

The POA Bulletin

Free Copy



The Property Owners' Association of The Villages

Issue 38.06

Champions of Residents' Rights Since 1975

The POA Website – www.poa4us.org

June, 2012

Project Wide Update Leave Your Questions At The Door

First, let's all get on the same page.

The CDD 5 through 9 meetings held last month and the SLCDD meeting held on May 17th were not just to consider if Live Oaks Park development expenses should be paid out of amenity fees. According to District Manager Janet Tutt, use of amenity funds to create the park was never a consideration. The CDD meetings were simply to approve a resolution that would "memorialize" (address in writing) a Project Wide Agreement (PWA) process that the district manager said already existed and would continue to be utilized, whether or not the resolution was passed.

Only the SLCDD Board (for residents south of CR466) has the ability to determine what goes into the amenity system funding – but then again, only the SLCDD Board has the ability to determine what goes into the PWA funding. So the only real purpose the April 20th CDD 5-9 meetings could serve would have been as a wake-up call for those Boards to understand that they had little or no decision making power on anything material.

They all unanimously agreed to the resolution that merely explained what the SLCDD and the district manager were already capable of doing based upon the District Manager's interpretation of early agreements and resolutions which removed all decision making power from the numbered districts. The only exception was a clause that stated if the District Manager wanted to construct a new appropriate (no definition given) improvement on property which the SLCDD had designated as Project Wide property, she would need to receive approval from the

Boards if the cost of the project would be greater than \$100,000. Although Ms. Tutt agreed that this intent was not clear in the language used in the document, she stated that it was her belief that the Boards knew what it meant and that she did not feel it was necessary to revise the language and have the Residential Boards have to sign the agreement again...??? While none of the supervisors in the numbered districts questioned why they had no approval capability for projects less than \$100K, at least a couple of them seemed to be concerned that this might not bode well for the future of their districts.

At the May 17th SLCDD meeting where they wrapped up the "memorialization," POA President Elaine Dreidame addressed the Board by reviewing some of the changes to the PWA documents that had occurred since its original creation in 2003. Each change gave more power to the District Manager and the SLCDD and ultimately stripped all decision making away from the numbered districts, even though they pay 98% of the bills.

Ms. Dreidame provided the public record facts surrounding the changes to the PWA

and asked some very pertinent questions. The SLCDD Board, with support from their attorney, refused to answer any of the questions raised. You can find a complete transcript of Ms. Dreidame's remarks to and interaction with staff and the SLCDD Board on page 19 of this document, which reaffirms that there

(Continued on page 2)

IRS Update Report to VCCDD & SLCDD Boards 5/17/12 by the District Manager

"On April 16, 2012, the District's legal counsel received the new 'Request for Technical Advice TEB Group 7716 Village Center Community Development District'. These facts and the analysis were submitted to the Chief Counsel's office in support of the request for a technical advice pre-submission. This document reflects the additional information that the Chief Counsel's office had requested of the District and the Developer.

"Upon request of this information, a second pre-submission meeting was held among Chief Counsel Staff, IRS Area Counsel, IRS Revenue Agent assigned to this audit, District legal counsel and myself (Tutt) on May 8, 2012. During this meeting facts, legal issues, and process were discussed.

"The District will now revise its previous analysis and will resubmit it. Another analysis from Area Counsel will also be prepared and submitted. The District will be working on its response over the coming weeks and, when completed and submitted will be provided to the District Board along with Area Counsel's submission at the same time. Please note Chief Counsel has the ability to continue to request information, additional facts or further documentation which could

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Tuesday, June 19, 2012
POA GENERAL MEMBERSHIP MEETING
Third Tuesday of the Month – 7:00 PM
Laurel Manor Recreation Center

Tim Babiarz
Attorney At Law

Golf Cart Safety & Things You Need to
Know About Insuring Your Golf Cart
Presentation followed by Question/Answer Session

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Project Wide Update

(Continued from page 1)

was NO intention to overrule the residential districts’ approval of the resolution as alleged by Supervisor Schmid in a quote in the May 18th Daily Sun article, but rather, a request that the SLCDD **TABLE** Resolution 12-10 in order to discuss **amending the PWA in order to return the required approval of residential districts to place properties in the PW Exhibit, and if they would not agree to that, to table Resolution 12-10 in order to amend it to make sure the language in the document actually said what Ms. Tutt stated was her interpretation of what it stated in order to avoid any clarification problems in the future.**

Following Ms. Dreidame’s remarks to the Board, which resulted in not a single question being answered, other residents raised their hands to be recognized by the Board Chairman.

Jerry Ferlisi, a resident of CDD7, commented that “in view of what has been said today about documents appearing to have been amended and no one recalling how it happened, I really don’t know how you can pass this resolution as it stands, without going back and at least providing some of the answers to the questions raised today. If you vote today without responding to some of those questions, I think it casts you in a very bad light.”

As mentioned in the Daily Sun on May 18th, resident Rich Lambrecht addressed the Board and suggested that rather than vote on the “memorializing” resolution which staff said was not necessary, why didn’t the Board direct staff to provide a resolution that would restore PWA decision making power to all parties that contribute funds to the agreement, as it was originally in 2003? Since FL Statute Chapter 190 envisions CDD govern-

ance transitioning from Developer control in the beginning, to elected resident control as homes were built and occupied, he asked the Board how they could possibly think it was appropriate to strip decision making from the resident elected numbered CDD Boards and give it back to a Developer controlled Board? He asked how such action could be in the best interest of residents who pay the bills and further questioned if the SLCDD Board thought that poorly of the Boards the residents elected, that they needed to severely limit their authority?

Like Ms. Dreidame’s questions, Mr. Lambrecht’s questions were not answered by any SLCDD Board member. In fact, a SLCDD Board member interrupted Mr. Lambrecht to make the motion to pass the resolution which was quickly seconded and unanimously approved by the Board. The fact that the current audience member was still at the podium and that there were others waiting to comment did not matter to this Board which moved on to their next agenda item.

Ms. Tutt followed with this statement: “Board members, I advised Board members when I met with you, and Mr. Lambrecht is correct and Ms. Dreidame is correct. This community is building out. There are changes occurring – an area was added to PW based on a resident district Board wanting it and I see in the future the addition of District 10.... This community is changing, changes will be coming in the future once we have completed the entire build-out of the area. So, I don’t disagree with a number of the comments that were made. I think this is part of the growth process south and it’s about to be completed...”

Following the vote, Sal Tornante of CDD 8 stated he had gone to the District 8 meeting and he was appalled to see that there was no discussion among the Supervisors on this issue, just a vote, and that this manner of gov-

(Continued on page 3)

POA Mission Statement

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

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

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

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

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

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

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

The Villages Residents’ Bill of Rights

RESIDENTS have RIGHTS to:

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

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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Project Wide Update

(Continued from page 2)

ernance appears unprofessional and raises many questions with the residents.

Myron Henry a resident of CDD 7 approached the podium to express his dismay that the Board did not allow other audience members to speak on the PW issue before the Chairman called for a vote on the motion and, in fact, cut off audience comments instantaneously when there was still a speaker at the podium.

It was totally inappropriate.

In summary, some things are quite clear. First, Live Oaks Park is a beautiful addition to the parks and other amenities in The Villages, no matter how it came to be. Secondly, residents south of CR 466 do not have representative government and are not likely to ever have it. Their decision making rights were abdicated when their CDDs were still under the control of the Developer and their current resident elected supervisors don't seem to notice their lack of oversight responsibility for the most important and costly items for which resident assessments are used to provide. Even if you are quite happy with the way things are done now, the current District Manger will not be here forever and the commercial interests that control the district manager and the SLCDD Board could change overnight. Representative government is a cornerstone of the American way of life. We think it should be given a chance south of CR466. □

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THE POA HAS YOUR BACK DO YOU HAVE OURS?

We still have concerns in The Villages – the eventual outcome of the ongoing IRS investigation; the desire for the creation of a resident elected Amenity Authority Committee for the Sumter Landing Community Development District residents, ongoing issues with the use of Project Wide Funds, to name a few. The more members the POA has, the better able it will be to help manage good results for residents if there are problems. We are supporting you. We urge you to support us.

We put a Bulletin on almost every driveway in The Villages every month. We believe it is important that all residents have all of the information about happenings and events in The Villages as they make decisions on various issues. The POA has no ties

or obligations to the Developer which might compromise the POA position or its advocacy of Residents' Rights.

We are making every effort to research the issues and advise you of any pertinent information which was not included in the various Villages media outlets. If you believe we are providing a service and you read the Bulletin, we urge you to become a POA member. (Membership form and information below – annual membership year is from January 1 through December 31.)

Paying a membership fee of \$10.00 per year is an investment in your future as you will be helping to keep the POA financially sound and your membership numbers will increase our 'clout' if action needs to be taken. □

Make An Investment in Your Future!

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

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(Same Last Name)

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(Different Last Name)

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(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:

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IRS Update

(Continued from page 1)

possibly result in this process being repeated.

Ms. Arceneaux, IRS agent, provided the District with a letter from Ms. Price, a State Certified General Real Estate Appraiser, dated February 13, 2012. In response to the letter, Ms. Arceneaux, Ms. Price, District counsel and staff have had continued conversations regarding the letter and its findings.

On May 14, 2012, the District followed up on a telephone call held with Ms. Price, Ms. Arceneaux, District Counsel and myself.” (The documents referenced above can be found on the District website - districtgov.org - just click on IRS Updates on the left side of the home page).

After reading the memo into the record, Ms. Tutt elaborated. “I was somewhat pleased to report that although the valuation is not completed because there are still some issues, Ms. Price has finally understood or accepted the fact that what was purchased was not just the infrastructure but the amenity revenue stream and that is a MAJOR CHANGE. It is a position of course that the District has held continuously. There are a couple of outstanding items still to be worked through and you will see them in the follow-up letter. One has to do with the discount rate* and the second, if you will recall from previous documents, Ms. Price continues to take a look at the revenue PER EACH

PURCHASE, but the expenses on a CUMULATIVE BASIS, so that double counts the expenses on each purchase.”

This IRS communication concerns the valuation issue. The issue of whether or not the VCCDD meets the IRS standards to be identified as a political subdivision of the State; whether the Issuer was controlled by a state or local government unit and was motivated by a wholly public purpose, such that it was a division of state or local government, and whether a sufficient amount of sovereign powers was delegated to the Issuer, are also before the IRS Chief Counsel.

It is also important to note that all of the legal expenses are being charged to the VCCDD amenity budget, and it currently stands at \$488,675.30 and who knows how much it will grow. We hope that sometime in the future the party or parties responsible for this initial, as well as continuing IRS investigation, will reimburse the monies expended out of the amenity budget of the residents living north of CR 466.

*For you CPAs and financial wizards out there, Ms. Price’s statements regarding the discount rate used are as follows: ”Mr. Ori and Mr. Israel (District Representatives) both contend that the Discount Rate of 7.0 percent which I used to capitalize the Recreational Department Cash Flow to be derived from the March 2003 purchased assets was too high. Both contend that the proper rate is 5.58% which represents the interest rate as-

sociated with the issuance of the Series 2003 Bonds. The implication being that the rate of return to the VCCDD on the purchased assets should be limited to the interest cost of the March 2003 Revenue Bonds with no additional return required.

“Inasmuch as the VCCDD financial statements reflect line items of interest on invested funds it would seem reasonable to expect that at least a nominal rate of return in excess of the cost of financing would be sought for all invested capital.

“Typically investors expect to receive a return on capital that represents the time value of money with an appropriate adjustment for perceived risk. While it is noted that the risk of not receiving or losing the future amenity fee income stream is low, a Discount Rate inclusive of slightly more than 1.0 percent of the cost of financing is by no means excessive. Said nominal increment would account for a low risk level as the potential for inflationary factors which could affect operations and the purchasing power of the VCCDD. Accordingly, I maintain that the 7.0 percent Discount Rate utilized within my original valuation analysis is reasonable and appropriate.” □

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Golf Cart Crashes With Injuries

These are recent reports (**ONLY THOSE THAT INVOLVED EJECTION, FALLING OUT OF THE GOLF CART, AND/OR INJURIES are provided**) that we have received from Villages residents, Public Safety, and area law enforcement. (Note: we cannot guarantee that the information we receive is completely accurate about all the details.)

April 16th – Vehicle 1 (golf cart) was traveling north on Morse Blvd in the golf cart lane near Navarro Ct. with Vehicle 2 (car). According to the driver of V1 she realized she was traveling in the wrong direction for her destination and decided to turn around and go the other way. She stated she stopped and looked for cars, turned left into the vehicle travel lane and was struck by V2. Golf cart driver was injured and transported to Villages Hospital. She was cited for violation of right of way.

April 17th – A crash occurred at the golf cart tunnel located at S. Morse Blvd. and Stillwater Trail involving a golf cart and a bicyclist who was injured. The bicyclist was northbound entering the tunnel area of the cart path when a golf cart turned in front of her attempting to go through the tunnel. She was unable to stop and struck the cart in the side causing her to fall. She received abra-

sions to her face, arms and legs. She was ambulatory, but she was transported to The Villages Hospital for further medical attention.

April 28th – A male golf cart operator turned left into the path of an oncoming vehicle at the intersection of Avenida and Oak Meadows. **He was ejected from the golf cart** and found lying in the middle of the road. He could not remember what happened after the impact. Because of his memory loss, a laceration to the head and other trauma, he was 'trauma alerted' and flown to Orlando Regional Hospital. The golf cart driver was cited for failure to yield.

May 2nd – Both subjects were driving their golf carts on the golf cart path at the intersection of S. Talley Ridge and Buena Vista Boulevard. V1 was on the Tally Ridge path eastbound while V2 was on the Buena Vista path southbound. As V2 turned right onto the Talley Ridge path, V1 turned left onto the Buena Vista path cutting the corner too short and collided with the front of V2. The driver of V1 suffered injuries to her face when the windshield of her vehicle came loose and struck her. She was transported to The Villages Hospital. As this occurred on private property, no traffic crash report was done and no citations were issued.

May 18th – A car T-boned a golf cart. Vehicle 1 (V1) was traveling westbound on Southern Star Way approaching the intersection of St. Charles Place. Vehicle 2 (V2) –

golf cart - entered the intersection via the northbound golf cart lane. V1 did not stop at the stop sign for her traffic lane and the left front of her vehicle collided with right side of V2. The passenger of V2 was **partially ejected** and sustained serious injuries to her lower extremities during the collision. She was trauma flighted to Orlando Regional. The driver of V2 sustained lacerations to his head and was transported to The Villages Hospital. The driver of V1 did not sustain any injuries and was cited for failure to stop at a stop sign.

Golf cart crash incident reports from residents who were involved in a crash:

March 18th – I was a passenger when I was involved in an accident on the cart path going south on Morse Boulevard at about 10 PM. My husband was driving and slowed down and hugged the right side of the path as he saw a golf cart coming through the tunnel from the opposite direction. All of a sudden the other cart hit our cart head on, on the

(Continued on page 6)



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Golf Cart Crashes

(Continued from page 5)

drivers side. I was thrown forward into the rear view mirror and windshield, then I came backward and **was thrown out of the cart** on the passenger side onto the grass. Police were called and I was taken to the hospital by ambulance. I received five staples on my head and cuts above my eye. I also injured my knee. The driver of the other car said he was sorry, that he had only put his head down for a second. Now I wear a seat belt and shoulder strap whenever I'm in the cart. I never would have thought that someone could get hurt or even killed going at such a slow speed. I just cringe and want to yell at other golf cart drivers when I see them letting

babies and toddlers sit on their laps in the front seats of their carts. I think it should be a law that all golf carts should have seat belts and all passengers must use them.

Donna Fleissner

April 24th - My wife was involved in a golf cart accident @ 3:21PM in front of Riley Grove starter shack on the recreation trail by Buena Vista. She was traveling south when struck in the rear by a cart driven from the grass strip. The description on the accident report says the driver was southbound when the passenger's hat blew off. He pulled to the right side, retrieved the hat, and attempted to re-enter southbound traffic. My wife was struck in the passenger side rear wheel, causing the cart to flip over on the driver's side. **She was ejected onto the roadway.** Fire department people were first there and took her to The Villages Emergency Room. She had no broken bones, but cuts and abrasions on head, arms, hip, legs, and feet. The cart appears totaled.

Bill Meyer □

AAC Meeting Summary May 9, 2012

Old Business Topics Included:

- Our engineering consultant, Kimley-Horn and Associates, hosted a Resident Input Meeting on April 17th at the Paradise Regional Recreation Center to receive input regarding the Paradise Park Master Plan. The meeting was well attended by area residents. Recommendations will be presented to the AAC at the July 11th meeting.
- With the Del Mar Gate cameras now in place, staff recommends placing videos of golf cart operators breaking gates, on the District's website for identification. The Committee also approved placing pictures of offenders and additional information at postal stations.

Consent Agenda:

- The AAC approved Amendment Three to the Agreement with Royce Parking Control Systems, Inc. to add the Vista Sonoma Villas gates to the contract.
- Also approved was an agreement with KB Lawn & Landscaping for landscape renovations to the Avenida Central/441 North and South entries.

(Continued on page 7)

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AAC Meeting

(Continued from page 6)

New Business:

- The AAC requested that information pertaining to Landowner Elections for District 3 and 4 be posted at postal stations.
- Staff reported that the estimated cost for permitting, dredging and lining Lake Paradise is \$1,332,000. This estimate does not include a flood control pump station that could be required by the water management district. The Board was advised by staff that the lake has gone dry about three times in the last ten years and that once we get rain, the lake should return to normal levels. After some discussion, the Committee decided there was no reasonably viable alternative to keep the lake full of water during times of severe drought.
- Staff had received a complaint from the condominium association adjacent to the La Hacienda Recreation Center concerning the trash dumpster. Staff will proactively monitor this site, as well as other recreation centers, to assure the dumpster areas are debris-free, the doors to the enclosures are closed and that the lids on the dumpsters are not left open.

Reports and Input:

- A member of the Committee distributed a chart created by staff that showed the

effect of not increasing amenity fees for residents who already pay \$145, the prevailing rate for new home buyers, or more. Archie Lowry, the attorney for the VCCDD, reported that it was his recommendation that the AAC not defer increases to those above \$145, even though this has been done in the past. With the recent prevailing rate increase from \$135 to \$145 per month, the chart shows that the \$39K reduction in revenue from the deferral of increases above \$145 will be more than offset by a \$114K increase in fees from resales (a net increase in amenity fee revenue of about \$75K for the fiscal year). The AAC members were asked to review the chart for discussion at their budget workshop.

- A Budget Workshop has been scheduled for Wednesday May 16, 2012, at 1:30 p.m. in the Laurel Manor District Office Board Room.

Please go to the www.districtgov.org website for the official minutes, agendas and meeting schedule.

NEXT AAC MEETING – WEDNESDAY June 6th, 1:30 P.M., AT THE SAVANNAH CENTER. □

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POA Elects a New Director

Paul Fusco was unanimously elected to serve as Director at the POA Board of Directors meeting on May 3, 2012. We are confident that he will be a productive member of our Board. We now have four officers and eight directors on the POA Board. It’s great to see this kind of interest in helping the POA perform its mission of advocating for residents’ rights.

Paul is a native of Boston Mass, but spent the last 15 years in New York City, before moving to The Villages 3 years ago. He and his partner Genevieve, reside in the Village of Hemingway, where they enjoy spending time with friends, family and grandchildren, who live in the area. While in NYC, Paul served on a number of not-for-profit Boards, including The Present Theater Company, New York Cares and the Scholastic Achieve-

ment Council. During this time, he had over-all Board chairperson responsibilities for all three. He has been recognized by the community and NYC Education Board for his efforts and achievements in all three positions.

Paul is a seasoned Senior Technology Executive - during his time in NYC he served as Chief Technology Officer, Chief Information Officer, and Chief Operating Officer for companies in the Retail, Investment and Software Development space. He is a Vietnam Veteran (1969-73) and while serving, he developed computer based software for radar guidance systems. He took advantage of the GI Bill and received his BS in Business from Mercy College in New York.

Paul is an avid golfer, enjoys the sun and gardening. □

AAC Amenity Budget 2012-2013 Process Begins

On Monday, May 14, 2012, the Amenity Authority Committee members received their first glimpse of the staff generated Recreational Amenities Division (RAD) budget for fiscal year 2012-13 (for residents north of CR 466). While a lot of staff work goes into assembling all this data, it is just the starting point for the committee members who will work on tuning the numbers until the budget is finalized in September.

Revenue for the fiscal year is expected to be almost \$38.5M assuming a 2% CPI increase, compared to about \$37.3M last year. For the first time, the number of “roof tops” south of CR 466 is projected to be more than 50% of the total, which means for those shared expenses such as Community Watch, Recreation News, etc., the residents north of CR 466 will receive a 47% allocation of the charges.

The AAC is reviewing a ten year capital improvement plan for executive golf courses, of which the 2012-13 portion would be part of a \$1.8M proposed capital projects budget. The suggested golf course projects total over

(Continued on page 9)



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AAC Amenity Budget

(Continued from page 8)

\$600K and would provide improvements at Silver Lake, Hilltop, Chula Vista, El Diablo, El Santiago, Oakleigh and Amberwood. Keep in mind that capital projects are in addition to ongoing maintenance performed at all courses.

Capital improvements recommended for Savannah Center exceed \$500K and include such things as new theater lighting, new stage curtain, building painting and stucco work and a chiller. Staff also recommends approximately \$233K in capital spending for irrigation renovation, landscape lighting and curbing and pavers at the north and south Morse Boulevard entry areas.

While the preliminary budget includes those items previously suggested by the committee and staff, there are several other items under consideration such as upgrades to older recreational facilities (Tierra del Sol, Chula Vista, Silver Lake, El Santiago, etc.), Paradise Park development projects and additional gate camera pilot project locations.

With the recent increase of the prevailing amenity fee rate paid by new homeowners, from \$135 per month up to \$145 per month, a committee member has suggested that the Board consider a “non-adjustment” of amenity fees for residents at or above the \$145 level, for the current fiscal year. While this would slightly reduce amenity fee income, it

will be more than offset by the additional amenity fee income from resales (new resale purchaser will now pay \$145 rather than \$135).

The net impact is projected to be additional income to the amenity system of \$75,000. The AAC is expected to discuss and decide on this issue at its July meeting. The AAC meets next on June 6th and on June 14th the VCCDD and SLCCDD will approve the proposed staff generated 2012-13 Amenity Budgets. The AAC will then have budget workshops on July 18th and August 22, plus reviews at their July 11th and August 8th regular meetings. FINAL approval will be on September 13th for both the VCCDD and SLCCDD. There are no SLCCDD amenity budget workshops scheduled between June 14th and September 13th. □

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LETTERS TO THE EDITOR

Vitamins for Seniors

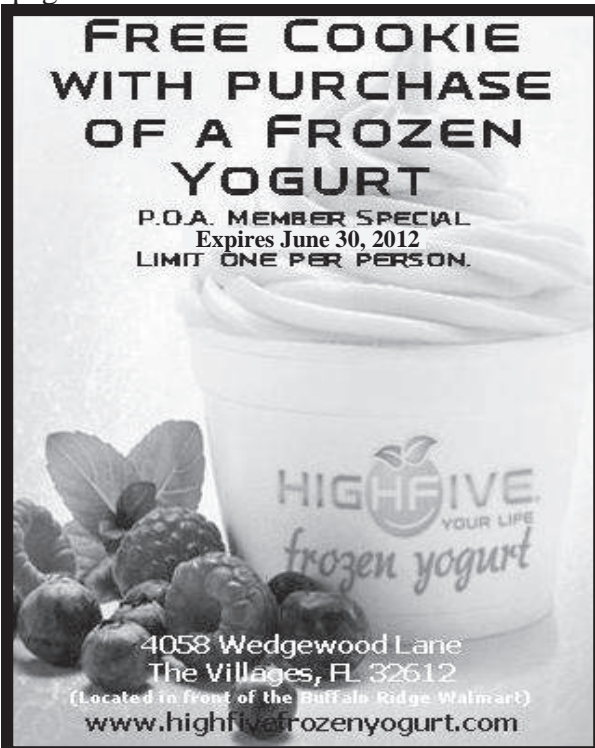
During Doctor Anderson's April POA Meeting presentation, I didn't have anything to take notes, so I don't have his recommended vitamins list. Is it possible to get a copy of the presentation or the recommended vitamins?

Cary F. De Van

Editor's Note: There is a brief synopsis of his talk as well as a list of vitamins he recommended included in the Robert Boissoneault Oncology Institute advertisement on page 24 of this Bulletin. □

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Front Yard Signage

I was just called by The Villages to tell me that I could no longer put For Sale signs in front of my house. After all these years of The Villages and real estate agencies doing it, why bar this now? I know that I was told it applies to everyone including the Developer. Are they allowed to suddenly decide that this practice must stop? They want the signs in the front window only which in most cases is useless. I would imagine that after all this time it would be grandfathered in and not at the whim of the Developer. Maybe he feels he can now really corner the market. I would hope that your organization and the realty people would fight this. Thank you for

allowing me to vent.

Martin Dubbs

Editor's Note: The Developer did not initiate this action. It came about as a result of District 3 pushing the matter. At their request, the Developer has agreed to enforce the EXISTING deed covenants which prohibit any sign in your yard, other than your name sign. Henceforth, signs For Rent or For Sale may be 12x12, and inside your house, visible through a window. This covenant has always been enforced South of 466, and will now become Villages wide. This ruling will become effective 6/15/12. If you see a yard sign after that date, please advise your neighbor of the new rule or call Community Standards (751-6719) and report the address. Community Standards will then take over the enforcement process. □

If you have a question about anything in The Villages, or how to do something, or want to report a problem, etc., please call the **VCDD Customer Service Center** at 753-4508.

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LETTERS TO THE EDITOR

Don't Pay In Advance!

I have a really bad case of globe sedge weeds in my yard. I answered an ad a few weeks ago – for \$225.00 he would pull this all out. He had a guy named Jim who worked about six hours and they said he would be back. I paid him cash \$210.00 which he wanted rather than a check. I have called at least 5 days in a row and he will not answer or call back. I am 92 years old and feel like he is getting other seniors. I have enclosed the ad that he runs for you to see. Seniors vs Crime is trying to help me.

Jim Phoenix

Editor's Note: Thank you for the alert. The advertisement contains the following information: 352-461-6493, PULL WEEDS, Honest - Dependable - 10 Yrs Vlg, sprinkler repairs, trim hedges, etc. We contacted Seniors vs Crime and they advised us that seven (7) cases involving this phone number belonging to Clifford Wittman doing business as All American Landscapers have been reported to them. □

AT&T MicroCell

I received one of your Bulletins that detailed the problem of AT&T cell phone cus-

tomers' poor service in the lower Villages area, like us. I purchased the Micro tower for \$50 and installed it at our home with great success.

I thank you for pursuing the problem and coming up with a viable solution with AT&T.

Keep up the great work! John Leary

Editor's Note: We are happy that this worked out for you. □

Know Your Trash Pick-up Day

Why are people allowed to put their trash bags out a week in advance? They sit there and most of it ends up on the gutter or half way down the street. Some people go by the rules, but others don't. Let's keep our neighborhoods clean and please put your trash out ONLY on the days you are scheduled for a trash collection. J. Zimmer

Editor's Note: No resident is 'allowed' to put their trash out earlier than the night before their scheduled pick up day. If you see this rule being violated, contact the Community Standards office at 751-6719 and provide them with a statement of the problem and the address of the offender. You may remain anonymous. It is then their responsibility to enforce this restriction. □

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LETTERS TO THE EDITOR

Florida Rodents

I ride my bike every morning on the cart paths. This is the first time I noticed several dead mice west of the Arnold Palmer Club House. I even saw a live mouse waiting to cross the cart path. I did not encounter this problem in the past. Is the POA aware of this problem? Could you please let me know the status of this situation. I would appreciate it.

John Moscariello

Editor's Note: Field rats are nothing out of the ordinary for Florida. When the District has been advised that there is a problem at the postal facilities or any other structures they do put traps out. Please contact VCDD Customer Service at 753-4508 when you see a problem and they will address it. □

Manufactured Home Insurance

We bought a manufactured home in the Village of Country Club Hills in 2008. We are insured by Foremost Insurance Group out of Grand Rapids. To my knowledge, this insurance carrier is the only one available for owners of manufactured homes.

In five years our annual premiums have increased from \$1,510 in 2008 to \$2,595 for 2012-13 while the coverage on the dwelling has increased from \$110,000 to \$125,000 over that same period. I am wondering if other Villages' residents who own a manufactured home have experienced similar daunting increases over the last five years.

Is this a subject the POA might decide to look into?

Kent Williams

Editor's Note: The POA has no leverage over insurance companies. However, we will invite any resident manufactured home owner who has a different insurance company or experience with your insurer to send us an email at poa4us@hotmail.com with their information and we will see if we can put together a listing of some type that might help you as well as other residents in this same predicament. □

Shingle Warranty on Resales

Thank you for responding to my query last month concerning the Owens Corning shingles problem. One thing I learned talking with Owens Corning representatives that might be of interest to your readers who purchased a resale home, is that the new homeowner does not have roofing shingle warranty coverage **UNLESS** the new homeowner contacted Owens Corning within sixty days of ownership transfer to request a warranty transfer and pay a \$100 transfer fee.

Properties of The Villages was my real estate broker and never informed me of this requirement. I contacted my sales representative and asked him about this and was told he would check the next day and get back to me. That was four weeks ago. So my advice to your readers and membership who purchased a resale is to personally look into this matter before more time elapses. Good luck!

Joe and Arlene Bertoldi

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

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Father's Day: Controversy and Commercialism

During the 1920s and 1930s, a movement arose to scrap Mother's Day and Father's Day altogether in favor of a single holiday, Parents' Day. Every year on Mother's Day, pro-Parents' Day groups rallied in New York City's Central Park--a public reminder, said Parents' Day activist and radio performer Robert Spere, "that both parents should be loved and respected together." Paradoxically, however, the Depression derailed this effort to combine and de-commercialize the holidays. Struggling retailers and advertisers redoubled their efforts to make Father's Day a "second Christmas" for men, promoting goods such as neckties, hats, socks, pipes and tobacco, golf clubs and other sporting goods, and greeting cards. When World War II began, advertisers began to argue that celebrating Father's Day was a way to honor American troops and support the war effort. By the end of the war, Father's Day may not have been a federal holiday, but it was a national institution.

In 1972, in the middle of a hard-fought presidential re-election campaign, Richard Nixon signed a proclamation making Father's Day a federal holiday at last. Today, economists estimate that Americans spend more than \$1 billion each year on Father's Day gifts. □

Copied from: www.history.com/topics/fathers-day

The Seniors vs Crime Blotter

Seniors vs Crime in The Villages (the SVC Marion County Office at the Marion County Sheriff's Department on Mulberry Lane and the SVC Sumter County Office at the Sumter County Sheriffs Department at Morse Boulevard and CR 466) report that they processed 198 new cases during the months of January, February, and March, 2012, in support of residents of our area.

During this time they also completed work on 191 cases, recovering \$192,066.74 for area residents in monetary value or realized gain. All of this was done at absolutely no cost to Florida taxpayers as Seniors vs Crime is a volunteer organization.

By **COMPLAINT DESCRIPTION**, those 198 cases can be categorized as follows:

Landscapers / Lawn Services	34
General Business Related Issues	32
Driveway Work	26
Golf Carts	14
Scams (Internet, Mail and Phone)	11
Financial – All Other Issues	7
Home Repair Related Issues	7
General Contractors	6
Auto – Mechanic	5
Debt Consolidation or Collectors	5
Heating, Ventilation &A/C (HVAC)	5
Real Estate	5
Timeshares	5
All Other Complaint Descriptions	36*
GRAND TOTAL	198

(Continued on page 14)

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From L to R: Ketan Doshi, MD, Craig H. Reynolds, MD, Rama Balaraman, MD, Roderick L. Paras, MD, Thomas H. Cartwright, MD and Maury B. Berger, MD

Seniors vs Crime

(Continued from page 13)

*There were four (4) or fewer reports in each of the following categories: Auto - Dealership; Auto - Other; Beds or Bedding; Credit or Credit Card Issues; Financial - Mortgage Refinancing; Health - Eye Glasses/ Exams; Health - Hearing Aids; Health - Other; Identity Theft; Insurance; Other Retail Sales Related Issues; Painting, Pest Control; Plumbing, Pools and Spas; Rental or Landlord/Tenant Issues; Roofing, Sprinkler Systems; Travel Agents, Clubs, or Services; Water Treatment Systems, and Unable To Classify Complaint.

Seniors vs Crime also looks at the category of a complaint. For example, a Complaint Description involving Golf Carts might come under the category of a Warranty Issue or a Billing Dispute or Unsatisfactory Performance.

By **CATEGORY OF COMPLAINT**,

those 198 cases broke out as follows:

Unsatisfactory Performance	42
Incomplete Work	29
Assists	12
Non-Payment	10
Scams	9
Faulty Products	9
Warranty Issues	8
Deception	8
Contract Dispute	8
Breach Of Contract	8
Billing Dispute	8
Housing Dispute	6
Fraud	6
Financial Dispute	6
Landscaping	5
All Other Complaint Categories	24*

GRAND TOTAL 198

*There were four (4) or less reports in each of the following COMPLAINT CATEGORIES: Credit Dispute, Elder Abuse, Estate Dispute, Identity Theft, Insurance Disputes, Lemon Law, Medicare Dispute, Negli-

gence, Pressure Sales, Price Gouging, Real Estate Dispute, and Theft By Deception.

What advice can Seniors vs Crime offer to help you avoid problems?

Look at the above categories. Over one third (71 out of 198 or 36%) of the complaints arose over two issues – Unsatisfactory or Incomplete Work. You would think “Why pay for poor or incomplete work?”

Unfortunately, too many of us PAY IN ADVANCE! They already have your money! Where is the incentive to do a good job, or to even complete the job? Your best defense against this type of problem is to pay for performance – **AFTER THEY PERFORM!**

Another big issue (24 cases or 12%) involved the contract in some way (Misunderstanding Terms, Warranty, or Breach). First, too many of us contract for work with no written contract at all. Those that do have contracts often fail to read them

(Continued on page 15)

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EQUAL HOUSING LENDER

Seniors vs Crime

(Continued from page 14)

carefully. No, it isn't a fun read – but it is a necessary one if you want to avoid problems.

Stay alert, be smart, be aware and be wary. Remember, no one will watch out for your interests better than **YOU**. When in doubt as to what you can do to protect your interests, contact your nearest Seniors vs Crime office in The Villages for advice or assistance. **Keep in mind that there is never a charge for their services.** They can be reached at **352-753-7775 in Marion County** or **352-689-4600, Ext 4606 in Sumter County**. Volunteers at both offices are ready, willing and able to assist you.

Seniors vs Crime will also come to your club, church, or social group meeting to speak about scams, how to recognize them, and what you can do to protect yourselves. To schedule one of these free presentations for your group, contact either office of Seniors vs Crime at the above numbers. □

Lightning Matters

By Len Hathaway
Study Group on Lightning

The National Weather Service (NWS) has designated **June 24-30, 2012**, as **LIGHTNING SAFETY AWARENESS WEEK** to highlight the dangers of lightning in advance of the peak lightning months of June, July, August, and September.

This is particularly important to residents of Central Florida as Florida is known as the **Lightning Capital of the US**.

This year Lightning Safety Awareness Week coincides with the 260th anniversary of Benjamin Franklin's famous kite experiment in Philadelphia. Franklin's work began the study of lightning that continues to this day by academia and most appropriately by the University of Florida, Gainesville, and at their International Center for Lightning Research & Testing at Camp Blanding.

Personal Lightning Safety

Outdoors: NWS's theme is "When Thun-

der Roars Go Indoors!" Good advice. To reduce your risk you need to recognize that no place is absolutely safe, but some, such as homes and large enclosed substantially constructed buildings, particularly those with lightning protection systems (rods), are better than others.

NWS data places the annual number of US lightning fatalities at 60 (and injuries around 400) and Florida leads all other states in fatalities. Many more people are struck and survive but may suffer long-term injuries such as sleep disorders, memory loss, chronic

(Continued on page 16)



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SAVINGS

Lightning

(Continued from page 15)

pain, muscle spasms, depression, and more.

Pro golfer Lee Trevino was struck by lightning while playing in the 1975 Western Open in Oak Brook, IL. His injuries included permanent damage to his flexibility and sensitivity of the vertebrae in his lower back.

Remember, it is up to the golfer to decide when his or her safety may be in jeopardy. The US Golf Association rules state that any player has the right to stop play if that player believes there is a danger from lightning.

Therefore, seek shelter; avoid trees, bleachers, metal fences, dugouts, open picnic shelters, flag poles, street lights, hill tops, softball & polo fields, tennis & pickleball courts, shuffleboard, bocce, basketball, & horseshoe venues, convertibles, bicycles, motorcycles, power lines, fishing, high ground, bodies of water including swimming pools, and GOLF CARTS.

Indoors: Once you are in a home or substantial building there may still be a lightning threat to your personal safety. Therefore, you need to avoid corded telephones, electrical equipment, windows, metal doors, metal door/window frames and plumbing fixtures. In 2009, a local social networking web site reported that a Villager was injured while taking a shower when his home was struck by lightning. Last year we had a near

miss when a resident who was using a corded telephone and standing under a solar tube that was struck by lightning. □



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Our Gardening Column:

“Florida Friendly” Easy Gardening

by Anne Lambrecht, Master Gardener
annegarden@embarqmail.com

I'd like to thank all those who attended my talk at the May 15th POA meeting in which I spoke about “Florida Friendly” plants. I'd like to reiterate some of my points here so that you will have them for your future gardening endeavors.

“Easy” does not mean maintenance free. There is no such landscape except for plastic flowers.

“Florida Friendly” is a registered trademark name that replaces the term “Xeriscape” (dry landscape) and is meant to be low maintenance, require little fertilizer and able to attract wildlife. “Florida Friendly” means plants that like it here, whether they are native or non-native. Once established they are able to take the heat as well as the cool.

First, know your yard:

- We are in Grow Zone 9a. (The USDA has recently published a new Plant Hardiness Zone Map for the US).
- Direction of the sun (where is west, south)
- Soil pH (free testing at Extension office)
- Sun (full, partial, shade, filtered)
- Irrigation system
- Lay of the land (flat, sloping, other)

Next, know yourself: your gardening interest, your available time, your energy level. Do you have access to internet and knowl-

edgeable people?

Know your plant:

- Does this plant do well in our area?
- Read label for water requirements, cold hardiness, sun exposure and spacing, average height, blooming time and other: (attracts butterflies, hummingbirds, birds, etc)
- Always put the “Right Plant in the Right Place”.

Here is a list of some of the plants I used in the presentation: abutilon, agapanthus, alocasia (elephant ear), amaryllis, angel trumpet, beautyberry, bleeding heart, bottlebrush, bromeliads, canna, cassia, citrus, fig, firebush, ginger, gloriosa lily, hibiscus, hollies, Indian hawthorn, knockout rose, ligustrum, milkweed, Muhly grass, oxalis, penta, portweed, rain lily, salvia, sunflower.

The quickest way to kill a plant is to give it too much water. It's a new law, SB2080, wherein homeowners can now legally remove turf and plant “Florida Friendly” plants that need less water and no fertilizer like

beach sunflower or perennial peanut. Having a “Florida Friendly” landscape means that residents can now have less than 50% turf as long as the percentage of sod and Florida Friendly plants make up at least 51%. **BUT YOU MUST GET ARCHITECTURAL REVIEW COMMITTEE (ARC) APPROVAL FIRST!**

Water new plantings 3x a week until established. Lawns should be watered with 1” of water. Less water in winter! Turn off irrigation when summer rains begin.

The University of Florida recommends we use “slow release” fertilizer such as Osmocote or Dynamite (the little round balls). Certain species need certain fertilizers: palms, citrus and azaleas all need certain mi-

(Continued on page 18)

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Gardening

(Continued from page 17)

nor elements in their fertilizer.

Watch for insects and creatures. Think first before you spray. Try to use "friendly" spray.

Where can you shop for plants? Always check out the big box stores but you will find cheap and common stuff there. If you want the unusual and awesome, then go to plant festivals and do mail order. Keep in mind our zone.

Area Extension Services:

- Marion County Cooperative Extension Service, 2232 NE Jacksonville Rd Ocala, FL 32470. Phone 352-671-8400
- Lake County Cooperative Extension Service, 30205 State Road 19 Tavares, FL 32778. Phone 352-343-4101
- Sumter County Cooperative Extension Service, PO Box 218 Bushnell, FL 33513. Phone 352-793-2728

Good Websites:

- Florida Friendly Plant Database: www.floridayards.org
- Encyclopedia of plants with photos and descriptions: www.floridata.com

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- University of Florida's electronic data information system: edis.ifas.ufl.edu (you can print out publications for free)

- Florida Native Plant Society: www.fnps.org

Local Nurseries:

- Taylor Gardens (Dave and Guda Taylor), northeast Ocala (Citra) off Hwy 329. Phone: 352-629-0980
- Citrus & Palm Gardens, Route 441 Belleview. Phone: 352-347-1640
- Fairfield Farms, Route 301, Oxford Phone: 748-7333

Good Books:

- Your Florida Landscape by Robert J. Black and Kathleen C. Ruppert
- The Southern Living Garden Book
- Your Florida Guide to Shrubs: Selection, Establishment and Maintenance by Gilman and Black
- ALSO: The Villages Library has a TON of Florida gardening books!

The Husband wants to know where he can buy the plastic flowers. □

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Fitness Challenge

Attention all Villages 'Couch Potatoes' Wrist Issues



By Judi Da Costa, Personal Trainer

I wonder how many of you have wrist issues. As we age, the wrists are one of the many joints that can become more fragile. Here are some simple exercises to help strengthen them. This exercise is best performed sitting down. Rest your forearms on your thighs and with the palms of your hands facing you, make a fist. Bring the fist up and down for a count of 10. Now rotate your fists in and out for a count of 10. First round complete, here is round 2! Keep the arms on the thighs, but this time turn your fist so the fingers face down, and once again move the fist up and down for a count of 10 and then rotate out and in for a count of 10. If all this is still too easy add some small hand weights say 2 or 3lbs. If you would like to contact me directly you can always email me at Exercise2gether@aol.com. □



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Fact Check

The Public Record

Project Wide Funding Issues 5/17/12 SLCDD Board Meeting Transcription Resolution 12-10

Ms. Tutt's Introductory Remarks - "Board members, before you is staff's recommended Resolution 12-10 providing for the use of Project Wide Funds (PWF)..."

Elaine Dreidame, President of the Property Owners' Association of The Villages "The issue that the POA wants to present today is bigger than the issue of whether or not amenity fees or PWF should be used to pay the \$146,000 for the construction of Live Oaks Park which we presented to you at your March, 2012 Board meeting.

"Now, we would like to address the real elephant in the room. When we became aware that the PWF was paying for the construction of Live Oak Park, we then looked back at the 2003 and 2006 PWAs and could not find anything that we believed would authorize the position that PWIFs could be used to construct new improvements. However, when we thoroughly reviewed the November, 2010, document we found that a phrase had been added to one of the covenants in the Amendment that was **never mentioned in staff's two page written analysis** to the Boards or in the Minutes, and upon listening to the audio tapes, it was never even mentioned at the meeting.

"The covenant in question reads as follows: For the purposes of this Agreement, PWI shall include those improvements described in Exhibit A. As additional PWI are developed within the Project, SLCDD by resolution, **shall add such improvements** to the Exhibit A Project Wide Improvement listing as attached to this agreement - this is where it had previously stopped - the addition was the phrase **AND/OR ENTER INTO**

CAPITAL PROJECTS FOR THE EXPANSION OR CONSTRUCTION OF ADDITIONAL PWIs.

"How can you go from maintaining and preserving improvements to capital projects for the expansion or construction of ADDITIONAL PWI's without one word of discussion by any member of the SLCDD Board? That is a MAJOR change. We have a couple of questions regarding that addition as follows:

"1) Who prepared the Second Amended and Restated 2010 PWA? The District Manager presented it, who prepared it?"

Ms. Tutt responded, "Ms. Dreidame I would have to go back...when I construct something I do part of them, I may make suggestions to the attorney, each agreement and how we progress with them is handled differently and I honestly"

Ms. Dreidame: "Could you at least at some point get back to me with that information?"

Ms. Tutt: "If I can tell from my files - I have never not told you the truth and I will go back and look."

Ms. Dreidame then asked, "Who was involved in the decision to add the phrase to covenant No. 3 - '**...and/or to enter into capital projects for the expansion or construction of additional project wide improvements?**'"

Ms. Tutt - "It was, ah, ah, I would have to go back and take a look. Honestly, I..."

Attorney Lowry interrupted and advised Ms. Dreidame that, "You can make your comments - just please make your comments." Ms. Dreidame - "I understand, but I want this as public record."

Ms. Dreidame continued - "My next question is, **Why was it not presented** with the

other changes and its content open to discussion and review by Supervisors and the public? Because obviously when you get a document and get a two page report saying these are the changes and this is why we are doing this amendment, that's what the supervisor looks at. You don't go back to a 30 page document and compare article to article to see if by any chance somebody had changed some other statement. That is not an expectation in terms of a Supervisor's role. We have a concern about this - we were hoping that we were past those approaches.

"2) According to the Attorneys' memo dated 4/17/12, '...It is the District Manager's belief that the term 'maintaining' as used in the Project Wide Agreement (PWA) was intended by the Parties to mean that project wide funds (PWF) can be spent on maintenance improvement projects - (that's completely new language which was never in any of the previous Agreements) on PWI properties in the same fashion maintenance assessment fees can be and are used by the respective districts to maintain their other real property which includes funding improvements or enhancements that require capital improvements...' When the POA asked for the attorneys to look at it, we do not understand why they did not simply point to the language that was added in 2010 because that language that was added provides for the use of PWF for new construction.

"A question for Mr. Lowry - Did the attorneys inquire as to what basis Ms. Tutt made this decision since they were making their judgment on that fact? Did the attorneys review whether it was legal for one CDD to provide funding for infrastructure improvements on another CDD's property without

(Continued on page 20)

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Fact Check

(Continued from page 19)

any type of ground lease or legal document which would prevent the property from being sold by the other District? (Maintenance expenses would cease if a property was sold, but no means is provided for reimbursement of construction expenses if the property is sold by the District that owns it.)

“Lastly, did the attorneys see if this type of infrastructure improvement met the criteria of F.S. 190.021(3) which specifically states, “Maintenance special assessments – To maintain and preserve the facilities and projects of the district, the Board may levy a maintenance special assessment. (There was no response from Attorney Lowry.)

“We are **VERY concerned** with the process in that this was an amendment which **required a unanimous vote of all of the Districts**, not just the SLCCDD, to be approved and because of this omission it appeared that it was passed without the knowledge of supervisors. We realize that appearance is not always reality so I would like to ask each of you right now if you were aware of this addition when you voted to approve the document and, if so, did you not feel any need to discuss its appropriateness?”

Ms. Dreidame asked each of the Board members – “Were you aware of it?” None of them responded until one of them said that he could not remember and then they all ac-

knowledged that as their response too.

“This is even more disconcerting because the original 2003 PWA had been changed from requiring unanimous approval of all of the Districts to place a property on the PW list to giving **the sole responsibility** to the SLCCDD Board in a 2006 amendment under unannounced circumstances.

“**So now, the Residential Boards have gone from every district votes to no residential districts vote and from maintenance of improvements constructed by individual districts to also include capital projects for the expansion or construction of additional improvement on PW properties.** The question now is how can supervisors of **residential** Districts perform their statutory duties which make them responsible for the funds and what will be assessed against their residents, when they have no control over approximately 50% of their budgets which are turned over to the SLCCDD?

“As per Ms. Tutt’s 4/15/10 Memo, she states that F. S. 163.01, CCDs may provide, by Interlocal Agreement, for certain services provided by one District on behalf of another District. After reviewing several Florida Attorney General Opinions and court cases, we believe that the key word is ‘services’ as opposed to responsibilities or statutory duties.

“In any event we used the opportunity of the amenity fund vs the PWF to draw attention to both our residents and Boards that maybe it is time to stop and look and see

where we are going. This is not meant to disparage any of our current staff or SLCCDD Board members or Residential Board members, this is simply preparing for the future. We know that build-out will be soon and who knows who will control the SLCCDD commercial properties. Yet, we have had all Residential Board controls taken by the SLCCDD.

“Our belief is that if we follow F.S. 163.01 and it is a benefit to all parties there should be no problem with getting a unanimous vote for maintenance and/or construction from the SLCCDD and the residential districts. If it is not, it won’t and it should not be included as obviously it is not seen as a benefit to one or more of the Districts.

“We believe the SLCCDD Board and District Staff provide excellent administrative services, but we do not think they should have the power to perform the official discretionary duties of Residential Board supervisors.

“In conclusion, we believe the SLCCDD Board should TABLE the resolution before you and use this opportunity to approach all of the district Boards (5-10) in an effort to see if you can come up with some amendments to the PWA that would continue the purpose of the PWA, but protect the supervisory roles and positions of the Residential Boards and their constituents. An excellent starting point might be the original 2003 PWA.

“If that suggestion does not meet with your approval, then I would like to address some possible modifications to the 12-10 Resolution, if for no other reason than to clarify its intent.”

(Continued on page 21)

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Fact Check

(Continued from page 20)

There was no discussion or motion by any of the Board members, so Ms. Dreidame proceeded as follows:

“We believe that **clarifications** are needed in Resolution 1210 so that in the future the next District Manager will have a written description of what the **intent** of the document was so as not to create a similar predicament as we have now. We are not opposed to the PWA – we are not opposed to the sharing of the maintenance expenses – the risks that you share. Those are all fine. We do have a problem with methodology but that is not relevant here. **What we have a problem with is the fact that the Residential Boards have no say so.** We are trying to move from Developer Boards to Residential Boards as that is the whole F.S. 190 transition process for community development districts. As much respect as everybody has for Ms. Tutt and for the current Residential Boards, we don’t see why it is such a threat to let the Boards vote on properties they believe should go onto the PW listing for funding and those they think should not. Obviously, if they are saying they shouldn’t, they should have the right to make that decision. The same thing, we don’t have a problem, it might be a Florida statute problem, but we don’t personally have a problem with putting new construction in,

but **ONLY IF ANY NEW CONSTRUCTION** REQUIRES A JOINT RESOLUTION WHERE ALL OF THE PARTIES (DISTRICTS) APPROVE IT as opposed to only if the Project exceeds \$100,000.

“**Resolution No. 3** states - ‘...that the Boards of Supervisors of the Board and Districts support the use of PWIF, funded through maintenance assessments, for the parking improvements, walkway and observation deck located on properties included in the PWI Exhibit A.’ This needs an interpretation. Is this to say that you do not believe that Live Oaks Park property is a recreational facility – i.e., – a park? Ms. Tutt has stated on a number of instances that PWF will not be used for **any more** parks, yet number 3 authorizes expenditures for exactly that. Why is this statement necessary unless it is to apply to additional parks as it is redundant considering that Resolution No. 2 specifies the Live Oaks Park permission? Recall that Mr. Rohan stated that his staff had their eyes on several future park sites at the same meeting where the properties were accepted and he in fact identified Live Oaks as one of them. FURTHER, the items identified are not maintenance or preservation projects – they are enhancements - construction of improvements.

“**Resolution No. 4** – WHAT IT CURRENTLY STATES IS NOT CLEAR

1) As it is written and was confirmed at the March 15, 2012, SLCDD meeting upon

questioning from Mr. Upton that the District Manager has authority to proceed with any eligible projects the cost of which does not exceed \$100,000.” Ms. Dreidame read the following transcription of the March 15, 2012, SLCDD meeting wherein this was stated. “...(Mr. Upton) – ‘The way I read this, any maintenance for any particular project that falls under \$100,000 does not come to this Board’ – interrupted by Ms. Tutt – ‘and it would be a new maintenance project so if a fence is necessary ... and it costs \$40 or \$50,000 we are going to go ahead and put that fence up without going through the resolution process or budgetary approval process, but if we are talking about a new substantial improvements over \$100,000 we would then go through the budget process or through resolution to reaffirm the expenditure for that project...’

2) As it is written: projects exceeding \$100,000 would have to be “**presented to** the

(Continued on page 22)

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Fact Check

(Continued from page 21)

Board and Districts for approval through the annual budget process (the residential districts have no vote on approving the annual PW budget) or by Resolution (which is mandated in the PWA to be the sole responsibility of the SLCDD.) It does not state a JOINT Resolution, it simply says by Resolution.

3) As it is written a project could be done in multiple phases which would eventually have a total of well over \$100,000 without any Board's approval.

4) Suggested Language for Resolution No. 4 {...that construction of any appropriate new improvement projects in excess of \$100,000 funded through PWIF, said

sum to include all projected phases of said projects, will be presented to the Board and Districts for approval **BY ALL PARTIES** by JOINT RESOLUTION.} This would provide for all of the things you say you want done, all it is doing is clarifying that the Residential Boards will have a vote on it and it will not be left up to the interpretation of whoever is the District Manager.

“In regard to the \$100,000 Limit - Should the SLCDD maintain better control – a blank check of \$99,999 is a lot of money? At a minimum maybe lower the amount to \$25,000 at least for a period of time after which the figure can be evaluated. Ms. Tutt has stated that \$100,000 is like peanuts to her, but to the residents \$100,000 is a lot of money and if it is an enhancement it's not something that you need immediately.

“Those are my comments. We hope you will consider them...”

Ms. Tutt responded – “Board members, if I can just clarify the concerns about the

\$100,000 figure. What is not included in the Resolution and we would not include in this Resolution or any other is that we have purchasing policies and procedures and those things could not take place under the purchasing procedures. We have a bid amount. We do not split purchase orders as that is illegal... It would not occur. While I appreciate Ms. Dreidame's looking at this and the discussion about \$100,000. If in fact it is interpreted that I could just go and spend up to \$100,000 it just cannot happen unless it is an emergency... So, I appreciate this concern about the \$100,000 figure...

“This Board and the numbered District Boards do not want to be tied down and stop activities on 'routine business'. That's one of the reasons we used the \$100,000 figure. The key word for a project to be considered is that it must be appropriate. It is not recreational facilities, it is not PARKS, the thought process was not to establish the park. We do things The Villages way. If, in fact, we can turn lemons into lemonade, if in fact improvements to an area, or protecting an area turns it into a park environment – that's what we are all about...”

Legitimate Rationale?

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Dear Villagers,

It was my pleasure to again see so many of you at the recent POA presentation. As you could probably tell, I always enjoy our time to chat.

Your enthusiastic interest in nutrition has led to providing the present information. I know that without attending the lecture, this information may not be relevant. Perhaps, at a future time of your convenience, I can again spend an evening with you to discuss reversing the aging process, improving memory, and building a strong efficient heart.

The original definition of physician is that of “teacher”. These talks fulfill my personal desire to live the profession.

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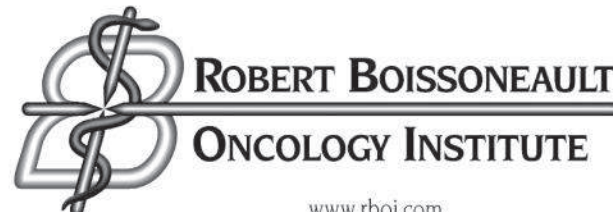
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