# The POA Bulletin

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The Property Owners' Association of The Villages

**Issue 38.08** 

**Champions of Residents' Rights Since 1975** 

The POA Website – www.poa4us.org

August, 2012

# What Are Sinkholes?

# And Why Are There So Many Of Them??

Most of us probably have given little thought to the possibility that we might experience a sinkhole on our property until the media covered the recent weather pattern and activity which created the "perfect storm" for the development of sinkholes throughout The Villages and other areas of Florida.

According to the Florida Department of Environmental Protection, the abrupt formation of sinkholes may follow extreme rain producing events such as tropical storms or hurricanes. This is because the weight of a large amount of rainwater at the earth's surface may bring about the collapse of an underground cavity if its limestone "ceiling" has become thin.

This tendency for sinkholes to form following events that produce large amounts of rainfall is made worse in times of drought. During periods of drought underground cavities that might normally be filled with water may be only partially filled. These cavities are less likely to bear the weight of flood waters without collapsing.

At last year's April POA meeting, we had Dave Arnold, a professional geologist from the Southwest Florida Water Management District, make a presentation on sinkholes. He began by stating that sinkholes are to Florida as earthquakes are to California, hurricanes are to southern and eastern coastal communities, and tornadoes are to the midwest. No matter where we reside, we have potential environmental threats.

Sinkholes are a natural and common geological feature in central Florida, especially the western portion. The bulk of Florida is a thin layer of clay and sand on top of limestone and caverns. Most of the time, pressure from the water table below equalizes pressure from water, buildings, and roads on the ground above, and the caverns stand. They

are formed when rain dissolves underground limestone or when surface materials collapse into underlying cavities in the rock. Sinkholes have become more common over the past twenty-five years, primarily due to activities of humans such as withdrawal of groundwater, diversion of surface water, or construction of ponds. Sinkholes come in all sizes. They are unpredictable, but they all develop in basically the same way. As rainwater seeps into the ground, acid in the water dissolves the thick layers of underground limestone that underlie the entire state. This creates big, empty, underground holes or gaps. If the layers of sand and dirt, which sit on top of the limestone fall into these holes and gaps, the result is a sinkhole.

Sinkholes can be caused by urban development, and changes in water patterns. The Villages acreage was comprised of beautiful farm land and pastures - nothing going on for years and years. Now we are seeing extra water usage and heavy construction, so we cannot look at the sinkhole history of this landmass and expect it to tell us anything about future sinkholes, because the usage of this land is different than it was 20 years ago.

While most people think of sinkholes as being blatantly huge pits that can be seen by

Tuesday, August 21, 2012
POA GENERAL MEMBERSHIP MEETING
Third Tuesday of the Month – 7:00 PM
Laurel Manor Recreation Center

#### **Rob Wyatt**

Village Resident & Member of the National Reverse Mortgage Lenders Association

#### **Reverse Mortgages**

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a news helicopter, most are only three to four feet across and four to five feet deep. Even so, a relatively small crater can cause substantial structural damage to a building on top of the sinkhole.

Here is a list of signs that your home may be affected by a sinkhole:

- Previously hidden tree roots are exposed.
- Doors and windows fail to close properly.

(Continued on page 2)

# Sinkhole Insurance

Excerpts from the July 17<sup>th</sup> presentation by Diane Digristina, AAA Insurance Agency Sales & Claims Representative, at the POA monthly membership meeting.

I am here to help clear up some misinformation. I sit with people on a daily basis and they tell me that they no longer have sinkhole coverage. That's not true. All homeowner insurance carriers in the State of Florida, if they insure your home, are required to provide you with Catastrophic Ground Cover Collapse Coverage. This covers the home in the event that it "goes down the hole." If you have sinkhole activity that results in cracking or shifting in your driveway, or in the yard and it does not contact the dwelling, then you are responsible and you are going to bear the burden of that expense, UNLESS you have completed a satisfactory inspection and are offered Extended Sinkhole coverage. Availability of the extended coverage, as well as what deductibles apply for this coverage, will vary by carrier. With regard to Catastrophic Ground Cover Collapse coverage, there are specific criteria that must be met for coverage to apply, which include: THE DWELL-ING MUST BE CONSIDERED UNSAFE, UNSTABLE AND UNLIVEABLE and

(Continued on page 2)

#### What Are Sinkholes?

(Continued from page 1)

- Property areas become depressed.
- Structural failure evidenced by cracks in walls, ceilings and floors.
- Small ponds of rainfall appear where water has not collected before.
- Trees begin to slant.
- Exterior footers are exposed, or soil separates from floor slabs.
- The ground begins to crack, and vegetation becomes dry and wilted.

NOTE: Some causes of settlement are called "subsidence" and may be the type of settlement that would be excluded from a sinkhole insurance policy. Subsidence, the formation of depressions on the ground surface, is common during periods of high rainfall, especially after a dry period. Subsidence can be caused by variables unrelated to Sinkhole formation. Some of the causes of this type of settlement may include:

- The decay of land clearing debris buried under a home or structure when built.
- The decay of tree stumps or large roots.
- Leaking water pipes or fittings.
- Cracked or leaking swimming pools.
- Cracked storm water piping that carries away soil with the storm water runoff.
- Poor soil compaction around utility lines.
- Water runoff from roofs, gutters, or pavement



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#### **Sinkhole Insurance**

(Continued from page 1)

THERE MUST BE AN ABRUPT COLLAPSE before coverage can be considered. You have Catastrophic Ground Collapse Coverage unless you have provided written documentation that you do not wish to secure that coverage. You will find this coverage listed on your homeowners Declarations Page.

You need to speak with your agent about your specific policies to address any questions that you may have.

There is also another coverage that is available to homeowners, which may be referred to as Extended Sinkhole Coverage. This coverage addresses cracking and shifting as a result of sinkhole activity. Availability of this coverage varies by carrier and may require a satisfactory inspection before coverage is offered. Some carriers may require the homeowner to bear the entire cost of the inspection while others will share in this cost.

Once the inspection is complete, it is forwarded to the carrier. Based on the results of the inspection report you will either be offered the opportunity to add additional sinkhole coverage to your insurance policy (if it is available through that carrier) or you will be advised that based on the inspection report the company has declined to extend this coverage.

The cost of the inspection varies from one carrier to the next depending on the company that they have contracted with to complete the inspection. If the carrier declines to offer extended sinkhole coverage based on the inspection report, you still have Catastrophic Ground Cover Collapse Coverage.

Contrary to rumors some of you have heard, insurance carriers have not singled The Villages out. The changes in sinkhole

(Continued on page 4)

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#### **POA Mission Statement**

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

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

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

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

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

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

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

## The Villages Residents' Bill of Rights

#### **RESIDENTS have RIGHTS** to:

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

# **IRS Update**

At the July 19, 2012, VCCDD meeting Janet Tutt provided the Board with the latest version of the "Village Center Community Development District Legal Analysis for Request of Technical Advice" which was prepared by Attorney Perry Israel. This document, dated June 26, 2012, as well as two Florida Attorney General Opinions related to the District's status as a political subdivision for federal tax purposes, can be found on the districtgov.org website - scroll down and on the left hand side of the page, click on IRS Updates.

Ms. Tutt also advised that the District has not received any indication from Chief Counsel as to the time frame related to a response regarding the Request for Technical Advice. (You will recall that this IRS investigation began in January of 2008, four and one-half years ago.)

Specialists in



#### **Growing Pains Remedied**

If you have attended any of the POA membership meetings recently, you know that we have outgrown our assigned room, often having to turn residents away. The Savannah Center has a larger room, but it is not available for a scheduled monthly date (3<sup>rd</sup> Tuesday of the month). We have met with Janet Tutt and John Rohan and arranged to secure the two banquet rooms next to the current meeting room which will be set up with additional chairs and an audio feed so that our overflow crowd will have a comfortable place to sit to hear the meeting. We will also provide the opportunity for individuals in those rooms to ask questions during the Open Forum and after the speaker's presentation. We are also investigating the additional possibility of providing a video feed to the banquet rooms when the speaker is using a power point presentation.

**Dues Paid Date** 

#### **POA Membership Benefit**

Our e-mail Newsletter not only provides reminders of the speaker and date of the next POA Membership meeting, it also informs you of any matters we believe you should be aware of on a timelier basis than provided by the Bulletin. Should an important decision be issued shortly after our Bulletin is distributed, rather than waiting for weeks to provide our input on the finding, we are able to send you our analysis by e-mail immediately. (You must be an active POA member to receive the POA e-mail Newsletter.)

Thank you to all who have responded to our invitation to join the Property Owners Association of The Villages. We have a record number of members this year. If you have not yet joined, and you appreciate the efforts the POA is making on your behalf, please join now – the membership application is below.

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
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NAME(S)(2)(Different Last Name)
(Different Last Name)
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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. <u>Additional Contribution</u> : Please accept my additional contribution to the POA in the following amount:
\$ (Please indicate amount)
Total Amount Due:
THANK YOU FOR YOUR SUPPORT OF THE POA AND YOUR GENEROUS CONTRIBUTION

(Office Use Only)

#### **Sinkhole Insurance**

(Continued from page 2)

coverage that we are seeing now have no bearing on any activity occurring in The Villages. This is a state-wide issue.

#### **QUESTIONS AND ANSWERS**

- 1) Is this built up land? There are no pilings under these houses. A) Sinkholes are a natural phenomenon throughout Florida, Tennessee and Texas and it has to do with the fact that we are on a limestone bed. (See pages 1-2 for the description of what causes sinkholes.) There are companies that offer services to reinforce dwellings. There are companies that can make that home stronger and sounder through their grouting, piling and pinning methods.
- 2) I have been through this sinkhole procedure before with the insurance company... What changes have resulted from the changes in the sinkhole policies? A) All homes have catastrophic coverage; it is optional and up to the discretion of the particular carrier to offer extended sinkhole coverage. I can only speak for how the carriers that I represent are addressing the sinkhole issue. If you have seen a reduction in your premium, please touch base with your insurance agent to discuss the specifics. If you are not sure what your policy covers, please call and clarify that with your agent. You need to speak with a certified, licensed agent that is familiar with sinkholes and what is going on

- with their particular carrier, because every carrier has their own guidelines.
- 3) What should you do if you think you have a sinkhole? A) You would file a claim, just as would for any other type of loss that you may experience. The insurance company will send out an adjuster who specializes in that area who will investigate the claim to determine what, if any coverage, may apply...
- 4) If you have to pay a percentage deductible what will it be based on, the actual cash value or the replacement value? A) It depends on the type of policy you have i.e. actual cash value or replacement value. Most homes have a replacement policy and every policy has a limit of coverage that is based on the replacement cost of the dwelling. Market Value has nothing to do with the cost to replace/repair the dwelling and the land that the dwelling sits on is not covered or included in the replacement cost of the home for that reason.
- 5) I am living on a street with 28 homes, and a number of them have had some what appears to be sinkhole activity so far. What is the answer to that? A) Sinkholes can happen anywhere at any time. Florida has many counties that have experienced sinkhole activity.
- **6**) I have a \$500 deductible policy will it go up to 10%? **A**) There is no way to answer that because each carrier has their own guidelines.

- 7) I just got my insurance policy and there was an increase of \$150 and I have not had any claims or anything. I hear from people that all of the insurance policies are going up because of the sinkholes. Is that true? A) It is true and premiums can change from one year to the next for a number of reasons. If you have seen an increase in premium you will want to contact your insurance agent who can address the specific reason for the increase.
- 8) What is the effect on resale of a home that has undergone a catastrophic repair? A) You'll have to talk to your realtors about that.

Audience member input - In our neighborhood, we had a series of sinkholes that basically stopped about 4 years ago. There were a significant number of them and all the piling and/or grouting was done and the repairs were made. Several of those homes have since come up for sale and every single one of them has sold. However, the owners could not get insurance on their home, except through Citizens Insurance.

9) I had an agent inform me that the chances of getting a sinkhole policy here in The Villages is slim to none. Have any of the Companies that you represent written sinkhole coverage in the last few months other than catastrophic? A) Yes, however, let me clarify that - IT IS A CASE BY CASE REVIEW – The carrier will determine whether or not an inspection is required based on the

 $(Continued\ on\ page\ 5)$ 





#### **Sinkhole Insurance**

(Continued from page 4)

location of your property. If an inspection is required, an internal and external inspection of your home will be completed. They are looking for cracks in the floors, cracks in the walls, doors not swinging properly, etc., because these are signs of some type of activity and they will also do a full external foundation check of your home.

10) Is Citizens offering that coverage? A) You will want to talk with your insurance agent regarding the coverage that Citizens Insurance offers. This is a fluid situation that the insurance carriers in the State of Florida, as well as the State legislature, monitor on an on-going basis to determine what action if any is deemed necessary.

In closing, get your policies out and review your coverage. If you would like to sit down with your agent, give them a call and schedule a review of your coverage to make sure that you understand what your policy covers as well as what additional coverage may be available to you.

If you would like AAA to do that for you, please get your policies, give us a call -schedule an appointment and any one of our ten agents would be more than happy to sit down with you and review your policies.

Did you know that you can find ACRONYMS for Villagers online at poa4us.org/acroynms.html??

# May and June Open Forum Q&A

Janet Tutt, District Manager, and Rich Lambrecht, AAC member were available to assist President Dreidame in answering issues presented including:

- 1) What can I do about roots that are growing under a section of a golf cart path which are causing the path to be very uneven? A) Call the District Customer Service office at 753-4508 and report the problem and exact location and District staff will look into it.
- 2) A resident asked for assistance in a problem where his roof eaves "were not holding up". He continued that after reporting it to the Warranty Dept. he learned it was installed improperly as were some of his neighbors. A) President Dreidame advised that if he would send a letter to the POA explaining the details and names of other residents involved the POA would follow up.
- 3) Is it true that north of CR 466 amenity fees pay for ½ of the cost of the Recreation News? A) Yes, and the SLCDD and the Developer pay their pro rata share as well.
- 4) I am concerned about maintaining my 51% sod requirement with the drought restrictions. A) President Dreidame responded that the State has authorized the Florida Friendly Landscape law to help.
  - 5) Additional questions arose concerning

the Paradise Lake which dried up during the drought. A) Rich explained that modifications are over \$1 million with no guarantee that it would retain water in severe drought conditions such as we recently experienced. He also noted that the boat excursions on Lake Sumter were also put on hold because that lake was low. Available water is used to keep the grass on the golf courses alive when we are in a drought. Droughts are natural phenomena in Florida unfortunately.

- **6**) Is it possible to have a traffic light rather than a 4-way stop at the Del Mar and Rio Grande intersection? **A**) That decision has already been made by the County. It will be a 4-way stop.
- 7) Why are signs posted by residents in their front lawns, which were previously allowed north of CR 466, no longer permitted? A) Actually, in the vast majority of neighborhoods North of CR 466 they were not allowed in the past, and were removed only in response to a complaint. Now it has been determined, after staff's discussion with the Developer, that one 12" by 12" sign, professionally designed, will be allowed in one window of the home. It seems to the POA that this decision has not satisfied all residents. Evidently, this decision was made in haste, and not necessarily reflective of the overall wishes of residents. The POA has been investigating possible options available to revisit this decision. As further explanation, the Deed Restrictions Office resolves

(Continued on page 6)





# **Open Forum Q&A**

(Continued from page 5)

questionable violations of deed restrictions. In The Villages, <u>violations of Deed restrictions are complaint driven only</u>. No complaint and the issue is never addressed. A complaint may be made anonymously. Every complaint is investigated by a member of the staff to determine its validity. If found to be valid, the homeowner is notified and given a date by which the violation must be brought into compliance. If the issue is not addressed by the homeowner, a fine can be imposed.

8) It is very difficult to drive safely around some circles due to the height of the landscaping. What can be done about this? A) All general complaints can be addressed or directed to the appropriate department by Customer Service at 753-4508, and you need to be able to describe the problem and pro-





vide them with an exact location of where it can be found.

- 9) Why can't golf carts be registered and each have an identification number, so that there is a means of identifying them if they cause a problem? A) The CDDs do not have any police powers and therefore could not force individuals to register their golf carts nor deny them access to the trails or roads if they did not secure them. Additionally, golf carts are driven by residents, non-residents, and by golf cart drivers who enter The Villages from roads connecting to The Villages.
- 10) I am concerned about the safety of the golf cart path and the road in front of Colony Recreation center. Now that golf carts are entering that road from both sides, the traffic has become even more intense. What can be done about it? A) The issue should go before the residential District board in which that Recreation Center is located.
- 11) The Daily Sun has given great PR to the Marcus Welby concept of healthcare delivery where doctors would spend quality time with their patients rather than compensation based on the volume of patients treated. However, I do not recall reading how this new service would be paid for. Did I miss something? A) If so, we missed it too.  $\Box$

#### POA SPEAKERS AVAILABLE

for Villages Club Meetings Contact Elaine Dreidame 352-753-5069

# **Golf Cart Crashes With Injuries**

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

June 20<sup>th</sup> – 1:50pm – Parr Drive at the Bank of America. Golf cart pulled out onto Parr Drive into the path of an oncoming car. Minor damage. Minor injuries. No ejection.

June 20<sup>th</sup> – 3:40pm – Tunnel under CR 466 at Laurel Manor. A golf cart came down the path to turn into the tunnel headed north and immediately found an automobile in the tunnel. It so took him aback, that he jammed the brakes, cranked the steering wheel and overturned the cart. He did not hit the car. The cart <u>driver was dumped out</u> of his cart and had some minor abrasions and ankle pain, but signed a treatment refusal. Evidently the auto driver thought he was in the

(Continued on page 7)

Please Pick Up Unclaimed Bulletins in Driveways



#### **Golf Cart Crashes**

(Continued from page 6)

right place until he got half way through the tunnel.

June 20th – 9:57pm – Golf cart path at Buena Vista and Bailey Trail. Driver made a hard turn and flipped the golf cart on its side. The <u>driver was dumped out</u> of the cart but denied having any injury.

June 27<sup>th</sup> – 10:15pm – Three teen-age males were driving a golf cart through the Sweet Bay parking lot when it flipped onto its side. The police report stated that the golf cart was on its four wheels and it had extensive damage (estimated at \$1500) when he arrived. The young men stated that it tipped over but they placed it back onto its wheels prior to the arrival of law enforcement. The driver had a minor cut on his cheek, all three had scrapes, but declined medical attention. An independent witness confirmed to the officer that the cart tipped over as the driver made a left turn in the parking lot. (Tire marks on the pavement indicate that some action other than a simple left hand turn might have caused the crash.) The driver's grandfather was contacted and the golf cart was towed home.

July  $10^{th} - 11:25am - A$  93 year old male was operating a golf cart east bound on the golf cart path that parallels Colony Boulevard east of Morse Blvd. The driver lost control of the golf cart, hit the curb and then

went into the wooden fence on the north side of the path. According to a witness the golf cart then overturned. EMS responded, advised that the driver appeared to have gotten overheated, and transported him to The Villages Regional Hospital. (NOTE: This is the second crash we have reported which appears to be related to dehydration effects on the driver. According to the lead author of one study, older people are more susceptible to dehydration. That's because, after age 50 or so, our ability to recognize thirst decreases and our kidneys lose some of their precision in regulating the body's water supply, says Lawrence Armstrong, a researcher with the University of Connecticut Human Performance Laboratory. Some common medications add to the problem, including diuretics (taken for high blood pressure), antihistamines and certain psychiatric drugs. Finally, people who start drinking less because of bladder control problems are at even higher risk. Know the symptoms before you get behind the wheel.)





# Golf Cart Crash Resulting in a Fatality in Another Florida Community

Report in June 19, 2012, Daily Sun: Land O' Lakes – Woman dies after being ejected from golf cart.

Authorities said a 27 year old woman has died after being ejected from a golf cart. Investigators said she was riding in a golf car with a 28 year old male in Land O' Lakes. As he made a left turn in the Lake Padgett Estates East Bath and Racquet Club, the woman was **ejected from the cart onto the roadway.** 



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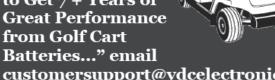
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#### AAC Meeting Summary July 11, 2012

#### **Old Business Topics Included:**

•The Kimley-Horn and Associates team hired by the Committee presented their Master Plan for development of Paradise Park. They reported that residents requested PeTanque (a new game for Villagers) courts, park benches, walking paths, enhanced land-scaping and a pitch and putt area in the two areas above and below the archery range. Committee consensus was to further review the plan at an upcoming workshop.

•Staff has begun uploading video clips to the District website showing individuals in golf carts breaking the Del Mar Gate. Staff would appreciate resident help in identifying these individuals who damage district property and leaving the scene of an accident.

•With the amenity fee prevailing rate (for new homeowners) now set at \$145/month



(had been \$135), one Committee member recommended for the coming fiscal year only, deferring increases to existing residents if the increase would put them over \$145 or if their current rate is already over \$145. Staff estimated that the impact to the fiscal year would be approximately  $1/10^{th}$  of 1% less of amenity fee revenue (about \$39,000) at the same time the amenity system would be receiving about \$114,000 more from resales as a result of the higher prevailing rate. None of the other members of the Committee supported this proposal. The deferral rate will remain at \$155/month.

#### **Consent Agenda:**

•After some discussion, all items listed under the Consent Agenda were approved. These included several maintenance items such as Rio Grande Lawn Bowling facilities,

# ELECT NORMAN PAUL DAVIS FOR

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#### **New Business:**

•The AAC approved an Interlocal Agreement with CDD1 for construction of a multimodal path from Carrera Drive to the De La Vista postal facility. The cost including permitting is expected to be around \$75,000 and will be paid for from the Amenity Fund.

•The Committee agreed to participate in a Deed Compliance Joint Workshop on July 30, 2012 at 9:00am at the Laurel Manor Rec Center.

#### **Informational Items:**

•The AAC was advised that an emergency upgrade to the HVAC system at the Savannah Regional Rec Center was made at a cost of \$54,143. The upgrade was needed to better control the humidity level in the center.

•The Committee received a copy of the RAD (Amenities) Capital Project Work Plan. **Reports and Input:** 

•During audience comments, the president of The Villages Woodworkers Club addressed the Committee to request assistance in expanding the parking facilities at the workshop. Staff was directed to prepare a scope of work for an engineering review.

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

Next AAC Meeting – Wednesday, August 8th, 1:30pm at the Savannah Center.□



# Area Traffic Citations

**Sumter County** Sheriff's Department Traffic Citation Report for The Villages area for **April 12 through July 8, 2012 -** 322 Traffic Citations (Not every traffic stop is a citation)

#### **Observations from the Report:**

Approximately 42% of the citations involved unlawful speed;

Approximately 63% of the citations were issued to drivers living outside of The Villages and/or Lady Lake;

Only 7 citations were issued on streets with a 20mph speed limit and 5 of those were issued on the same date on Oak Forest;

Twelve of the speeding citations were for speeds in excess of 15mph over the limit and of those, five were on Morse Blvd between CR 466 and El Camino Real.

Additionally, there were 7 citations related to golf carts/drivers - one ran a stop sign, two failed to yield to another vehicle approaching intersection, one had no motor vehicle registration, one failed to yield to oncoming traffic when making a turn, and **two were cited for permitting an unauthorized person to drive the cart** (under 14 years of age).

Lt. Wolfe advised that one of the things that they have seen increase recently is that grandparents are allowing their grandkids to operate their golf carts. They have had to cite a couple of accidents where kids were driving the cart, and in a proactive stance they worked with the Recreation Department in providing instruction for kids visiting The Villages.

#### **FYI GRANDPARENTS**

It is in fact a criminal act to allow a child to operate a golf cart if they are not at least 14 years old and you can actually get arrested for allowing them to do so. Lt. Wolfe stated that they had not made an arrest yet, just citations, in an effort to get that information out there. Under aged drivers who are cited could have a problem when they become of age and apply to get a driver's license in their home state if they still have an outstanding violation in Florida. However, as long as the violator does everything that is asked of them by the Sheriff's Department, they will clear the violation, but if they refuse, and 'blow it off', then it will stay on the record.

Summary of **Marion County** Sheriff's Office Report for The Villages area for the months of May & June 2012:

	May	June	
No. of Vehicle Stops	127	158	
Written warnings	62	93	
Verbal warnings	41	43	
Written Citations	12	14	
<b>Criminal Citations</b>	10	8	
DUI	2	0	

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# "For Sale" Sign of the Times

**Attention-Residents North of CR466** 

(This significant change does not impact residents south of CR 466 because they have always had the prohibition of yard "for sale" signs with the exception of a 12" X 12" sign in a window, whereas the restriction on "for sale" and "for rent" signs north of 466 has never been enforced unless there was a complaint filed.)

On June 15, 2012, seemingly out of the blue, all MLS real estate sales agents who had Villages properties listed north of CR 466 were contacted by District staff and advised that "Effective IMMEDIATELY, the Developer will be exercising his right to enforce the prohibition of specific signs."

There was even a "flyer" distributed that further detailed that any "For Sale" sign

(Continued on page 10)



П

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# "For Sale" Signs

(Continued from page 9)

could be no larger than 12" x 12" and must be located wholly within the home and only visible through one window of the home. It went on to warn that "If any other signs are located on residential lots a fine of \$50 plus an accrued charge of \$25 per day may be imposed against the property owner." Frightened homeowners, who were trying to sell their homes, quickly had the signage removed from their yards to comply with the June 15<sup>th</sup>



deadline and avoid the threatened fines.

Let's backup and cover some specifics before we go any further. While deed restrictions in the various units of The Villages differ significantly, most homes have a deed restriction that reads something like "A sign showing the Owner's name will be permitted in common specifications to be set forth by the Developer. No other signs or advertisements will be permitted without the express written consent of the Developer."

While this wording is typical for ranch, designer and premier homes, the wording for many villa homes reads as follows: "No sign of any kind shall be displayed to public view on a Lot or the Common Area without the prior written consent of the Declarant, except customary name and address

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Frank Slaughter Insurance Agency, Inc. Wildwood • 352-748-2221 www.FrankSlaughterInsurance.com We treat you like a PERSON, not a policy! signs. Professional signs advertising a property for sale or rent shall be permitted." Sure makes us wonder why villas were specifically allowed to have "for sale" and "for rent" signs but it is such a big problem for the Developer on the other types of homes.

For as long as The Villages has existed, there have been "For Sale" signs on properties north of CR 466. We could not find anyone living in The Villages who remembers a time when there were not "For Sale" signs north of CR 466. All seem to remember looking at model homes, new spec homes and resales with "For Sale" signs. While there may be a prohibition in the deed restrictions, clearly it has not been enforced north of CR 466 by anyone for over 20 years.

Enforcement of deed restrictions up until the spring of 2010 could only be done by the Developer or another resident and the enforcement required the complainant to prosecute the alleged offender in a court of law.

(Continued on page 11)





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# "For Sale" Signs

(Continued from page 10)

There was no ability to levy fines. CDDs 1-4 and the AAC on behalf of the Villagers in Lady Lake/Lake County began enforcing certain external deed restrictions in early 2010 after the Florida Legislature amended Chapter 190 to allow such enforcement by CDDs. While enforcement of deed restrictions by our CDDs did not take any enforcement capability away from the Developer, the Developer opted to discontinue financial support of the deed restriction enforcement staff with regard to deed restrictions north of CR 466. The cost of Deed restriction enforcement north of CR466, as administered by the Community Standards Department, is paid for entirely by assessment of CDD 1-4 residents and via amenity fees for Village residents in Lady Lake/Lake County. (Note: more recently CDD5 began enforcement of deed restrictions as they became eligible under the requirements of Ch. 190 - CDDs 6-10 are still under Developer enforcement only).

Two additional points need to be made regarding the CDDs role in deed restriction enforcement. First of all, the CDD enforcement is a complaint driven process – no complaint, no enforcement. If your neighbors are OK with what you are doing with your property, then the CDDs don't interfere. According to staff there has not been a single

complaint about "For Sale" signs during the approximately two and a half years the CDDS have been able to do deed restriction enforcement. Secondly, it is the process the CDDs have adopted that provides for notification of violation, opportunity to remedy the situation and then a published schedule of fines to be imposed for failure to come into compliance. The developer's only legal option, however, is to bring about compliance via prosecution in a court of law.

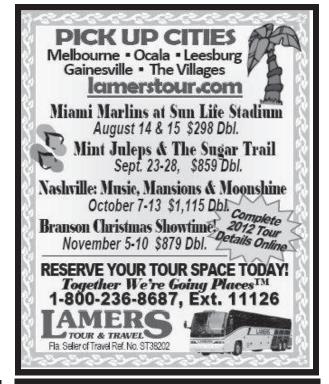
This raises several questions that we hope the July 30<sup>th</sup> joint workshop with the AAC, CDD 1-5 Boards and District staff answered as this Bulletin will be printed before it occurs and Ms. Tutt was unwilling to discuss any of these issues with any of the Boards during their regular July meetings:

- (1) On what legal basis can the Developer levy fines or authorize a CDD to do so on his behalf?
- (2) The CDD 3 Board meeting (7/8/11) was where this issue commenced. At that time, Attorney Fuchs advised the CDD 3 Board "...that should they decide they want to allow signage, staff could request written approval from the Developer which would remove the District's variance from the deed restrictions..." The CDD 3 Board voted 4-1 to leave the verbiage in the Standards and continue to enforce the deed restrictions. This is where we believe it should have ended. District staff had no direction

from any CDD Board to pursue this issue any further, especially when it involved spending money for the work of the District attorney. Who is ultimately responsible for the determination of how a District will govern the enforcement of deed restrictions, the District BOARD or District Staff?

- (3) Who paid the District Attorney's fees for her work on this issue since it was not requested activity by any of the residential Boards?
- (4) Why did Community Standards department employees call all MLS real estate

(Continued on page 12)



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## "For Sale" Signs

(Continued from page 11)

sales agents with properties north of CR466 to warn them of a change in the Developer's enforcement? Why wouldn't the staff have first contacted CDD Boards and asked if they wanted to do anything differently than they had since they started enforcing deed restrictions (remember it is the CDDs that pay for enforcement north of CR466, not the Developer)?

- (5) Who paid for the staff expense to provide this Developer edict to the real estate agents and why were the agents contacted and not the homeowners or brokers?
- (6) Why did staff tell the real estate agents that "... a fine of \$50 plus an accrued charge of \$25 per day may be imposed against the property owner" if the call was based on the Developer doing something differently, not the CDDs (only the CDDs have the ability to levy fines and that only happens after a complaint for that specific home is re-

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#### ceived and the process for compliance has taken place)?

It is clear to us that sooner or later we will all need to sell our homes. It may be due to old age, medical problems, death, financial concerns or other reasons. Our residents need to be able to effectively market their homes and this means allowing "For Sale" signs in their yards. We have seen some estimates that a yard sign may well increase prospective buyers by as much as 30% and perhaps more. Clearly a 12" x 12" sign in a window (probably behind a tree) is not the answer. Even if the window sign is noticed, the customer prospective buyer would have to walk up and peer in your window to read the contact phone number.

At the Wednesday July 11<sup>th</sup> AAC meeting and the Friday July 13th meetings of CDDs 1-4, all the boards except CDD4 voted to go along with Ms. Tutt's desire to proceed with the new signage "proclamation" and evaluate its merits and impacts at a future date after she conducted a workshop the end of

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the month. No concern appeared to be expressed by anyone except members of the CDD4 board about this dramatic change on such short notice to their residents. Since Ms. Tutt deferred answering questions until the workshop on July 30th, the CDD4 Board, in order to protect its residents who were currently trying to sell their homes, voted not to enforce the signage prohibition for 30 days. In that way they will hopefully have their questions answered before taking this major step and will have an indication of the consequences to their residents who need to sell their homes.

In case you were not aware, we have been advised that realtors other than the Developer's company are excluded from having offices within The Villages, thus the options of residents wishing to market their homes have already been impacted. Do we really want to cause further problems by making their homes "invisible" unless they advertise in the Developer owned Daily Sun?

If you want your voice heard on this issue, we recommend you attend your August 10th CDD or August 8th AAC (Lady Lake/Lake County residents) meeting as that is when your elected CDD supervisors will be making their decisions regarding this issue.

#### The meeting times are as follows:

Wednesday, August 8th, at the Savannah Center - 1:30pm - AAC

Friday, August 10<sup>th</sup>, at the Laurel Manor District Office Board Room (could be moved so check the districtgov.org website – the calendar is on the top of the right hand column – just click on the date – 8am – CDD 1; 9:30 am - CDD 2; 11am - CDD 3; and 1:30pm -CDD 4

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#### LETTERS TO THE EDITOR

#### **Seat Belt Installers**

It would be wonderful if you could have someone research the topic of where we can get golf cart seat belts installed and print it in the Bulletin. It would be a great service to the residents. Thank you very much.

Joan McGinnes

Editor's Note: The Villages Phone Directory has some 25+ business listings, with another 15+ listed, on a daily basis, in the "SERVICE DIRECTORY" section of the Daily Sun Directory offering Golf Car Services. Most all of them, with the exception of a few, most likely a manufacturer's representative, will install seat belts. There are two main types - those that are 'RETRACTABLE' and those that lay across the seat which are referred to as 'LOOP seat belts'. There are differences between the two. Most all of the advertised service companies will install the 'loop' seat belts, as they are less costly to purchase and/or to install. All of the service providers claim to have both in stock. The average cost for the loop belts is about \$30 - \$40 per installed pair. Please be aware that some of the service providers will require pick-up/ delivery of your cart, while others will complete the work on site or at your home.

We do not recommend it, but if you want to install the belts yourself, it can be done. Search online with keywords "seat belt accessories". 'Retractable' belts run for under \$30 each and 'loop' ones for under \$15 for the pair. Some online companies say the installation kits come complete with instructions and various installation options. We were told that it takes 45-60 minutes to install a pair of belts. In some installations drilling into the frame is required for stability. Do your research first, as your cart may require a special installation process. You can go to your manufactures web site and search for seat belts for your specific make/model.

We hope that you will consider installing and using seat belts in your golf cart when you are on the roadways and recreation trails. □



# Memorial Benches

The memorial benches in The Villages were a good idea. Unfortunately, items being placed on them recently make it appear that you are walking thru a cemetery.

The situation needs to be addressed. The common areas are beautiful. Cluttering the benches with stuff does not allow people to use them to sit and enjoy.

S. Shepherd

**Editor's Note:** The guidelines for decorating the benches are as follows:

Decorations are not to be permanently displayed on the bench or concrete slab. This includes but is not limited to: Flower pots, Ribbons, Bows, Flags, and Temporary/ Seasonal decorations all of which may be displayed for special occasions, **not to exceed 14 days**.

While the District encourages a personal experience for each individual when adopting a bench, these simple decorating guidelines have been established to maintain the aesthetic quality of our beautiful community. Let's keep to the 14 day limit and be sure to allow space for sitting.

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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

#### EDITOR LETTERS TO THE



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## **Bicycle Riders Above The Law??**

To Sheriff Farmer: (Copy to POA)

We have a problem in The Villages that needs to be addressed in a firmer manner, other than presentations on the laws governing bicycles at bike riders club meetings. I know that we all, particularly Mr. Morse, want this to be a friendly area and that enforcement of some laws judged punitive to the fun seekers should be low on the priority scale. It seems that if one purchases a \$1000 bicycle he is obliged and legitimized to ride three or four abreast on primary roads, usually in a peloton of twenty to forty (observed over 100 on 466A going from The Friendliest Hometown to Fruitland Park last summer).

The arrogant spandex crowd never stops and most of the time doesn't slow for gates. blows through red lights as the lead biker

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waves them through, never rides to the right of the solid white line (in fact usually rides mid-lane) and flips you off if you honk to raise their awareness or get to close in an effort to pass them.

Laws are for all, to make things easier and safer for all. Let's ticket them when appropri-Dennis Williams

Editor's Note: We agree that law enforcement throughout The Villages could make this a safer community if they would enforce the laws more strictly. As we have heard Lt. Wolfe state, education has not worked so now we need to citate.

## **Golf Cart Seat Belts**

The seat belts we had installed saved my husband this past week.

I had to swerve on a golf cart path to avoid someone who did not stay on his side of the shared path. My husband would have been thrown out on the concrete without the belt.

So our advice other than on a golf course is to "Belt Up".

Pauline Houghton

**Editor's Note:** We are happy to hear that the seatbelts were beneficial. We hope that more residents who use their carts on the roadways and recreation trails will do so as well. The more visibility given to the issue the better. Thank you for your letter.

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#### LETTERS TO THE EDITOR

# **Need Larger Venue for POA Meetings**

I attempted to attend the July 17<sup>th</sup> POA meeting this evening, but it was so crowded that I would have had to stand 3-4 deep in the back of the hall and it took 10 minutes to find a parking spot. I see it was open to all. You might want to consider members 1st and non members where there are vacant seats. I assume that a very large percentage of the attendees were not POA members. Tom Hosken

Editor's Note: We are sorry that you were not able to attend the meeting on the 17th. We have started to address this problem by securing the banquet rooms next door and providing an audio feed into them. (See announcement on page 3). Your suggestion about priority to active POA members is a good one. However, we are not sure that there are that many non-members who attend that don't join when they enter the room for the meeting. We will continue to look at this issue.

If we are able to use two rooms it would be easy to send the non-members to the 'feed' room with the understanding that if we were not full in the larger room at 6:55 they could move over there. If our guess is right, you wanted to hear the info on sinkhole insurance so we are attaching the transcription of the

THE ORIGINAL

major parts of the presentation and Q & A which will be in the August Bulletin.

Again, our apologies.

# Who Said I Can't Put a "For Sale" Sign in My Yard?

**Editor's Note:** We have received numerous inquiries such as this one. We are continuing to monitor the situation, see the arti-

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These two offices processed 233 new cases during the past three months (April, May and June) in support of residents of our area. During this same time they completed and closed 243 cases, recovering \$143,492.48 for area residents in monetary value or realized gain. All of this was done at absolutely no cost to Florida taxpayers. Seniors Vs Crime is a volunteer organization.

By **COMPLAINT DESCRIPTION**, those 233 new cases can be categorized as follows:

Landscapers / Lawn Services 68 General Business Related Issues 28

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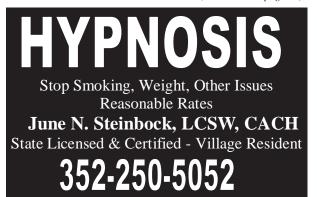
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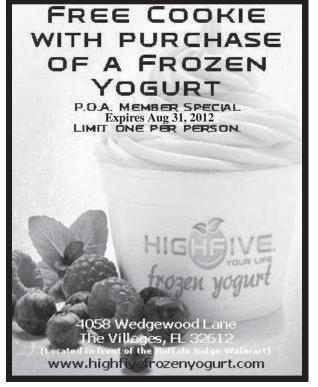
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Home Repair Related Issues	17
Health Related – Dental, Hearing,	
Insurance, Billing, Other	16
Driveway Work	14
Scams (Internet, Mail, phone)	13
Travel Agents, Clubs & Services	8
General Contractors	6
Auto – Dealer, Mechanic, or	
Other Auto Related Issues	6
Debt Consolidation or Collectors	6
Heat, Ventilation & A/C (HVAC)	6
All Other Complaint Descriptions	45*
GRAND TOTAL	233

\*There were five (5) or fewer new cases in each of the following categories: Annuities; Beds or Bedding; Credit or Credit Card Issues; Financial – Mortgage Refinancing; Identity Theft; Individual-to-Individual, Insurance; Other Retail Sales Related Issues; Real Estate; Roofing, Sprinkler Systems; Telemarketing, Timeshares, Water Treatment Systems, and Unable To Classify Complaint.

(Continued on page 17)





#### **Seniors Vs Crime**

(Continued from page 16)

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 233 new cases were distributed as follows:

Incomplete Work	43
Unsatisfactory Performance	37
Landscaping	22
Assists	17



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Contract Dispute	17
Breach Of Contract	16
Billing Dispute	15
Scams	12
Faulty Products	9
Financial Dispute	8
Warranty Issues	6
Housing Dispute	6
Fraud	6
Financial Dispute	6
All Other Complaint Categories	13*
GRAND TOTAL	233

\*There were four (4) or less reports in each of the following COMPLAINT CATE-GORIES: Credit Dispute, Criminal Intent, Deception, Failure To Disclose, Fraud, Identity Theft, Insurance Disputes, Negligence, Non-Payment, Pressure Sales, Price Gouging and Theft By Deception.

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What advice can Seniors Vs Crime offer to help you avoid problems? Stay alert, be smart, be aware and be wary. Apply the **TGTBT Rule**: If it sounds too good to be true, it probably is!

You are probably retired now. You got here by using good common sense all your life. Don't retire that good common sense! Continue to use it.

Seniors Vs Crime representatives are also available in the rear of the room at each POA monthly meeting. 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 any free presentations for your group, contact either office of Seniors Vs Crime at the numbers on the previous page.





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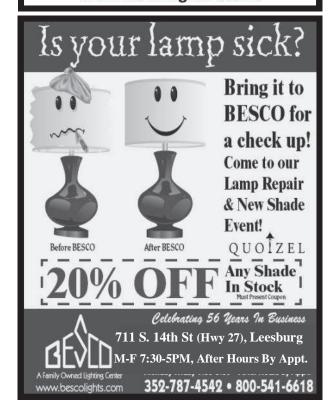
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# **Lightning Matters**

Surge Damage to Electronics on the Rise By Len Hathaway Study Group on Lightning

The trend to increase the number of sensitive electronic devices in our homes is leading to an increase in damage due to surges from indirect lightning strikes. This was the subject of a July 2-8, 2012, Bloomberg Businessweek article, *Thanks to Gadget Lust, Lightning Claims Surge*.

The basis for the article was the Insurance Information Institute's annual report on lightning claims. The average cost per claim has risen by 93% from 2004 to 2011. This trend reinforces the need for Primary and Secon-

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The Insurance Information Institute also reported that the number of lightning claims filed has declined by 33%. This may indicate that there has been an increase in the use of surge protection devices.

Have you joined this trend and protected, or considered protecting, your furnace, air conditioning system, computer, television, microwave oven, refrigerator, freezer, washing machine, gas clothes dryer, irrigations system controller, sound system, telephone

answering machine, garage door operators, electric golf cart charger, electronic games, and any other device with solid state electronic circuitry that you value?

For information on other lightning related issues, see the Lightning Matters columns in the archived issues of the *POA Bulletin* found on the above referenced website.

If your club or organization would benefit from a free non-commercial Power Point presentation, *Lightning Tips for Villagers* that addresses personal lightning safety, residential considerations, and lightning surges to electronic equipment, and the sustainability of corrugated stainless steel tubing (CSST) gas pipe lightning, contact me Len Hathaway at lhatha@aol.com or my colleague Bob Freeman at stalit1@aol.com.



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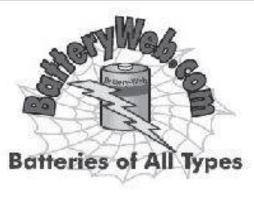
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146 PARK CENTER STREET, LEESBURG, FL 352-326-2039 **Our Gardening Column:** 

# **Snails and Slugs**

by Anne Lambrecht, Master Gardener annegarden@embarqmail.com

Truly disgusting, slimy, and yucky, snails and slugs are just about the same creature. Snails have a hard shell on their back while slugs do not. They are of the family Gastropoda which means "stomach foot". Snails and slugs like to live where it's warm and wet. There are land snails and aquatic snails. The vast majority of gastropods are aquatic. The big oval-shaped slugs with the blackish stripe we see in our gardens are called the Florida leatherleaf, *Leidyula floridana*.

Snails have two sets of tentacles. The set that is more visible and larger has eyes and the other, lower set are feelers. Their mouths are located downward so that food can be taken from the surface being traveled over. Most snails have thousands of microscopic tooth-like structures located on a ribbon-like tongue called a radula. The radula works like a file, ripping the food into small pieces. Snails and slugs have an airhole on top of their body.

Both snails and slugs move with a gliding motion by means of a long flat muscular organ called a foot. It sends wave after wave of small contractions forward from the back of its foot toward the front. Mucus, constantly secreted by glands in the foot, facilitates movement and leaves a silver like slimy trail. This mucus prevents moisture in the animals' bodies from being soaked up by the dry terrain being traveled across. Also, it protects their fleshy underparts from sharp objects. Snails and slugs can actually glide across the sharpest razor blade without cutting themselves.

The big danger in the lives of snails and slugs is drying out. Sometimes gardeners sprinkle them with salt. Salt causes moisture

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to leave their bodies and they shrivel up fast. Personally, I think this is a cruel way to get rid of a slug. What I do is just cut them in half with my clippers and only if there is an unnatural infestation of them. If they've been nibbling/devouring my plants, then it's clipper time.

When dry weather comes, snails and slugs bury themselves in the soil or some other well protected spot. Snails plug up their shell holes with mucus and slugs secrete a sort of mucousy cocoon for themselves. Then through the dry spell they remain in a state of suspended animation during which time their body processes slow to a point almost like death. However, there's enough life in them for them to become active again once enough rain comes to dissolve the mucus and soak into their bodies. That's why in the spring, when you're digging, you will come across them. Mucus also comes in handy when a predator such as a toad snatches up a slug. The slug has so much mucus, that after the toad chews a few times it finds its mouth clogged with the sticky, gooey slime.

Most land snails are nocturnal, which is why when you check your garden you cannot ever see any creatures making holes in your plants but you know something has to be. I know a lady who goes out at night armed with flashlight and bucket of soapy water to pick them off her flowers.

Most snails and slugs possess both male and female parts and each is capable of selffertilization, although cross fertilization is normal. Adults deposit eggs which are slimy and almost a pearl-like whitish color.

To control a harsh infestation, remove anything snails may hide under boards, bags,

(Continued on page 20)

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## **Gardening**

(Continued from page 19)

brush and debris. Dense vegetation, deep mulch, and frequent irrigation favor slugs. Consequently, minimizing irrigation (especially overhead sprinkling) or planting drought tolerant plants may reduce slug problems. Here's another trick: place a board on the ground near damaged plants. Elevate the board with four stones placed under the corners. The snails will take shelter under the board and then can be destroyed by dropping into a jar filled with water and a little rubbing alcohol. Some birds, especially ducks, will feed on snails and slugs.

Barriers of diatomaceous earth, sand, ashes or eggshells provide only temporary control. With a beer trap the goal is to trap and drown snails and slugs in a shallow dish with beer placed slightly below grade so that the lip of the dish is even with the soil. However, this does not provide reliable control and why waste good beer.

Commercial slug and snail baits are available at the big box stores and are used by scattering bait around vegetation that is to be protected. The bait is effective, but quite toxic to pets and birds and other garden creatures.

All this stuff puts a different light on Escargo, the French delicacy appetizer. Yet, snails and slugs are a great source of protein and many people the world over eat snails and slugs to sustain themselves. They even have canned slugs in Oregon! I bought a couple when we were there and plan to serve them to the Husband. I figured if I put them in the blender, like so many of my mysterious soup ingredients, then he'll never know the difference.

For more than you ever wanted to know about slugs: http://edis.ifas.ufl.edu/in891  $\ \square$ 

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By Judi Da Costa, Personal Trainer

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<u>All Things Fine</u> - 1171 Main St., Sp Sprgs, 259-7384. 10% disc off all regularly priced merchandise for POA members. Excludes sale items. Not valid with other offer.

Alpha & Omega Insurance Group - Auto, home, health, life, mobile homes. Any POA policy written receives \$25 gift card. Anna, 352-245-0267.

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(Continued on page 21)

#### **Discount Partners**

(Continued from page 20)

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East Coast Flooring - 9180 S. Hwy 441, 307-995, free gift w/purchase. \$100 credit for any referral (Purchaser must state referral by a POA member).

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Funeral Planners Inc. - POA 10% discount off regularly priced funeral planning package or 15% off deceased identity theft protection service. For more information, visit FuneralPlannersInc.com.

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(Continued on page 22)

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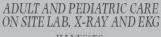
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(Continued from page 21)

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<u>Johnny Rockets</u> - 976 Old Mill Run, Lk Sumter Landing, 259-0051. 10% POA disc.

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(Continued on page 23)

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#### **Discount Partners**

(Continued from page 22)

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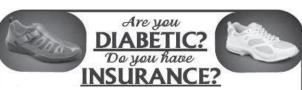
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