordially invite you to attend one of our monthly meetings, which is where we are alerted to possible problems that residents are experiencing, i.e. vinyl siding failures, roofing issues, air conditioning failures, etc. The POA meeting is held the third Tuesday of each month at 7PM at Laurel Manor.

A typical meeting consists of about 30 minutes of organization business (treasurer’s report, minutes, etc.), reports from Shine, cash raffle, updates on the IRS, progress of The PALMS, etc.; 30 minutes of an open forum where attendees can **ask any questions they want** us to find answers to, or present problems they are facing; and a guest speaker who will talk for approximately 15 minutes and answer questions for 15 minutes, which concludes the formal part of the meeting. Attendees are then invited to join us in some social time where the POA provides free coffee and donuts. □

POA 2012 Membership – New / Renewal and Contribution Form

Please complete each section and return to: **The POA, P.O. Box 1657, Lady Lake, FL 32158**

New Renewal Number of People in Household

PLEASE PRINT!

NAME(S)(1) _____
(Same Last Name)

NAME(2) _____
(Different Last Name)

ADDRESS _____

VILLAGE _____

CITY/STATE/ZIP CODE _____

PHONE _____

E-MAIL _____
(We respect your privacy: Your E-mail address is for POA Official use ONLY)

1. Membership New/Renewal: Please enroll my membership in the POA for 2012 at the Annual Rate of \$10 per household. A check payable to POA is enclosed. Memberships are for Households and run annually from Jan 1st to Dec 31st. (check the box that applies)

Please mail my Membership Card to me at the address above. I will include a stamped, self-addressed envelope with this form and my check. Please hold my POA Membership Card for me to pick up at one of the monthly POA meetings.

2. Additional Contribution: Please accept my additional contribution to the POA in the following amount:

\$10 \$25 \$75 \$100 \$_____ (other - please indicate amount)

Total Amount Due: _____

THANK YOU FOR YOUR SUPPORT OF THE POA AND YOUR GENEROUS CONTRIBUTION

Dues Paid Date _____ (Office Use Only)

IRS

(Continued from page 3)

In addition, the Center District has been delegated significant eminent domain, police and taxing powers. The Center District only needs to possess more than an insubstantial amount of any one of these powers to be considered a political subdivision of the State of Florida under Section 103 of the Code. Even if it were determined that the Center District did not possess a substantial amount of any of these powers, the Service has taken the position that two or more sovereign powers that are marginal on grounds of substantiality can be aggregated to support a determination that an entity has substantial authority to exercise sovereign power. In fact, however, the Center District has significant amounts of all three sovereign powers. Accordingly, the Center District is properly treated as a political subdivision for purposes of Section 103 of the Code.”

The IRS Agent’s Submission concluded as follows:

1) “Based on the foregoing, we determine that the Center District was not controlled by a state or local government and was not moti-

vated by a wholly public purpose during the period of November 29, 1993 through June 1, 2004. We conclude that the Center District did not qualify as a division of a state or local government and was not therefore a political subdivision under Treas. Reg. sect. 103-1(b).”

2) “In summary, during the period of November 29, 1993 through June 1, 2004 the Center District was delegated no police power under Florida law (in fact the police power has been expressly withheld), no taxing power that could be exercised (and no realistic possibility that it will ever be exercised), and the power of eminent domain for only limited purposes within its boundaries and even more limited power beyond its boundaries subject to the control of units of local government. Based on the foregoing, we conclude the Center District was not delegated a sufficient amount of any sovereign power to allow it to qualify as a political subdivision.”

The Complete Legal Analysis documents of both the VCCDD and IRS Agent can be found on the VCCDD web page. Go to districtgov.org, scroll down and on the left you will see a link identified as IRS UPDATES.

At the October 20, 2011, VCCDD meeting, Ms. Tutt advised the Board that, “...you will quickly and easily note when reading the document (prepared by the IRS Field Agent) that there are a number of factual errors. The District is considering the submittal of a brief in response to clarify the facts.” □

POA Elections at November Meeting

Nominations for the election of POA officers and directors are now open. Anyone wanting more information on serving on the POA Board should talk to any officer or director for more information. The term of office is one year. You might find the opportunity to serve to be rewarding and not as much time as you might imagine. Elections will be held at the November membership meeting and the swearing-in of officers and directors will be conducted at the POA meeting in December. Candidates thus far include:

President – Elaine Dreidame
 Vice President – Bill Garner
 Treasurer – Jerry Ferlisi
 Secretary – Carolyn Reichel
 Director – Ken Copp
 Director – Myron Henry
 Director – Ron Husted
 Director – Jerry Vicenti
 Director – Sal Torname

Our By-Laws permit us to have a maximum of 9 Directors in addition to our 4 officers. Additional nominations will be accepted from the floor at the November POA Membership meeting. □

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Moffitt's Role In The Villages Needs To Be Clarified

The name of the Moffitt Cancer Center is coming to The Villages. But, despite what some residents have been led to believe, it has been stated that the only physician to be present in the proposed center is a paid radiation oncologist whose position was previously offered to a local specialist. Any participation thereafter would depend on local doctors.

The Moffitt has, unfortunately, experienced deep financial cuts in their funding from the State of Florida. As can be expected, physicians at the Moffitt in Tampa are now compensated, at least partially, by the business they generate. If patients are treated locally in The Villages, the revenue diminishes to both Moffitt physicians and their institution. How so?

There are two components to radiation treatment. The first is derived from physician participation, and represents an estimated 17% to 26% of total cost. This represents the radiation oncologist's billed component. However, Moffitt would have received 100% of revenues from both physician

participation and technical component if the patient were to be treated in Tampa.

Throughout our long standing relationship, Moffitt has shown that they are indeed deeply concerned with patient care, but these economic realities remain. It is not realistic to expect the sort of Moffitt presence that is being promoted by the Central Florida Health Alliance when local participation in The Villages would result in a significant loss for the Moffitt overall. Furthermore, the details of their association continue to be glossed over in press releases.

University centers should always remain an integral part of quality care, and function as originally conceived: a referral source for consultation and to provide special surgical intervention when appropriate.

In essence, care will not advance solely with the arrival of a recognized name. As accreditation has shown, a superior level of medical excellence is already here.

Norman H. Anderson, MD
Robert Boissoneault Oncology Institute

Warranty Extended

(Continued from page 2)

failure of the system. The suggestion was accepted by the vendor and the new system was installed using new copper lines through the attic instead of reusing the old underground lines. But again, the billing was a lump sum, not itemized.

These homeowners did not ask Home Warranty for reimbursement of their entire systems, only a reasonable amount for replacement of the line sets, like others in their neighborhood are receiving. Yet they have been denied because the billing was not itemized. Understandably, the Developer has limited the new warranty coverage so as not to include entire new AC systems, but isn't the intent of Mr. Morse's program to resolve line set related failures? It is simple enough to test the abandoned underground copper lines to determine whether they have the same formicary corrosion and pinholes as found on other copper tubing in the area. POA members are willing to pull the abandoned copper tubes for the McTigues and Ms. Finnerty in order to examine and test them, which will prove whether or not the copper lines were leaking.

If an AC vendor is no longer in business, the charges cannot be broken down on a revised invoice. But in one of these cases, we're told, Dennis Stradinger of Home Warranty dismissed the homeowner, saying that it wouldn't matter, even if the homeowner were to obtain a revised invoice from the vendor, the claim would still be denied.

We are confident the new underground refrigerant line warranty plan was written by Mr. Morse in good faith to resolve problems related to leaking copper line sets, and not to provide loopholes to exclude homeowners who did not follow a procedure that wasn't even in existence at the time of the occurrence. We feel that Home Warranty is misinterpreting the intent of this plan which Mr. Morse developed in an effort to make good on the cost of repairs for failed line sets within a 10 year window for each home.

We urge Home Warranty to reconsider their position with regard to instances such as these, and offer compensation for these line set replacements in an amount similar to that being refunded to homeowners that do have itemized billing, if indeed "...they are com-

(Continued on page 7)

EXTENDED SERVICE PLAN	
Cost to Homeowner	\$ 0
Effective Date	September 15, 2011. See "Term" section below.
Coverage	Repair and replacement of HVAC copper refrigerant lines, together with the cost of the repair and/or replacement of other air conditioner components whose failure is reasonably related to the failure or leaking of such HVAC lines due to corrosion.
Assignability	Automatically extends to subsequent owners.
Term	This ten (10) year term will cover new homes sold before and after the Effective Date. Examples of how the term will be applied: <ul style="list-style-type: none"> • A new home sale closing that occurred eight (8) years before the Effective Date (September 15, 2003) will be covered by the Plan for matters falling within the Plans Coverage back to September 15, 2003, and for an additional two (2) years going forward so that the effective term of the Plan is ten (10) years for the home. • New homes sales occurring on October 1, 2011, will be covered by the Plan until October 1, 2021. • New home sales closing prior to September 15, 2001 will not be covered by the Plan.
Limitations	After September 15, 2011, all requests for work under this Extended Service Plan must go through The Villages Home Warranty Department (352-753-6222) so that the obligations of the manufacturers and installers can be maintained. Similarly, all requests for reimbursement for past air conditioner repair work will be processed by The Villages Home Warranty Department. All future service work not going through The Villages Home Warranty Department will void this Extended Service Plan. The costs of simply upgrading an existing air conditioning system, cosmetic changes, and other air conditioner matters not resulting from a HVAC line failure are not covered by the Extended Service Plan, but some of these air conditioner matters may be covered under the manufacturer or installers warranty. Check with The Villages Home Warranty Department if you have questions. There are no warranties, express or implied, which extend beyond the Coverage described above.

THE VILLAGES OF LAKE-SUMTER, INC.
By H. Gary Morse, President

ROHELAW.COM



Jonathan D. Knott

Rohe Law would like to announce that Jonathan D. Knott, Esquire has recently joined the firm. Jonathan graduated in the top 3% of his class at Barry University, and received the highest grade in his class on the Florida Bar Exam.

Tavares Office
(352) 742-1876

Oxford Office
(The Villages)
(352) 399-2033



A.J. Rohe



Thomas Holden



Paul W. Darby

Warranty Extended

(Continued from page 6)

mitted to solving all the issues related to the leaking refrigerant lines.” How could the McTigues, Ms. Finnerty, or other homeowners possibly have known at the time to request an itemized statement from their vendors? These homeowners are not asking for reimbursement of the entire system, only a fair and reasonable amount to compensate for the failure of the original copper refrigerant lines. They simply needed to get their AC working, did what their vendor recommended and paid what was billed!

Even though this issue may not affect you at present, it would be wise to take note of it for the future. Should your air conditioning fail to work due to leaking underground copper line sets during your home’s first 10 years, be sure to follow the specific procedures outlined in the Plan to obtain coverage under its terms. □

... another point of view



**THE VILLAGES
DEMOCRATS**

<http://thevillagesdemocrats.com>
352-259-1426

AAC Meeting Summary October 12, 2011

Old Business Topics Included:

- Staff reported that most of the equipment has arrived for the “Gate Camera Pilot Project.” Installation should begin soon at the Chatham (manned) gate and then followed by the Del Mar (unmanned) gate.
- Staff will analyze the Tierra Del Sol Recreation Center layout to estimate how much additional space might be made available.
- The refurbishing and widening of the golf cart trail on the north side of the Paradise Recreation Center and the shade structure at the Paradise Archery Range have been completed.
- Property Management will be running electricity to the Hilltop Pool shade structure and installing ceiling fans.
- The Chula Vista/Mira Mesa Multi-Modal Path reconstruction project has reached “substantial completion” with final completion still planned for October 28th. The AAC approved Change Order #2 for \$28,919.32 for additional paving and concrete work as well as additions to the scope of the landscaping and irrigation project.
- The Committee reviewed and approved a recommendation from staff to spend

\$118,650 for the installation of a fully independent electrical irrigation system at the Mira Mesa Golf Course to replace the antiquated hydraulic system currently in place.

- The AAC requested revisions to the proposed form for reporting of gate attendant activities.
- The AAC approved the first amendment to the Ground Lease with The Villages of Lake-Sumter Inc. for the construction of a permanent audio booth and possible refurbishment of the hospitality stations at Spanish Springs Town Square.
- An AAC member requested that the Committee discuss at its November meeting, the hiring of independent legal council to review all legal documents the AAC is asked to approve, rather than utilizing the VCCDD attorney to answer questions raised by committee members. Mr. Moyer, the VCCDD member of the AAC, volunteered to make a motion at the next VCCDD meeting to authorize the VCCDD attorney to provide the AAC with an opinion on all legal documents provided for approval.

New Business:

- The Committee reviewed and rejected a proposal to spend \$163,800 for excavation at the Paradise Dog Park and installation of 18,200 square feet of synthetic K9 Turf.

(Continued on page 8)

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AAC Meeting

(Continued from page 7)

- A request to purchase audio equipment for AAC meetings was tabled until next month in order to have the proposal reviewed by the Audio Visual Club which will operate the equipment.
- The AAC reviewed and accepted a request from Carriage Houses of Glenview to transfer responsibility to the amenity system for the exit only gate at the end of Willow Brook Lane.

Consent Agenda:

- A consent agenda item to include the maintenance of an area west of Lago Paquito Lake bank was approved.

PLEASE GO TO THE districtgov.org WEBSITE FOR THE OFFICIAL MINUTES, AGENDAS AND MEETING SCHEDULE

NEXT AAC MEETING – WEDNESDAY NOVEMBER 9th, 1:30 P.M. AT THE SAVANNAH CENTER □

POA Hall of Fame

POA Hall of Fame nominations are now being accepted for 2011. A nomination letter should include information on how to contact the nominee, a rationale explaining why the nominee should be inducted into the POA Hall of Fame and the name of and contact information for the nominator. Nominations must be received by the POA Board of Directors by the first of December. Nominations may be submitted by mail to The Property Owners' Association, P.O. Box 1657, Lady Lake, FL 32158-1657 or emailed to Board member Myron Henry (mshenry@gmail.com) as email text or as PDF or Word attachments.

Induction into the POA Hall of Fame is an honor reserved for past or present POA members who have made notable contributions to the POA and to residents of The Villages. A list of previously inducted POA Hall of Fame members appears on page 23. The POA Board will carefully consider all nominations and collectively decide on which nominees are to be formally inducted into the POA Hall of Fame for 2011. The formal induction ceremony will occur at the December POA membership meeting. □

Best Thanksgiving

Thanksgiving is here,
so our minds have turned
to what time has taught us,
to what we've learned:
We often focus all our thought
on shiny things we've shopped
and bought;
We take our pleasure in
material things
Forgetting the pleasure that
friendship brings.
If a lot of our stuff just
vanished today,
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By Joanna Fuchs

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Community Watch Pilot Study

Earlier this year, the AAC authorized the purchase of two sets of enhanced camera recording equipment to be tested at the Chatham (manned) and Del Mar (unmanned) gates. With a price tag of approximately \$70,000 per year per gate for gate attendants (and still rising as the minimum wage increases), the AAC is trying to determine what activity takes place at the gates and how it can be addressed in the most cost efficient manner. Once the cameras are installed (hopefully soon), the pilot study will record video of all activity at these gates, both entry and exit.

Along with the video, the Committee requested that gate attendants report activities requiring attendant intervention. At the October 12th AAC meeting, Scott Wilder, head of Community Watch provided two proposed formats for tracking activity at manned gates north of CR466. The Committee requested changes to Mr. Wilder's original Gate Log Tally report structure to better understand the time periods when the reported events are taking place (time of day and day of the week). By analyzing any clustering of particular activities at the gate, staff may be better able to structure key time periods for manning of gates rather than 24/7.

Further, the reports may also indicate the magnitude of activities that might be handled more efficiently at a central location via the "call" button at each gate. The gate attendant customer service activities to be reported via the Gate Log Tally Form are: Requests for Directions, Information, Animal Search, Lost/Found Articles, Move In/Move Out, Rental Keys Turned In and Sprinklers. In addition, a Gate Log Incident Description Form will provide brief details of when gate attendants play a part in incidents involving safety. This form will describe specific unique incidents where a gate attendant was utilized to report accidents, injuries, road hazards, etc.

Data from the test cameras and attendant reports will help staff and the AAC determine how to best utilize gate attendants and cameras. Access to The Villages neighborhood roads has changed significantly since the manned gates were first located. Now that all our roads are public access, it may be appropriate to make changes in the gate staffing

plans. Community Watch may also be able to utilize technology advances that have been incorporated south of CR466 to improve the security aspects north of CR466 while reducing the overall cost and maintaining/improving customer service levels. □

PALMS Update

PERFORMING ARTS of LAKE, MARION & SUMTER

President's Message by Bob Rutkowski, PALMS Volunteer Fall 2011 Newsletter:

"In the first year under the new PALMS Board of Directors and officers, the transition from a Villages centric view to a tri-county focus was an exciting process. We learned a great deal and updated our internal operations. More importantly, our Executive Committee is exploring a number of strategic partnerships with other tri-county organizations. The key learning has been the area-wide support for a world class performing

(Continued on page 10)

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PALMS Update

(Continued from page 9)

arts center. While there is a diversity of visions, the need for a 1,700 to 2,000 seat facility in the transportation center of our area is clear.

The leadership is committed and energized. The Board of Directors has never been stronger. The Executive Committee remains in place. Jean Corley-Wix, who has invaluable experience and abilities as the former vice president of the previous VPAA, replaces Bill Hicks as vice president, while he moves to the Nominating Committee. The treasurer and secretary both returned. Our search for funding leads has expanded throughout Lake, Marion and Sumter counties. We are also looking to national foundations, state sources, and federal government funding and investment programs.

The difficult times for our economy have had a disproportionate negative effect on the arts, particularly new facility funding. Faced with such challenges, we have added Dorian Chapman, a former banking executive from Rochester, New York, to the board. His expertise in finance and grants is a great asset. We continue to push on to achieve our Mission of **Creating a Performing Arts Center that is a Jewel to be enjoyed by the People of the Tri-County Area.**

You can find more information on the web page – www.palmsfla.org □

Attention Medicare Recipients: SHINE Time Sensitive Information

Betty Cunningham, Serving Health Insurance Needs of Elders (SHINE) Coordinator for The Villages, advised attendees at the October 18th POA Meeting that those of us on Medicare should already have received the Red, White & Blue Book for 2012. In the back it shows the Part D programs that are available. There are 33 plans in this area.

She stated that it is critical that you re-search your plan every single year.

The premium will change, the deductible will change (the maximum deductible next year is \$320), and the lowest cost drug program next year is the Humana-Walmart which is \$15.10 per month next year. It was \$14.80 this year.

So, if you are not on any drugs and you want to have insurance to protect yourself so that you won't have to pay a penalty if you later decide you want to enroll in a drug plan, you might want to think about going with the cheapest drug program out there, except if

you are a Veteran.

If you are a Veteran, you have special benefits which allows you to sign up at any time for a drug program without any penalty.

This is also your opportunity to change your Managed Care Plan if you happen to be in a Managed Care Plan, like an HMO or PPO. This will be your annual opportunity to change that, or if you want to go from Original Medicare Parts A and B to a Managed Care Plan or vice-a-versa. Now is the time to do that.

SHINE representatives will be at Chula Vista every Friday in October, every Friday in November (except the day after Thanksgiving), and the first two Fridays in December from 3:00 to 5:50 PM.

Betty promised that if you come there they will not leave until you are taken care of. SHINE is at Lake Miona the second and fourth Tuesday of each month and at Colony Cottage the first and third Tuesday of each month October, November and the first two weeks of December from 9:00-11:50 AM. □

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COMING SOON! New Signage for Roundabouts in Sumter County

On October 18th, Sumter County Commissioners approved some modifications to the 20 roundabouts they maintain in The Villages.

The plan is to change some of the current informational green signs at each leg of the roundabouts.

The new signs will advise drivers which lane to enter based on where they wish to go BEFORE entering the roundabout, including the name of the road at each exit.

The County has also agreed to re-stripe the inside lane of each roundabout approach with the correct lane-use arrow as a reinforcement of the information contained on the signs.

An exact time schedule was not provided but it was indicated that residents should begin noticing changes within the next couple of months.

We hope residents will pay strict attention to the new signage and make travelling through the roundabouts safer for all of us. □

VETERANS We Honor You

Thank you for your service to our country. We join the rest of the nation on Friday, November 11th, **VETERANS DAY**, in remembering the sacrifices of America's 25 million veterans and expressing our appreciation for your service.

A Brief History: Veterans Day, formerly known as **Armistice Day**, was originally set as a U.S. legal holiday to honor the end of World War I, which officially took place on November 11, 1918. In legislation that was passed in 1938, November 11 was "dedicated to the cause of world peace and to be hereafter celebrated and known as 'Armistice Day.'" As such, this new legal holiday honored WW1 veterans.

In 1954, after having been through both World War II and the Korean War, the 83rd

U.S. Congress -- at the urging of the veterans service organizations -- amended the Act of 1938 by striking out the word "Armistice" and inserting the word "Veterans." With the approval of this legislation on June 1, 1954, Nov. 11 became a day to honor American veterans of all wars.

The difference between Veterans Day and Memorial Day: Memorial Day honors service members who died in service to their country or as a result of injuries incurred during battle. Deceased veterans are also remembered on Veterans Day, but the day is set aside to thank and honor living veterans who served honorably in the military-in wartime or peacetime. □



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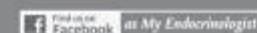
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TIME IS RUNNING OUT!

ATTENTION:

Residents whose homes were built between 2003 - 2006 that have Owens Corning Supreme or Classic Roof Shingles

The Owens Corning Extended Warranty for replacement of blistering shingles offered to the above referenced Villages homeowners, **will expire on December 31, 2011.** Previously, Owens Corning agreed to replace affected roofing materials where blistering was verified upon physical inspection

by Owens Corning representatives as causing performance issues. This offer was extended to any homeowner in The Villages whose Supreme® or Classic® roof shingles were installed between 2003 and 2006, regardless of level of ownership (first, second or subsequent owner).

If you fall into this ‘window’ you need to quickly call in to register any claim you might have. Provide the installation date at the time of the call. The claim will then be put on the inspection list and will be inspected in the order it was received.

A claim kit will be sent to the homeowner, but they do not need to fill it out at that point. Once the roof is inspected, the resident will be notified in writing as to the status of the roof. Status will be one of three things:

1. Replacement necessary (of either entire

- roof or partial);
2. No performance issues found;
3. Request for monitoring period (meaning Owens Corning re-inspects in 6 months).

Owens Corning advises that blistering was found on only a fraction of The Villages houses inspected to date, and that the blistering found was typically in only small areas of the roof. Owens Corning assured us that not all blistering results in a performance problem with the shingle and that in the unlikely event blistering does create a performance problem, the blistering usually presents within the first 5 years after installation. As such, Owens Corning offered to replace Owens Corning™ Supreme® and Classic® 3-tab shingles where blistering was determined to affect the performance of the roof by providing material and labor to replace the defective shingles. This offer was extended through December 31, 2011.

If you have any further questions please don’t hesitate to contact Diane at Warranty Services (1-800-766-3464) □

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*** Letters to the Editor ***

HOME OWNERS AND FENCES

Let me start by saying I am not yet a member of the POA but based on what is going on I soon will be.

I am writing to ask if you are aware of the issue of responsibility for the maintenance of fences within The Villages. I live at 1303 Carolina Court (unit 27 Lot 5) which is off of Enrique Rd. This property is bordered by 4 board fencing on two sides. To the south is the Lakes and Live Oaks development and to the east is a right of way that appears it could be a future access road into the Lakes & Live Oaks. I say it could be because the Enrique Rd curbing is cut and partially paved to the north end of the fence. All of this fencing has been maintained (repaired and painted) multiple times over the past 11 years. I am not sure who paid for this maintenance but I had always assumed that it was the Lakes and Live Oaks, because Lakes and Live Oaks residents had been using the 20 foot area between the fences as both a horse riding trail and a 4 wheel ATV trail. Now it turns out, according to the Property Appraiser's map that the area between these fences is actually owned by The Villages of Lake-Sumter.

The districts are now attempting to pawn off fence maintenance onto the hundreds of homeowners without the benefit of a survey

and they admit that their evaluation and determination is not 100% accurate but they do not have any intention of ever performing a survey. I assume The Villages of Lake-Sumter is actually the VCCDD, but I'm not sure and I don't know of their position on fence maintenance. Regardless, there is nothing in my deed of restrictions that references fence maintenance as my responsibility and after looking at some of the others it appears to be the same. The district contends that the clause pertaining to maintaining the property in a "clean and neat manner" also covers the fence.

So if it is the homeowner's fence can they tear it down? Or, can they paint it any color they wish? Could we end up with one sec-

tion painted pink and others painted green, blue, black, etc.? I think I'm going to go with pink. It will be "clean and neat". None of this seems right to me so I am wondering if this is something that POA would be interested in pursuing. I attended the district 2 supervisors meeting yesterday to discuss this issue and can tell you I was not satisfied with their response. I would be happy to discuss this issue with you if you are interested.

Regards, Jerry Todd

Editor's Note: The basic issue is that previously the numbered districts maintained (painted, repaired, replaced) all of the four board fences. Recently the district staff determined that some of these fences are not on District property. Property Management Director Sam Wartinbee and Valerie Fuchs, attorney for the numbered districts, reviewed all the documents and determined which fences are not on district property and therefore are the responsibility of the property owners. Since district governments cannot legally maintain/improve private property, district staff will no longer be providing maintenance for those fences identified as not being on district property.

In some cases it is not clear if the fence is on the Village resident's property or the adjoining private property. The district cannot pay for a survey to determine who owns those fences on non-district property. The

(Continued on page 15)



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*** Letters to the Editor ***

Fences

(Continued from page 13)

districts are not pawning off the maintenance, but rather are forbidden by statute from maintaining private property. The district cannot pay for the survey for the same reason.

The deed restrictions typically say you must keep your lot "neat and clean." We suspect changing the color of the fence could cause deed compliance issues as well. Check your Declarations of Restrictions for easement clauses that might not allow removing the fence if it is in an easement on your lot.

If the fence in your yard needs painting or repair and someone files a complaint, you could be cited for failure to keep your lot "neat and clean." In the situation you described if it is not clear who owns the property, we can't imagine how deed compliance can fine the resident. Conversely, if the fence becomes an eyesore to the homeowner, he/she would have to maintain it or get the adjacent property owner to assume responsibility. Keep in mind that properties outside the districts are not subject to the deed restrictions of The Villages.

Diane Tucker, Administrative Operations manager for the districts, has responsibility for the Community Standards Department and will be the featured speaker at the POA meeting on Nov 15th. This would be a great opportunity to get your questions answered. □

Appliance Failures Follow-Up

The letter is in response to the letter in the October 2011 paper that discussed a high level of appliance failures. We would suggest that you call your electrical provider and tell them you suspect there might be a ground problem with your service. They will send out a technician who will pull the meter and test the ground. This is a simple test for them and they will not charge you for it.

I suggest that you do not call an electrician.

I had a problem where the signal cable to our new television kept burning out. Comcast tested all of their service lines and said they suspected a bad electrical ground. I called one of our neighborhood electricians to check the electrical ground. They charged

me \$200 and assured me the ground was good. After I still experienced burning cables I called the electrician back and they once again said the ground was good, but I might have "transients" on the power.

I called SECO and explained the problem. They immediately sent a service man out who opened the meter box, tested the circuit and immediately determined I had a bad electrical ground.

(Continued on page 16)

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*** Letters to the Editor ***

Appliance Failures

The SECO service man told me I was lucky that it did not burn out my appliances. I suspect that this may be your problem. Call your power company and have them check it. Do not trust an electrician to find the problem.

Al Beckmann

Editor's Note: Thank you for sharing this additional information. □

Gate Card Readers

We have had to replace a "window regulator" in our car because of the frequent "up and down" of the window to access the gates in The Villages.

We have lived in other gated communities where we could put our gate access card on the inside of the window, and because of the higher frequency, the gate opened. Replacing

the window regulator is expensive--the cost of replacement was \$300.00.

It is my thought that The Villages needs to update the gate access system. Would it be possible to increase the frequency to allow cars to access the gate without opening the window?

I have placed this suggestion on each year's survey, but I have never heard anything about it.

Editor's Note: We checked with Sam Wartinbee, the Director of District Property Management, and he advised that the District uses the best card reader available. However, he also pointed out that the read range is diminished by a) window tinting and b) the video cable in the pedestals south of CR 466.

He has found that the gate control will read a card through the window north of CR 466 but won't south of CR 466. He advised that the problem south is that the video

equipment wiring contained in the pedestals interferes with the frequencies needed by the card reader.

The pedestals are installed by the Developer and they are trying to remedy this problem by placing the video wiring in a copper sleeve to see if that will eliminate the frequency interference.

The Developer's Property Management department is putting together a test gate and will evaluate the effectiveness of the copper sleeve to solve the problem. □

Early Morning Trash Pick-Up Noise

I am wondering if anyone else in The Villages is annoyed by the fact that twice a week at 0530 in the morning the trash collection truck comes around and wakes people up. Isn't there a rule on making noise so early in the AM?

Dennis Carroll

Editor's Note: There is a rule for residents, but not one that is enforceable for vehicles on the public roads. The trash collection is not a District contract, but according to a District Administrator, the trash Company Supervisor usually does try and work with the residents as best he can while still maintaining their schedules. He can be contacted at 748-0109. □

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*** Letters to the Editor ***

Follow-Up to Dark Lamp Posts

I wish that every newcomer to this wonderful place could put aside some of their undoubtedly long-standing prejudices about talking to your neighbor!

The brief "letter" in the October 2011 *Bulletin*, headed "Dark Lamp Post" implied that the writer didn't want to go knock on his neighbor's door to ask about the possibly burned out bulb in that neighbor's lamp post.

One of the very first things that attracted me to The Villages was the clear understanding that the oftentimes long-standing cautionary and negative attitudes about interacting with your neighbors no longer apply!

I think, that while the editor's response may satisfy the writer's concern, you missed the boat.

I'd have said, "Just go knock on their door! You might even bring a replacement bulb! Then the two of you could get into a delightful discussion about changing bulbs, etc., etc., etc."

What could better reflect The Villages?

S. W. Rule

Editor's Note: We appreciate and concur with your additional suggestion. □

Noise at the Tennis Courts

We live in the carriage homes in the vicinity of the Glenbrook CC and the composition tennis courts. A few mornings a week, prior to sunrise there is considerable noise from that vicinity. The sounds are obviously those made by a commercial leaf blower.

It appears that the large parking lot and or the tennis courts are being cleaned or maintained. I understand the need to cut grass on the golf courses, but the noise at that early time seems inappropriate.

Also, there are often blowers in operation after 10pm at night.

Are there any Sumter County ordinances that would apply? It seems that more appropriate times for this activity could be found without too much trouble.

Thank You. Mike Wald

Editor's Note: The maintenance of these tennis courts is the responsibility of the tennis club and not the District.

Sam Wartinbee, of the VCDD Property Management Department, recommended that you talk with the Manager of the tennis club and ask that they speak to the maintenance contractor about adjusting the time of its morning service. □

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Lightning Matters

By Len Hathaway
Study Group on Lightning

The purpose of this monthly column is to inform residents about the various facets of lightning and how it can impact your personal safety, your home, and your sensitive electronic equipment. It is important because we are living in the Lightning Capital of the USA.

As we enter the fall and winter months the frequency of lightning declines. However, don't be fooled – we can and do experience lightning year round. It is a serious danger.

People who survive a lightning experience may be injured for life from a variety of long-term injuries including memory loss, sleep disorders, chronic pain, dizziness, stiff joints,

irritability, fatigue, and depression, among others.

For personal lightning safety one of the best resources is the National Weather Service office in Melbourne, FL. They are committed to “reducing the risk to life, property, and economic interests” of the people they serve. They believe that education about lightning safety is the key to avoid needless exposure to the dangers of lightning. Their theme is; **WHEN THUNDER ROARS, GO INDOORS.**

For information on other lightning related issues such as lightning protection systems (commonly called lightning rods) and surge protection see the Lightning Matters columns in the archived issues of the *POA Bulletin* that can found on the POA4US.Org website.

If your club or organization would benefit from a free non-commercial presentation, *Lightning Tips for Villagers*, that addresses personal safety, residential considerations, and lightning surges to electronic equipment contact me at lhatha@aol.com or my colleague Bob Freeman at stalit1@aol.com. □

Our Gardening Column:

I Love Lichens

by Anne Lambrecht, Master Gardener
annegarden@embarqmail.com

What is that hairy green stuff growing on my tree? The answer is lichens: a flaky, moss-like ancient subspecies of fungus. Lichens are rather pretty. They can be light green, gray, yellow, orange, and brown. They are most often found growing on rocks, gravestones, tortoise shells and on the bark and branches of our trees and shrubs. Lichens grow on every continent of the earth except Antarctica.

Actually lichens consist of two organisms: fungus and algae that live and work together happily. This relationship is called symbiosis. The algae derives water and nutrients from the fungus and then the algae makes food (photosynthesis) for the fungus. Everybody's happy.

Lichens are long lived and well adapted to extremes of heat, cold and drought. Huge amounts of Reindeer Moss (not a true moss, but a lichen) cover the northern Arctic and are food for many creatures living there.

There are mainly three kinds of lichen:

- Foliose lichens are leaf like
- Crustose lichens are crusty (crustose lichens consist of 75% of all lichens on earth)
- Fruticose lichens are round (common fruticose lichens are called “powder puff”

(Continued on page 19)

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Gardening

(Continued from page 18)

and model train people use them for mini trees and shrubs).

“A rolling stone gathers no moss” describes why lichens and moss do not grow on young, healthy, actively growing trees. Stressed trees and shrubs grow very slowly and often have lichens and moss on them.

Lichens and moss are not pathogens; they don't cause disease in plants. They use the plants as a surface to grow on. Plants covered with lichens look sick and the reason is that the plant or tree is sick, allowing sunlight in for the opportunist lichen. Upon further investigation, you will discover the cause of the plant's decline: stress, drought, disease or insects, plant competition, over watering, poor nutrition, improper soil pH or improper pruning. Lichens are not considered pests so there are no chemicals to spray

to control lichens. You can pick them off, or as a neighbor of mine does, wash them off with detergent and scrub brush.

I think lichens are lovely. Lichens are often found growing on trees planted in small islands in parking lots. These trees are stressed by limited soil and root growth, compacted soils and heat stress due to paved surfaces.

Lichens serve an important role in the ecological community by monitoring the amount of pollutants in the environment. Lichens also provide food and shelter for wildlife including some insects, deer, moose and elk, certain squirrels, mice and bats.

So if you can rule out lichens as the cause of killing your landscape plants and check for the other possibilities, you can like lichens, too.

It's just so typical of what is going on at our place right now. Just as I am about to call the mulch guy and have a big load dumped on our driveway, the Husband

comes up with a great idea.

“How about we find the exact size mulch you want and get it in bags”? He thinks it might be cheaper that way but he's got to “study” it awhile and compare the bulk to bagged at several stores.

This puts off the inevitable of spending the better part of a day getting the yard mulched and then if we agree to the bagged type, he gets out of the work altogether.

It just doesn't seem fair, right? But it does seem oh-so-typical. □

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Fitness Challenge November Challenge:

Attention all Villages
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Fitness Challenge #4

By Judi Da Costa, Personal Trainer

THE GREAT H2O!!

The Holidays are almost here and I can't wait to enjoy all the festivities of The Season!!! Being able to move around more easily without getting tired means more fun, right?

So here's this month's challenge. I want you to try to drink one or two more bottles or glasses of water a day, (but not with your favorite shot!!!!) Coffee and sodas and milkshakes do not count either!

Water is so good for you. It can help you to move around a little easier, increase your mental and physical energy levels and may help you to detox through elimination. Your skin will look and feel much better, and you will notice a change. Think about this, when you get that thirsty feeling, your body is already dehydrated.

So let's drink to The Holidays!!!!

Happy Thanksgiving

Write to me at Exercise2gether@aol.com ☐

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(Continued on page 21)



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(Continued from page 20)

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(Continued on page 22)

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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: One Half price single patty burgers; 99¢ single topping sundaes. Valid only at Summerfield.

Sparr Building and Farm Supply - Corner of Hwy 44 & Signature Drive, Wildwood. 352-330-1718. 10% POA discount on fertilizer, water softener salt & pool supplies. Sale items excluded.

Stewart Lawn & Landscape Maintenance - 347-3792. 20% POA discount

Tip Top Tree Experts - All tree work, landscaping, paving, pressure wash, auto body & paint. 10% POA discount. 352-516-8820.

The UK Shoppe - Food from "Across the Pond" Mkt of Marion, Aisle D North. 10% discount, 391-5788. Free Villages Delivery.

Tri-County Landscaping - 25% POA discount off first 2 months of lawn care, 10% all other services, 352-693-3202.

Tri-County Tile & Home Improvements - Lake County Resident & Home Improvement for 25 years. Call 978-3556. 15% Discount (on labor) to POA Members.

Ultimate Handyman Svcs. - Drywall, trim/crowns, paint/remodel. Insured. 10% POA discount. John Sainiak, 352-516-2976.

(Continued on page 23)



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Discount Partners

(Continued from page 22)

Vic's Embers - 7940 US Hwy. 441, Leesburg, 352-728-8989. Complimentary after-dinner cocktail or dessert for each person in the party for POA members. Not valid with other special offers or if in Vic's complementary bus.

***Villages Apparel** - Southern Trace Shopping Center, 352-750-1600. 10% POA member discount off custom screen printing, minimum order 25 shirts.

Villages Car Wash and Lube - Bichara Blvd, La Plaza Grande Center, 352-753-1306. \$1 POA member discount off the regular price of silver or gold wash.

Villagers Home Watch - call us at 352-753-6545. 10% POA discount off regular price of \$40 for first three months of service for POA members.

Weed Getter Landscaping & Lawn Maintenance - Trim Hedges, Mulch, Planting, Etc. 10% discount for new POA Members, 352-361-2854.

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