

# The POA Bulletin

Free Copy



The Property Owners' Association of The Villages

Issue 39.04

Champions of Residents' Rights Since 1975

The POA Website – [www.poa4us.org](http://www.poa4us.org)

April, 2013

## WOW!! The Resident Parade Was a Tremendous Success

The POA has been working with the Resident Parade Committee (RPC) and we cannot say enough about the outstanding work of the Committee and especially its Chairperson, Jackie Campbell. Their work effort was impressive – They took this thing by the horns and in two months time they, along with the help of the Recreation Staff, had this thing down to the minute. The parade went off without a hitch and both the participants and the spectators loved it.



**Jackie Campbell 'salutes' the crowd**

Jackie's comments after the parade: The Resident Parade Committee (RPC) would like to take this opportunity to thank all of our members who signed up to volunteer, to participate, and/or to attend our first resident parade. We used 82 of the 700 plus residents from different clubs in The Villages who volunteered their time to support the Resident Irish Parade. It is strange sometimes how easily people come together to help each other when it is needed. They did not care what their assignment was or how early they had to report that day. They just wanted to make our residents happy enjoying a parade.

The performers were wonderful, all our Irish clubs joined together, marching in unison and the spectators were quite impressed. It was a huge success. Everyone had a fantastic time. The residents enjoyed the parade stopping at different sections so they could watch the performers do their routine in front of them. The children were excited to get the beads, flags and bracelets that were handed out by the walkers in the parade. Everyone interacted with each other and some of the crowd got up and danced with the parade participants. What a nice homey feeling this made for our parade. Everyone was thanking

us and we were saying the same thing back to them. It felt like a family gathering and I truly did not want to see it end as I had such a nice feeling to know we made our residents so happy with this parade. We intend to support the other clubs, Italian and German, in making their parades as successful as they did ours by volunteering to do the same tasks they did for us. Without their support this parade would not have been possible. This will help to solidify the continuation of parades in The Villages for all of us to enjoy.

I personally met some wonderful people here in The Villages that I would not have met if it was not for this parade. So I am happy to be part of this committee and worked for what the residents really enjoyed - watching a parade. This is a tradition no matter where you are from; everyone enjoys participating in a parade celebration.

It is a new beginning for both the Recreation Department and the RPC and even though we had some bumps in the road (see article on page 12-13), we were able to overcome them and move on with our 1st endeavor. I believe we are doing the right thing for the residents to continue having fun, entertaining parades here in The Villages. I am looking forward to working on our next parade, our Italian parade in October.

This is what the Friendliest Hometown in Florida advertises and we want everyone to continue to enjoy that hometown feeling here in The Villages. □

**Tuesday, April 16, 2013**

**POA GENERAL MEMBERSHIP MEETING**

**Third Tuesday of the Month – 7:00 PM**

**Laurel Manor Recreation Center**

**“How Our Bodies as Well as the Effect of Medications Change Over Time and How We Can Learn to Maximize Our Quality of Life”**

**Dr. Norman Anderson, CEO**

**Robert Boissoneault Oncology Institute**

**Video and Audio in overflow room**

**Donuts and Coffee for All after the Meeting**

**All Residents Welcome - Come and Join Us!**

## IRS Update

**MAYBE SOME POSITIVE NEWS ABOUT THE IRS INVESTIGATION? VCCDD Claims that Its Analysis of the IRS's Valuation of Amenity Purchases Vindicates the Developer and the District**

**A Brief Refresher.** First, a very brief refresher (or an introduction for new Villagers and for “long time” Villagers who have not been following this matter):

On January 7, 2008, the IRS initiated an investigation of the tax exempt status of certain Recreational Bonds issued by the Village Center Community Development District (the “VCCDD”), the proceeds of which were used to pay the Developer for certain amenity facilities that he sold to the District.

On February 23, 2009, the IRS Agent notified the VCCDD that after reviewing all of the documents, he had three questions regarding the tax exempt status of the bonds:

1. Is the VCCDD, the Issuer of the Bonds under investigation, a qualified issuer of tax exempt bonds?

2. Did the Series 2003 facilities acquisition price reflect the fair market value of the assets? i.e., were the Bond Issues properly sized to carry out the government purpose of the Bonds or were the amenity facilities overpriced and thus the bonds over-issued?

3. Were the Bond proceeds used for an essential governmental function or do the nature of the facilities acquired with the Bonds result in private business use, and hence are these Bonds Private Activity Bonds?

A negative answer to any of the three questions could result in the bonds not being tax exempt.

Now, more than five years after it began, the IRS investigation is still underway and has been expanded to include additional bonds issued by the VCCDD and certain bonds issued by the other Center District--the Sumter Landing Center Community De-

velopment District (the “SLCDD”). The potential impact on The Villages amenity system of an IRS finding that the bonds are not entitled to be tax exempt has been discussed in earlier issues of the POA Bulletin. In a nutshell, the amenity system would be threatened if the outcome of the IRS investigation leaves the Center Districts with such large financial liabilities that the Districts can no longer continue to maintain and furnish the amenities. A complete analysis can be found in the August 2009 Bulletin, which is available on the POA website: [poa4us.org](http://poa4us.org). Copies of relevant documents can be found at [districtgov.org](http://districtgov.org), by clicking on the IRS Updates link.

### **The Facts Behind the Daily Sun Headline of March 15.**

At the March 14<sup>th</sup> VCCDD meeting, District staff announced that Perry Israel, the District's tax attorney, with the assistance of the SLCDD's tax attorney and District staff, had completed an analysis of the IRS's valuation of the amenity facilities that the Developer sold to the District, and which were paid for with the purportedly tax exempt bonds. The staff reported that that analysis shows that the IRS valuation actu-

*(Continued on page 4)*

## 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. □

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## Villages Population Tops 100,000

Most of you saw that headline on the front page of the Daily Sun on Saturday March 16, 2013. We all knew The Villages was growing faster than almost anywhere else, but many were surprised that the total got to 101,620 without a big splash announcement at the 100,000 mark. Well, it turns out the actual count of residents of The Villages is still a little shy of 100,000 as best we can tell.

According to The Daily Sun article, the Federal Office of Management & Budget now classifies The Villages community as an MSA - Metropolitan Statistical Area (it formerly was a micropolitan statistical area). **The Villages MSA includes all of Sumter County, but does not include Village residents who live in Marion County or Lake County.**

We are thrilled that our community has received such recognition and expect that such a designation will help attract new businesses and other community enhancements that will further improve the quality of life that drew us all here.

Hopefully, when The Villages Developer signs up his 100,000<sup>th</sup> resident, there will be a big announcement and celebration of this major milestone. □

### SNOWBIRDS, We Need Your Help!!

If you are a snowbird/seasonal resident, please let us know the months you are gone, and we will stop delivery of the Bulletin during that time (while you are away you can find the current, as well as archived Bulletins, on the [poa4us.org](http://poa4us.org) website).

Just email our distribution manager at [delivery@poa4us.org](mailto:delivery@poa4us.org) with your name, village, address, and the months you will be away, and we will add you to our 'No Throw' list for that time.

If we inadvertently deliver to an unoccupied house, thank you in advance if you or one of your neighbors can pick up the Bulletin and either keep or discard it.

Shelley Pfaff, POA Distribution Manager, 352-325-1540. □

## From the IT Desk (Database Manager)

Thank you for the notes you have written on your membership forms. We do read every one of those notes. It may take a little longer to process but is well worth it.

Wanting to be put on the "No Throw List" for months that you will not be in The Villages is one example of the information we receive. We have a distribution manager who takes care of the "No Throw List", so if you want to, and if you have a computer, you can send the information to [delivery@poa4us.org](mailto:delivery@poa4us.org) or by phone to Shelley Pfaff, 352-325-1540. You can still read the Bulletin and stay up with what is going on even when you are not here in The Villages by going to the [poa4us.org](http://poa4us.org) website and click on 'current Bulletin'.

I would like to clear up an issue about our

recent membership renewal mailings sent to the 2012 POA members who had not yet renewed their membership for 2013. In the "snail mail" renewal notices you will see the wording, "**disregard this letter if you have already paid your dues**". The reason for this is that when we put these mailings together it takes about three weeks to complete. First, we update the database to a cutoff date and then we print the Renewal Notices. These are then sent out to have our letter printed on the back side and folded.

The envelopes are then stuffed by volunteers and lastly, the Membership Director mails them out. In those three weeks more mail is coming in so as a result those households will get a renewal notice. "**They passed in the mail**". □

If You Appreciate The Efforts the POA Makes On Your Behalf, It's Time to Show It...  
Please Send In Your POA Membership Application TODAY!!

### POA 2013 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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NAME(S)(2) \_\_\_\_\_  
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CITY/STATE/ZIP CODE \_\_\_\_\_

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

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I will include a **stamped, self-addressed envelope** with this form and my check. Please mail my Membership Card to me At the address above.

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:

\$ \_\_\_\_\_ (Please indicate amount)

**3. TOTAL DUE:** \_\_\_\_\_

**THANK YOU FOR YOUR CONTINUING FINANCIAL SUPPORT.**

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## IRS Update

(Continued from page 2)

ally exceeds what the District paid for the amenity facilities. This, the staff said, validates the purchase price and means that there was no over-issuance of the bonds as the IRS claims. (This is issue #2 in the above Refresher.) The District's analysis and claim were reported as fact in the March 15<sup>th</sup> edition of the Daily Sun, under the headline reading “*Analysis of IRS appraisal vindicates developer, district*”. The Daily Sun article did not make clear that the analysis of the IRS's valuation was done by the District's own tax attorneys and the District's own staff and that the IRS has not, as of yet anyway, concurred with that analysis.

Following the staff's announcement at the VCCDD Board meeting, Archie Lowry, the VCCDD Legal Counsel, commented that he thinks Mr. Israel's analysis is compelling and actually is the correct one. However, he advised that dealing with the IRS is difficult

because the appeal process stays within the IRS. At the March 19 POA meeting, Janet Tutt, the District Manager, confirmed that the IRS had still not concurred with the District's analysis and, therefore, the matter is still unresolved

**The POA's Position.** Because of the potential implications for Villagers of an adverse determination on valuation of the assets, the POA sincerely hopes the IRS (or a court, if litigation ensues) eventually agrees with Mr. Israel's analysis. BUT, even if the IRS or a court does agree with Mr. Israel's analysis, that could still leave open the other two questions (#1 and #3) listed in the “Refresher” above.

With respect to the entire IRS investigation, the POA has not taken a position on the relative merits of the positions of the IRS and the VCCDD / SLCCDD, although we sincerely hope that the VCCDD and SLCCDD are able to prevail in regard to all three questions. The POA's objectives in this matter are to keep residents informed of developments and to try to protect your rights by doing what we can to try to ensure that any resolution of the IRS investigation does not jeopardize your amenities or result in the costs of an IRS victory being passed on to you. We have previously written to the IRS to express our concerns, and we will continue to report to you, at POA meetings and in the Bulletin, all publicly available news in this matter. □

## Update: Future Governance of The Districts

Last month we reported that a Supervisor in CDD 3 and one in CDD 6 had both brought up the issue of the possibility of considering some kind of ‘district consolidation’ as we approach build out of The Villages. The article pointed out that as with any new proposal, there will be pros and cons and different opinions and identified some of the “hurdles” which the POA believes would need to be addressed.

At the March AAC meeting one of the Committee members requested an update of the discussions relating to possible District consolidation. Ms. Tutt advised that at the request of District 3, Staff and the CDD 3 attorney had begun reviewing the governance of the Districts issue in an effort to determine if a legal potential exists to merge any or all Districts. She indicated staff has met with District Counsel and Gary Moyer and have found the structure to merge the Districts is legally possible. However, they agreed a document providing for such a merger would be the most significant item proceeding.

This topic was again brought up at the CDD 3 meeting and received considerable discussion some of which is as follows:

(Continued on page 6)

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## Update: District Governance

(Continued from page 4)

Ms. Tutt informed the Board that there was nothing to report at this time, that this Board did direct staff to work with legal counsel and we have reviewed Chapter 190 and have been putting together an outline and information for the Board. Ms. Fuchs has reached out to the other Districts in the State who have accomplished this and is gathering information from them and should have a report ready for the next Board meeting. She stated that staff is not putting forth any kind of plan or direction at this point – simply providing information. Ms. Tutt pointed out at the recent AAC meeting that there are a thousand different opportunities – a merger could be between Districts 1 and 2, 1 – 4, 5 – 10, 2 and the VCCDD, all 14 districts, etc. There are many challenges that would need to be dealt with.

There was a concern expressed that CDD 3 was paying the legal fees of Attorney Fuchs to research the issue when it would be something that might impact many other Boards, but in the end the Board voted that she proceed and finish her research on the legal issues surrounding district consolidation.

It was agreed by the Supervisors that just because they were looking at and investigating the issue of district consolidation to see if it had some advantages, primarily because of the redundancy in district after district meetings that staff go through, their desire is not necessarily to eliminate “local” government. Identifying if there are efficiencies that can be brought about is what they are mostly interested in looking at. Just because they are looking at it is not an indication or a guarantee that there will be any changes. When asked what savings might accrue Ms. Tutt advised that it would be impossible to quantify costs unless a merger plan was presented because of the numerous possibilities that were available, but she could assure that just the cost savings in the administrative staff time would be significant as would savings from the elimination of Supervisor salaries, legal counsel fees for each meeting, etc. The question was then raised as to why district consolidation would be beneficial to the residents. Exactly what problems are we trying to solve? Ms. Tutt did not have an answer for this and advised that this is something that needs to come from the elected Board members – not from staff, as this is purely a

policy driven activity. She added that she could not define a ‘problem’ per se and that Ms. Fuchs was just working through the legal aspect of mergers and what would be required. If there is a problem, an issue or revisit, that must be by elected officials as it is a policy initiation – not staff.

Ms. Tutt stated she thinks, “...that there would be tremendous value through economies of scale – yes, without a doubt there is a tremendous value. Is there another way to accomplish it, maybe, but I think it’s up to the elected officials to address policy.” It was agreed that since Supervisor Ray presented the issue, (he was not in attendance at this meeting) he was assigned the task of coming up with the direction – the expectations – what it is that they are to be looking for and present it at the next meeting. Additionally, staff will come back with the legal information and any information they receive from other board members to the next CDD 3 meeting. Maybe at that point there will be an interest in having all of the boards get together and have a brain storming session and there may or may not be adequate interest from the 14 boards to move forward with further investigation.

Editor’s Note: The CDD consolidation suggestion when originally brought up spoke of maintaining and sustaining a consistent lifestyle throughout the entire community. We admire this desire and support any attempt to bring it to fruition. Most residents

(Continued on page 7)

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## Update: District Governance

(Continued from page 6)

we have spoken with indicated that the lifestyle to them meant the amenity facilities and services and the appearance of the community. If that is in fact the case, then CDD consolidation is not likely to change much. As a result of the class action law suit, operational control of the amenity facilities north of CR 466 is controlled by the resident elected AAC. While they are a committee of the VCCDD and would likely be a committee of any successor to the VCCDD, the CDD is legally bound to follow the direction of the AAC and to “promptly enact, adopt or put into place those rules, policies, procedures or other actions of the Amenity Authority Committee ...” So it would not appear that a consolidated CDD Board would have the ability to override AAC decisions. With regard to community appearance, this is controlled by the deed restrictions of the community as established by the Developer. Unfortunately these deed restrictions vary greatly from one district to another and even units within a district. Consolidating the ten residential CDD Boards into one CDD will in no way change any of the existing deed restrictions. The consolidation will not make it possible for them to be consistent throughout The Villages and the consolidated CDD Board would have no ability to change any of the deed restrictions in any areas. Stay tuned. □

## AAC Meeting Summary March 6, 2013

### Old Business Topics Included:

- Bids are due March 27, 2013 for the construction of the restroom facilities and dugout modifications at the Knudson softball field.
- The road way around the parking lot circle at the Savannah Recreation Center will be marked to indicate Right Turn Only” for vehicles entering the circle.
- The current lack of rain has exposed the rusty pipe in Lake Paradise. Since the pipe is structurally sound, staff was directed to investigate options for providing additional ground cover to screen the pipe from view during periods of drought. Exposed pipes at other ponds will be addressed at the AAC Workshop.
- Design plans have been submitted to the Town of Lady Lake for the improvements to Paradise Park Area A. Permitting review will occur over a 60 day period. It is anticipated that Lady Lake will hold a Public Hearing in early April.
- Plans have been approved and bid documents are being prepared by Kimley-Horn & Associates for the Woodshop Parking Lot Improvement Project. Bids received will be brought back to the AAC for review and approval. Alternate parking will be provided during the con-

struction period which is estimated to occur over a 60-75 day period.

### New Business:

- The AAC recommended approval of a request from the Villas of Spanish Springs Homeowner’s Association (HOA) to assume maintenance responsibility of their entry and exit gates. The HOA will pay for the gate cameras and will grant the District an easement to access these gates.
- The AAC agreed to a staff recommendation regarding how to correct the incorrectly computed amenity fees being charged residents of Spanish Springs Villas and Vista Lago Villas. Credits will be applied to the accounts of those who were overcharged and a payment plan will be worked out with those who were undercharged.
- The Committee reviewed an action plan prepared by staff to accomplish the recreation center improvement projects iden-

(Continued on page 8)

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## AAC Summary

(Continued from page 7)

tified during the AAC workshop. Staff was directed to proceed. The projects affect Chula Vista, Tierra Del Sol, Silver Lake, Southside and the La Hacienda Sports Pool. In most cases the next step is to secure an architect to review the existing facility and prepare a scope of services document. Other aspects of the projects are also proceeding. In addition, staff will review the construction plans and building interior of the former El Santiago Restaurant. The next step would then be to review the statutes and requirements to potentially acquire the building. Given the broad scope of all these projects, the AAC authorized staff to pursue hiring a project manager.

### Consent Agenda:

- The AAC approved the awarding of the bid to provide stucco repair and painting at the Savannah Recreation center to Paintsmart USA, Inc.
- The Committee approved the purchase of Computer Aided Dispatch System software to provide full transparent interoperability with Sumter and Marion dis-

patch systems which will make possible the electronic sending and receiving of important public safety information between systems.

- The AAC also approved the changes to the documents that would allow CDDs 6, 7 and 8 to be included in the Architectural Review Committee process.

### Informational Items:

- The VCCDD Audit Report for Fiscal year 2011-12 was received.
- It was announced that public information sessions will be held with regard to Saddlebrook Rec Center improvements.
- The Committee was advised that the RDOG club has disbanded, but that volunteer stewards continue to address maintenance issues at the Mulberry Dog Park.

### Reports and Input:

- The Committee was reminded that March 13, 2013 at 1:30 p.m. would be a budget workshop at the District Office Board Room.
- The Board was advised that Lewis Stone of Stone and Gerkin P.A. would be replacing Archie Lowry as attorney to the AAC/VCCDD, SLCCDD, BCDD and NSCUDD boards. Mr. Lowry was

thanked for his service to the Board.

- District Manager Janet Tutt reported that based on a request from CDD 3, staff has begun reviewing the governance of the Districts to see if a potential exists to merge Districts (residential and commercial). Staff has met with District Counsel and Gary Moyer and found the structure to merge the Districts is legally possible; however, the document providing for the merger would be the most significant item proceeding.

### Audience Comments:

- An audience member requested that an automatic door be installed at the entrance to the Silver Lake Recreation Center. The Committee agreed to have this considered in the architectural review.
- An audience member requested the Committee consider a motion-detection light be installed at the Tierra Del Sol postal facility. Staff will review and address at the next AAC meeting.
- Two audience members spoke requesting the Committee take action to assure the water level in Lake Paradise remain high year round. Another resident expressed concern about increasing the level of water because of potential flooding issues.

Please go to the [districtgov.org](http://districtgov.org) website for the official minutes, agendas and meeting schedules.

**Next AAC Meeting – Wednesday, April 10th, 1:30 PM at the Savannah Center.** □



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 Surgical Residency, Miami, FL (1975-1977)  
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## 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.)

**USE OF  
SEAT BELTS  
WILL KEEP  
YOU IN  
YOUR CART!**

**February 9:** 11:53am - Called to private home. A 77 year old woman got out of her golf cart and did not engage the brake. The cart rolled backward and ran over her ankle. She was transported to The Villages Hospital for a possible fracture.

**February 18:** 6:30 pm - S Buena Vista near Colony Blvd. A 63 year old female was a passenger in a golf cart driven by her husband. As he travelled through the curve at Buena Vista and Colony, she fell out of the cart and struck her head on pavement. She was transported to The Villages Hospital due to head trauma.

**February 19:** 6 pm - Two teenagers (14 and 17) with grandpa's brand new golf cart were going down the street full tilt and decided to make a u-turn. They turned the cart over. Both were ejected. Each wound up with injury – albeit minor. One may have broken a leg, the other had a considerable amount of road-rash.

**February 27:** 12:30 am - Odell & Barnsdale. Public Safety arrived on the scene to find one male lying supine in the roadway in the care of a friend and bystander. He advised the responders that he was riding in the golf cart when his buddy made a sharp turn causing him to eject from the golf cart and land on the ground striking the back of his head on the pavement.

**March 5:** 3:10 pm – Vehicle No. 2, a 2007 golf cart, was traveling south on Paige Place (across from St. Timothy's parking lot) and was traveling properly in the golf cart traffic lane. Witness No. 1 was traveling south also on Paige Place behind Vehicle No. 2 in the golf cart in the golf cart traffic lane. Vehicle No. 1, a 2013 Cadillac, was traveling south on Paige Place in the traffic lane. Witness #1 stated that the Cadillac drove into the golf cart lane and struck Vehicle #2 on the left rear of the golf cart causing Vehicle #2 to strike the curbing and go up and over it. When Vehicle #2 went over the curb, it caused it to rotate in a 360 degree circle and flip over causing the driver of Vehicle #2 to be ejected from the golf cart. The golf cart

then came back towards the street and came to rest on top of the driver of Vehicle #2 who was transported to Ocala Regional Hospital by Lake County EMS. The driver of the Cadillac stated he was not paying attention to the golf cart and he hit the golf cart in the rear with the right front side of his vehicle. The driver of the Cadillac was cited for a violation of F.S. 316.089(1)

**March 09:** 6:10 pm - Lakeshore Drive in Sumter Landing. A pedestrian was hit by golf cart, and knocked to the ground hitting his head.

\*\*\*\*\*

**NOTE FROM A RESIDENT:** Three weeks ago, while driving my car in Sumter Landing, I followed a golf cart with a rear facing second seat.

On the seat sat a young mother holding, with her right arm, a 6 to 9 month old infant on her lap. Next to her was a small child, approximately 2 years old. She had her left arm holding the child close to her body.

### **NO SEAT BELTS.**

Grandpa was in the front seat driving with another passenger. When a child/infant rides in an automobile, airplane etc., special seating is required. Does this law apply to all vehicles? It should. This was a GOLF CART TRAGEDY in the making. You report on the accidents, thank you. How do we educate thoughtless parents and grandparents regarding this dangerous practice?

Thank you, Jan Davis ☐



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# AAC Workshop Summary

March 13, 2013

The Amenity Authority Committee (AAC) held a budget workshop on March 13, 2013 to provide direction to the staff in order to begin detailed preparation of the 2013-2014 Fiscal Year Budget. The purpose of meeting in a workshop is so that the committee members can actively discuss broad budget issues that could not be readily discussed in sufficient detail during a regular monthly Committee meeting. While no voting takes place at a workshop session, they are used to arrive at a consensus and provide direction to staff.

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**Budget Input Items:**

**Working Capital/Reserves** – Budget Director Barbara Kays reported that RAD reserves are at or above desired levels.

**Amenity Fees** – the Committee directed staff to continue to assume that no resident’s amenity fee would be increased above \$155 per month. For budget planning purposes, staff was given approval to assume amenity fee CPI increases would be at the 1% level for 2013-14 (January CPI was 1.59%).

**Executive Golf Trail Fees** – discussion of creating a single membership trail fee or eliminating trail fees altogether was ended when staff pointed out that the SLCCD Board would not be able to approve either of these suggestions due to the impact on their amenity revenue.

**Gate Camera Installation Plan** – staff was directed to continue on the installation plan. For Fiscal Year 2013-14, a full complement of cameras is planned to be installed at Briar Meadow North, Calumet Grove, La Zamora, Medical, Piedmont, RV 15, Southern Trace, Summerhill and Wales gates.

**Landscaping Contracts** – staff is investigating the possibility of consolidating landscaping contracts so that we would have fewer, but larger and longer contracts.

**Utilities O & M Contract Update** – as a result of recent bidding and a broadening of coverage it is expected that there will be a significant reduction (\$39K) in this contracted activity.

**Paradise Lake** – it was the consensus of the Committee that there is no viable solution at this time to keeping the water level of Lake Paradise up to the high water mark during times of drought, without the risk of flooding during the rainy season.

**La Hacienda Catering Agreement** – staff will present the request to extend the Catering Services Agreement through September 30, 2013 to the Committee at the April 10, 2013 AAC meeting.

\*\*\*\*\*

At this point the Committee resumed the Strategic Planning Workshop that was continued from February 13, 2013. The discussion concerned maintenance of infrastructure, level of amenity services and vision for the future. Staff was directed to obtain an estimate of the cost to provide connectivity with all entry gates in the AAC territory as well as the cost to also provide connectivity to all amenity facilities. It was clear from the comments of the AAC members that there is a strong desire to keep all amenity facilities at high levels of appearance and functionality. Executive golf course upgrades are only limited by availability of irrigation water to establish new plantings. Financial reserves are strong and the outlook is for further strengthening. □

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## PALMS UPDATE

Message from: **Bob Rutkowski, President**  
**Performing Arts of Lake,  
 Marion and Sumter**

PALMS continues to pursue its mission to create a Performing Arts Center that is a jewel to be enjoyed by the people of the tri-county area. Our key strategy at this time is to network with passionate arts supporters who are or know like minded high net worth individuals. We are seeking substantial leadership gifts. These key people will be forming our "Hearts of PALMS" lead group.

We have recently added two new members to our Board of Directors:

Danny Smith is an award winning land developer in Sumter and Marion counties. He brings not only a wealth of knowledge of the land situation, but also key relationships that he has developed over many years in the tri-county area. He is currently President of the Board of Realtors.

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Bruce Terburg is a resident of The Villages. His career included positions of increasing responsibility with Aeroquip and Eaton corporations. However, he is most known in the area for his vocal talents in the Central Florida Lyric Opera and The Villages Philharmonic Chorale. He is linked in to key personnel in numerous musical organizations in the area.

In order to encourage theater participation, we have initiated a sponsorship with AAA Travel. Our first offering is the Tony award winning show: "Memphis". The show is playing at the Bob Carr Theater in Orlando. We are offering bus transportation from The Villages and orchestra level seats to the Saturday May 18<sup>th</sup> performance at 2 pm. Ticket, bus, and driver gratuity are offered for \$106. For reservations or information call AAA at 352-753-2500 Ext. 2245.

Or for information, call our Board Members Bill Hicks at 352-630-7800 or Claire Souliere at 352-459-5565.

One of our Board Members, Michael Blachly, is director of the Phillips Theater at the University of Florida in Gainesville. We are currently working with him for a similar blockbuster show in the Fall. AAA Travel has substantial experience with these day trips and is a great partner for us. We look forward to the day when we can host these fine shows in our own facility. □

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## The “Bump” in the Parade “Road”

The only problem (and it could have been a major one if the POA had not had the ability to use electronic media to contact thousands of residents about the details of the scheduled parade) that they encountered was on the publicity end of it. The Committee, the POA, those marching in the parade, the volunteers, and many residents who planned to attend the event were quite upset that there was no mention of the parade in the Daily Sun (other than the two ads on the front page of the Recreation News), VNN, or the radio station which created a lot of confusion because all of these outlets were saying the Festival started at 4:45pm and there was no mention of the parade preceding it at 3:30pm.

Many residents believed that since none of them, nor the VHA Voice, mentioned the word “PARADE” prior to the event, and that it appeared to be a purposeful blackout, maybe as an effort to ‘keep the crowd down.

Janet Tutt, District Manager, addressed the audience at the March 19<sup>th</sup> POA meeting about this issue. She advised that they found that there were some things that the Committee did not know and that District Staff did not know either about The Villages media policies, and that the Recreation Staff will solve those problems for the future parades.

When addressing the audience she stated, “... One of the reasons we did one square this year is because it was new to all of us. Included in the proposed budgets there were a number of different items and it was just a proposed budget to give the Amenity Authority Committee (AAC) an idea of what the greatest amount of cost would be even though we believed it would come in less than that. One of those budget items pertained to advertising and we had planned on placing some advertisements.

However, if there is any blame to be taken for the lack of pre-event publicity, it is probably back to John Rohan and myself because as this progressed and there were so many people contacting us and we had it in the Recreation News, as well as we had communicated it to all of our speaking groups and we had announced it at other programs, we did not take the advertisements out because

(Continued on page 13)







## “Bump” in the “Road”

*(Continued from page 12)*

of the cost - we were trying to keep the cost at or below what we had advised the AAC it would be.”

Ms. Tutt indicated that they have since learned that, “... there is a direct correlation in newspapers between advertising and coverage. They are for profit corporations. The Daily Sun is not a Villages paper. It is privately owned and there is a correlation. We did not realize that by not taking out the advertisements that there was a correlation between the two resulting in the parade not receiving pre-event coverage. We are now going to rectify that. WE HAVE PARADES COMING UP THIS FALL and we now know what the new game plan is. This was our first venture into it and we have learned and will be able to address it in the future and I think everyone will be pleased with the outcome. The attendance was at or above previous parades, so it wasn't that it compromised the attendance and with next year hopefully having a parade on both squares, and our advertising – both will be great.

**“I just want to make sure that the concerns (blame) for the lack of media coverage is in the right place and it really is John and I. We both thought we were saving money. Fortunately the parade was a success and we will know to have advertisements next year.”** □





## How Are My Deed Restrictions Enforced?

Diane Tucker, VCDD Administrative Operations Manager, was the guest speaker at the February POA Meeting. She provided us with a comprehensive description of how deed restrictions are handled in our CDD's. Highlights of her presentation are as follows:

First of all, every property owner should have a copy of their deed restrictions, but if you do not, you can locate them at [districtgov.org](http://districtgov.org) by clicking on Departments – then on Community Standards – and going to the last link on the left side of the page. Just click on that link, and then click on the County you live in, the District you live in and then the Unit or Villa name. Just click on it and you will have your Declaration of Restrictions, which you can print if you wish.

(If you do not know your Unit number, it is the first number listed on the front of your Villages ID card.) The Community Standards Department is tasked with educating residents as to what their EXTERNAL deed restrictions are and how they enhance our community.

What are deed restrictions? They are the legal contract that you received or that you signed when you purchased your property. That is a legal contract between the property owner and the Developer. In this contract you agree to a certain maintenance level of your property and standards to maintain your prop-

erty to keep the aesthetic beauty of the community that is here today and when you purchased your property. The goal of the Community Standards Department and all of the District Boards is to maintain that beauty, not just for today and tomorrow, but into perpetuity.

Florida Statute 190 gives the Districts the authority and the option to adopt rules necessary for the District to enforce certain EXTERNAL deed restrictions. The law does not provide for the District to enforce "internal" deed restrictions, such as a child in the home,

*(Continued on page 15)*



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## Deed Enforcement

(Continued from page 14)

or a business in the home. However, internal deed restrictions may be enforced by another property owner or the Developer. In addition to being limited to enforcing EXTERNAL deed restrictions only, the Districts have not been granted the ability to amend or change the deed restrictions in any way. (The only one who can change the deed restrictions is the Developer.)

The changes that have occurred over the last couple of years are in regard to enforcement. To accomplish this, the Boards adopt a

deed compliance rule – the Boards cannot adopt and enforce the deed restrictions themselves, but they can ENFORCE THE RULES TO BRING ABOUT DEED COMPLIANCE which each Board may establish. The Rules contain the same verbiage that is contained in your deed restrictions. The “Rules” set forth the Boards’ authority to adopt the Rule. The purpose of the Rule is to establish the guidelines, policies and procedures relating to the enforcement of the adopted deed restrictions within the boundaries of the individual District. Each District adopts their own rules spelled out in a MATRIX (part of the “Rules” adopted by each individual Board). It contains those external deed restrictions associated with their enforcement, and identifies the procedure for compliance, as well as the schedule of fines associated with various possible violations on the property. It is the

compliance mechanism of how to bring the property into compliance and the enforcement remedies (if it goes to a public hearing, and the Board determines enforcement is needed).

Districts 1-8 and the VCCDD representing the Lake County area have each adopted their individual “RULE”, MATRIX, and their EXTERNAL deed restriction Standard – a document which defines individual terms associated with the Matrix that clarifies some of the ambiguous terms associated with the deed restrictions. Each of the Boards has entered into an Interlocal Agreement for the purpose of implementing a deed compliance Rule and have entered into an Interlocal Agreement with The Villages Center District to create an Architectural Review Committee (ARC).

(Continued on page 17)

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## Deed Enforcement

(Continued from page 15)

### Who Enforces Deed Restrictions?

The restrictions can be enforced by any property owner of any lot who may seek to enforce external and internal deed restrictions against another property owner. The Declarant (Developer) can also seek to enforce both external and internal restrictions. The District, however, through their adopted RULE can only enforce external deed restrictions that they have adopted to enforce. The Community Standards Department is tasked with educating residents as to what the EXTERNAL deed restrictions are and how they enhance our community.

### How Are Deed Restrictions Enforced?

It is important to remember that enforcement is a complaint driven process. The Department, by request of each District Board, does not 'police' the neighborhoods. The complaint may be communicated by a resident or any other person; it can be received by a telephone call, fax, E-mail, regular mail;

or in person at the office. It is also important to note that the complaint may be anonymous. When the Department receives a complaint they will investigate the alleged violation. The first step is an inspection by the Deed Compliance Officer (DCO) within three days who verifies that a violation is occurring. (If no violation exists, the process stops right then.) If a violation does exist the notification process begins. The DCO will knock on the door and attempt to communicate the violation to the property owner. The goal is to assist the resident in bringing their property into compliance. (Oftentimes, the resident was unaware that they were in violation of the deed restriction and remedy the situation immediately bringing that process to an end.) The complainant (if known – not asked to be anonymous) is advised of the outcome of the inspection.

If the violation continues or no one answers the door, the DCO will write up a reminder notice and put it on the door and follow-up with a return visit that afternoon as well as attempt to telephone the resident. If the violation continues a letter is sent to the property address and if there is an away address it is sent there as well, and states the allotted time to bring the property into compliance (depending upon the violation the number of days will vary) and requests that the property owner telephone the office once

(Continued on page 18)

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## Deed Enforcement

(Continued from page 17)

the violation is cleared. If the violation continues beyond the allotted time the DCO goes out and verifies the property for non-compliance and if not remedied a second notice will be sent along with notification of an allotted time for compliance and the amount of the fine that will be assessed if the property continues to be out of compliance. For example, if the complaint is on high grass and weeds the fine is \$250.00 which usually motivates the property owner to address the violation. If it continues after the allotted time the third notification is sent which gives the Notice of a Public Hearing before the respective District Board of Supervisors. During a Public Hearing, staff will give an overview of the case to the Board who will act as judges. Oftentimes the property owner is present and will be permitted to make a presentation to the Board. Upon hearing the case

including any public comments, the Board makes the decision on the type of enforcement to seek. They can dismiss the case, allow additional time to clear the violation, request that a letter be sent by District Counsel and they may seek injunctive relief or any other legal remedy that may be available. (There has only been one case since this process was initiated in 2010 that went to injunctive relief and the Judge ruled in favor of the District.)

Data from February, 2012 to January, 2013, reveals that there were 4,193 complaints and only 806 required written violations. This is due to the fact that some of them were not actual violations, and others where the property owner was approached, and immediately brought their property into compliance. Of the 806 only 12 have gone to Public Hearing which indicates that the goal of the Community Standards Department, District Boards, and residents to have the process bring the property into compliance is working very well. □

## Seniors vs Crime

Leading the Fight Against Scams  
Are YOU a Target for Scam Artists?

Do you ever feel like you're walking around with a big bull's eye painted on your back because you seem to be the target of so many scam artists, shysters, and other unsavory types? You may be onto something! According to a recent issue of Scambusters.org, a public service website and email newsletter, one in five people aged 65 or over

(Continued on page 19)

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# Seniors vs Crime

(Continued from page 18)

have fallen victim to a scam. Some experts say that scammers are robbing senior citizens at the rate of around \$3 billion a year. As this segment of our population grows, and as life expectancy increases, experts fear that this type of crime is about to explode. Why are seniors such a lucrative target? Experts think there may be two reasons for this:

- Deteriorating judgment skills. Scientists have identified the decision making and judgment portion of the brain. Studies have shown this portion of the brain shrinks with age.
- Seniors have money. A lot of seniors are sitting on fat nest eggs, whether it be

IRAs, pension funds, stocks, home equity, savings, or whatever.

Scams targeting seniors have been around for a long time. Scammers are constantly updating and refining their scams to reflect changing times. As our lifestyles, economy, and other factors change, the scammers adapt to changing times also.

Some recently updated or relatively new scams targeting seniors are:

- Contractor scams and techniques
- Bogus landscapers
- Medicare, Social Security and Income Tax Refund related identity theft

- Gift cards and personal payment visits
- Senior dating scams
- Courier signature collection
- Land theft and real estate scams
- Counterfeit money scam

How do you fight this explosion of senior-directed scams? According to Scambust-

(Continued on page 20)

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## Seniors vs Crime

(Continued from page 19)

ers.org, experts say that education -- teaching and learning the risks -- is the best route to tackling the seniors scam explosion.

They give seven key rules to use and follow:

- Never accept what someone tells you on face value; check it out.
- Never give information like bank account details and Social Security numbers to someone you don't know.
- Never pay a supposed bill by money wire, gift or cash card and never agree to a home collection of payment from someone you don't know.
- Don't send money to a supposed relative or friend in trouble, no matter how convincing they sound, without first checking their story with someone else.
- Don't give out your credit card number in response to any kind of call -- including

someone who tells you they're from your card company. They're not!

- Don't pay upfront to receive cash -- whether it's a supposed lottery prize, closing costs or anything else.
- Discuss big financial decisions with a family member or a trusted -- and we do mean proven to be trustworthy -- professional.

Remember, no one will watch out for your interests better than YOU. Many scammers are very cunning, so being smart is NOT enough to protect yourself. When you think you need that 'extra edge', or when in doubt as to what you can do to protect your inter-

ests, 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, Extension 4606 in Sumter County. Volunteers at both offices are ready, willing and able to assist you.

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. Call the numbers above for info. □

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## Our Gardening Column:

# Herbs

by Anne Lambrecht, Master Gardener  
 annegarden@embarqmail.com

Many of us grow herbs – whether in pots by our kitchen door, in between our shrubs and perennials or if we're lucky, in our vegetable gardens. An herb is defined as any plant with leaves, seeds or flowers used for flavoring food, medicine or perfume. Herbs are used mainly to season, enrich or improve the taste or smell of certain foods. They are not classified as a vegetable but due to the similarity of growth habits and cultural requirements, herbs are often included with vegetables in the garden.

Because of our vast amounts of sun, most herbs do very well here in north central Florida. Since only a small portion of the plant is usually needed at one time and because the plants are small, they do very well in containers. Their attractiveness as an ornamental plant makes them a good fit for the home

landscape, either in border plantings or included in the flower garden. And they're wonderful pollinator attractors. Most herbs need at least six hours of sunlight daily and the soil should be well drained with additions of organic matter since most herbs are shallow rooting. Most herbs can be successfully grown in containers along walkways and patios or on porches and lanais. Hanging baskets are especially suitable for herbs – but you'll need to water daily.

The seeds, leaves, flowering tops, and occasionally the roots of the herbs are used for flavoring purposes. Their flavor is due for the most part to a volatile or essential oil contained in these seeds, leaves, and flowers. The flavor is retained longer if the herbs are harvested at the right time and properly cured and stored. The young, tender leaves can be gathered and used fresh at any time during the season.

Here is a group of herbs that most of us know and that really do well here:

**Basil** - sensitive to cold so plant it in the

spring/summer. The flowers look nice in arrangements and are very attractive to bees.

**Rosemary** - a beautiful ornamental plant as well as a culinary seasoning (Rosemary Chicken anyone)? You are better off buying an established plant as they are tricky from seed and can take forever.

(Continued on page 22)

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# Herbs

(Continued from page 21)

**Parsley** - is best used fresh and added at the end of cooking. Curly leaved parsley is a little bitter for some palettes and the flat-leaved or Italian parsleys are more in favor with today’s cook.

**Chives and Garlic Chives** – add wonderful fresh flavor to dishes and the flowers, along with the stems, can be added to softened butter for a special treat.

**Dill** - a sophisticated flavor for egg and fish dishes. Grow extra for the swallowtails.

**Thyme** - divine in sauces and on fish. Thyme will dry out in our summer heat: keep moist and place in afternoon shade

**Sage** - so yummy in fall dishes. Sage is a little sensitive to our heat so protect from afternoon sun.

**Borage** - easy growing annual plant with vivid blue flowers and leaves with the flavor of cucumbers. It is considered a good companion plant for tomatoes and squash.

**Mint** - great in mojitos but be careful: mint will take over the garden!

**Tarragon** - the kind that does best here is the Mexican variety. The leaves and yellow flowers have a licorice flavor.

There are many health benefits and really cool folklore associated with all of them. And what to do with your bounty? Alas, these are subjects for another time.

The northeast part of our yard borders on a horse farm where some donkeys keep company with the horses. Every now and then when they bray, I let the Husband know that his friends are calling him.

www.herbociety.org - The Herb Society of America

www.edis.ifas.ufl.edu/vh020 - Herbs in the Florida Garden

Culpepper’s Color Herbal Sterling Publishing Co., Inc. New York

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By Judi Da Costa, Personal Trainer  
exercise2gether@aol.com

Wow..Spring is here already, so it's a good time to put one in your step!

Let's get moving, the weather is getting warmer, the nights are getting longer and if you have been putting off the urge to get off that couch, perhaps this time of the year is just what you need!

I want you to find a daily walk that takes you no more than 10 minutes, an easy 5 minutes each way, what could be easier than that?

Try to time yourself everyday. Your goal by the end of the month is to see how much less time it takes to do that walk. If that seems a little too much for you in the beginning, go for 5 minutes total and chart your progress the same way. □



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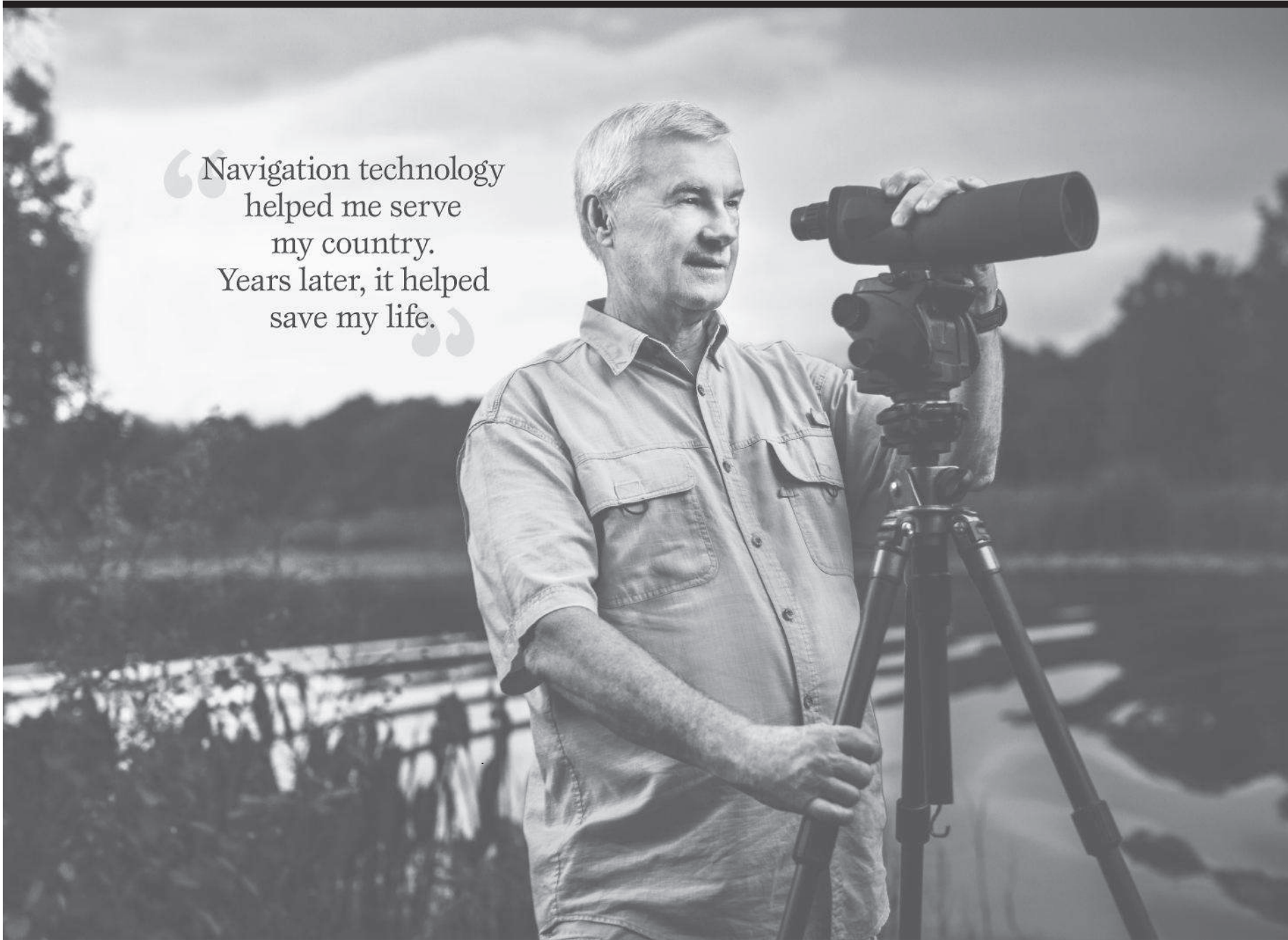
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