

# The POA Bulletin

Free Copy



The Property Owners' Association of The Villages

Issue 39.05

Champions of Residents' Rights Since 1975

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

May, 2013

## Law Enforcement In The Villages

The following are highlights of Lt. Wolfe's (Sumter County Sheriff's Office – SCSO) presentation at the March POA meeting:

Lt. Wolfe spoke about things that were of concern to Villagers and things that are going on in The Villages, in particular in the Sumter County portion of The Villages. He indicated that he would try to stick to items that he was asked to address.

In Florida, the Sheriff's office is a little bit different than those up north. Some of the Sheriff's offices up north have as their primary responsibility, processing of service of civil papers and courthouse security. In Florida, however, a Sheriff's office is in charge of all of your law enforcement needs with the exception of accident crashes. Any law enforcement needs that you have, the person that you will call upon is your Sheriff's office unless you live in a city or an incorporated area. This is contrary to northern law enforcement where incidents such as burglary or theft, you would ordinarily call your State Police.

The SCSO is very instrumental in trying to partner not only with social and civic groups in the area, but it works very well with other law enforcement agencies, which is unusual. Here in The Villages the SCSO has a mutual aid agreement in place with our local cities, Lady Lake and Wildwood. When it comes to either the Lake or the Marion County Sheriff's Offices there is a mutual aid agreement in place under the Florida Sheriff's Association so that in case other law enforcement agencies in the area are needed for whatever reason, they simply make a phone call and they respond.

The Tri-County law enforcement agencies, along with the District Public Safety

Department and District government meet on a quarterly basis where, in roundtable fashion, where they discuss issues and concerns going on in The Villages.

The Florida Highway Patrol (FHP) has the responsibility to work crashes or accident investigations anywhere in the State of Florida. The only problem is that several years ago it was noted that the response time to the area of The Villages was not satisfactory to the Sheriff, so he created a traffic investigation unit which has the primary responsibility to work crashes first and to enforce second. Last year, here in The Villages, they worked 373 crashes in the Sumter County portion. Those crashes did not result in any life threatening injuries. Therefore, the Sumter County Sheriff's Office responded to these crashes and did the investigations.

Lt. Wolfe stated that, "...recently – within the last year, working with Elaine (POA President), we have started to try and identify golf cart crashes. We found out that the software and the paperwork that are now in existence do not classify golf carts. The only way to identify the incidence of a golf cart acci-

*(Continued on page 2)*

**Tuesday, May 21, 2013**  
**POA GENERAL MEMBERSHIP MEETING**  
**Third Tuesday of the Month – 7:00 PM**  
**Laurel Manor Recreation Center**  
**Automated External Defibrillators**  
**(AEDs) Save Lives!!**  
**Learn How to Use One and**  
**How to Get One in Your Neighborhood**  
**Presented by Captain Gail Lazenby**  
**Villages Public Safety Department**  
**Audio and Visual in Overflow Room**  
**Donuts and Coffee for All after the Meeting**  
**All Residents Welcome - Come and Join Us!**

### BULLETIN DELIVERY

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. □

## VHA Slams Class Action Settlement, AGAIN...

"The IRS and Skeptics Had It All Wrong" was a subtitle of the front page article in the April 2013 VHA "Villages Voice" where some opinions were expressed without any evidence to support those opinions.

### What the VHA said:

"The IRS initially demonstrated a misunderstanding of Florida law involving the creation, purpose and operation of CDDs. Additionally, the IRS **probably (emphasis added)** began its pursuit against the District on a basis of flawed information and erroneous assumptions concerning CDD budgeting and financing, **as did a small group of Villager skeptics who brought suit against the**

*(Continued on page 4)*

## Law Enforcement

(Continued from page 1)

dent is to mark it as “other” on the paperwork. So, if we want to know if an accident involved a golf cart we would have to go in and pull each and every report in the “other” category and read the narrative, so we are trying to upgrade not only our software, but we are talking with Tallahassee to see if they would be willing to have golf carts as a separate category.”

Traffic in The Villages can be very challenging. The SCSO has been accused of not doing enough when it comes to enforcement. However, last year the SCSO, within The Villages district, wrote 1,354 citations and they are not cheap anymore. **Stop signs are there for a reason. They mean that ALL WHEELS are supposed to come to a complete stop. That also includes people who ride bicycles and golf carts.** We have aggressively gone after golf carts running stop signs and those who have rigged the golf cart to do more speed than what the manufacturer specification states that it is supposed to do.

When it comes to serious crimes, **the number of robberies that we have had during the last year is one.** In a true robbery, by definition, you have to be placed in fear of your life. In order to prevent robberies the SCSO uses marked and unmarked patrol cars, and other undisclosed methods, and works closely with Community Watch. Lt. Wolfe encouraged residents to call the SCSO whenever they see something unusual – at the time that it is occurring – DO NOT wait. Not long ago there was a burglary – the guy came into the community – he was soliciting tree work – Lt. Wolfe stated, “...the term that I like to use is that it was a **SUSPICIOUS PERSON** who came to my door and inquired if he could do some work for me. You didn’t invite him – he trespassed on your property. **Call the Sheriff and say that guy is SUSPI-**

The POA Bulletin is published monthly by the Property Owners’ Association of The Villages, Inc. Articles represent the opinion of the POA or the writer, and Letters to the Editor postings represent the opinions of the writers. Care is taken to ensure that facts reported herein are true and accurate to the best knowledge of the POA and are taken from reliable sources.

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**CIOUS – I didn’t invite him.** You say SUSPICIOUS and the Sheriff’s Office will respond.”

There have been no home invasions here in The Villages during the past year. We have had a total of six vehicle thefts – golf carts, and 172 thefts, which can be anything from stealing a lawn ornament to stealing golf clubs off the back of a parked, unattended golf cart. Sometimes there are issues in the construction areas where some of the contractors “borrow something” from another contractor and “forget to take it back”. There have been a total of 44 assault and batteries in the last year.

### Situations and Q & A:

1) Golf cart right of way questions:

a) Scenario – On Morse Blvd. going north, you approach San Marino Drive – you are in an automobile and you want to turn right on San Marino – there is a golf cart lane beside you – a solid white line: If there is a golf cart in that lane, the golf cart has the right of way. The rule of thumb is that a golf cart has a right to be there – in its designated lane – even if there is no line that goes on into the intersection. Once you leave your lane and enter another vehicle’s lane, you have a responsibility to do it safely and if you don’t and there is a collision, you will be at fault.

b) Scenario – A golf cart is going north on Morse Blvd. and wants to turn left on San Marino. The golf cart operator, **prior to arriving at the intersection, should safely merge** into the automobile lane, move up to that intersection and make your left hand turn. If there is a left hand turn lane you should move over into it. DO NOT attempt to make a left hand turn from a designated golf cart lane – MERGE IN ADVANCE.

c) Scenario – You are in a golf cart lane with a solid white line between you and the automobile lane and you approach an inter-

(Continued on page 10)

## 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, unslanted news reporting from local news sources.
10. Be informed beforehand by the Developer on any major change in our community. □

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## Remembering Frank Renner

Francis X. Renner of The Villages, Florida, formerly of West Medford, MA, died March 9<sup>th</sup>, 2013. Prior to retiring in The Villages Frank was an attorney and tax accountant for many years in West Medford, a professor at Newbury College and a U.S. Navy Veteran of WWII.

Frank was inducted into the POA Hall of Fame in 2006 for his outstanding work in supporting the POA for over 19 years. He served as a Director for many years and continued as a trusted advisor to the POA Board until his recent illness. He was wise, an overall good person, well-liked, and showed good judgment. He organized the successful fund-raising effort for the 1996 legal action against the Developer on the use of the monthly maintenance fee and continued to advise the POA on financial matters.

Frank was a master in administering the oath of office each year to the newly-elected officers and directors of the POA. His illness this past December prevented him from administering the oath to install the POA officers. The words he used to administer the oath will continue to be used each year by the POA in memory of Frank Renner.

Frank will be missed by his family, the POA, his friends and neighbors. □



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## POA Says "THANKS"

We would like to say "thank you" for the tremendous response of members renewing their 2012 POA memberships and also for the many new members who have joined with us as a way of supporting Residents' Rights for all Villagers.

So, if you haven't yet joined with us or renewed your membership, now is a good time to fill out the Membership Form on the page below. If you are not a 'joiner', but appreciate the efforts the POA volunteers are making on your behalf, you can always simply mail in a donation to help defray our costs. Our mission is to keep each of you informed of facts about issues which may not have been clearly or fully presented in other media.

We would also like to cordially invite you to attend one of our monthly meetings, which is where we are alerted to possible problems

that residents are experiencing, i.e., cancellation of parades, deed restriction concerns, IRS issues, etc. The POA meeting is held the third Tuesday of each month at 7PM at Laurel Manor. A typical meeting consists of about 20 minutes of organization business (treasurer's report, minutes, etc.), reports from SHINE, cash raffle, updates on any current issues; 30 minutes of an open forum where attendees can **ask any questions they want** us to find answers to, or present problems they are facing; and a guest speaker who will talk for approximately 20 minutes and answer questions for 20 minutes, which concludes the formal part of the meeting. Attendees are then invited to join us in some social time where the POA provides free coffee and donuts to the attendees. (The month's speaker can always be found in the box at the bottom of the front page of the Bulletin.) □

### 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

**PLEASE PRINT!**

NAME(S)(1) \_\_\_\_\_  
(SAME LAST NAME)

NAME(S)(2) \_\_\_\_\_  
(DIFFERENT LAST NAME)

ADDRESS \_\_\_\_\_

VILLAGE \_\_\_\_\_

CITY/STATE/ZIP CODE \_\_\_\_\_

PHONE \_\_\_\_\_

E-MAIL \_\_\_\_\_

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

**1. MEMBERSHIP NEW/RENEWAL:** Please enroll my POA membership for 2013 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)

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.**

Dues Paid Date \_\_\_\_\_ (Office Use Only)

## VHA Slams Settlement

(Continued from page 1)

**Developer, claiming shortfalls of about \$40 million in amenity funding after property transfers, which never occurred.**

### **What the facts show:**

A review of the Court Documents shows that the shortfall alleged for amenities north of CR 466 was for current and future renovations, reserves, and service needs, as it was the current residents who were impacted by the lack of necessary funds.

The Settlement Agreement required an immediate payment of \$13,203,168 and District records show that it has been spent as follows:

- \$1,400,000 was put in Escrow and returned to the Developer once the VCCDD Board transferred \$1,400,000 from the Amenity Budget into the Renewal and Replacement Reserve Fund, to assure that it could not be used for other

purposes, as had been done in the past. It should be noted that as of June 2007, eleven years after the original sale/transfer, all of the recreation facilities North of CR 466 had been transferred, but the Renewal and Replacement Reserve Fund had only \$832,737 (the amount legally required in the fund to protect the bonds as stated in the Bond Covenants). Effectively, prior to the lawsuit, there were NO meaningful funds in reserve that could be used for renewal and replacement of the numerous recreation facilities – recreation centers, golf courses, pools, etc.

- \$2,933,268 was used to pay off the 2005 Jr. Bond, which was secured to renovate the Paradise Center. If there had been any meaningful renewal and replacement reserves, it would not have been necessary to issue this bond and pay the interest thereon for the Paradise renovation (the total principal and interest amounts still due between 2007 and 2015 to pay off this debt was \$3,225,064.00 which would have had to have been paid with annual amenity income had the settlement funds not been secured to pay off the bond.)
- \$9,023,875 was expended on the widening and reconstruction of the arterial recreation trails.

So yes, there clearly was an immediate shortfall of \$13M which in effect was actu-

ally over \$17M due to the fact that the VCCDD no longer had to pay the remaining principal and interest on the Paradise renovation bond out of its annual budget allowing \$3.2M plus to be available for the VCCDD to place in the amenity renewal and replacement fund. Supplementing the immediate payment were 13 required annual payments commencing December 31, 2008, varying from \$166,700 to \$3,104,101. The Settlement Agreement states that, “...All of this money is to be dedicated to the exclusive use of the Amenity Authority Committee (AAC) for whatever amenity related purpose the Amenity Authority Committee deems appropriate...” (NOTE that while the plaintiffs secured the funds it was agreed that it would be the AAC that determines how they will be used.)

Annual payments have been secured each year and have been placed in the Settlement funds account and the AAC has now begun to spend those monies. Key to the process of renovating facilities was the need for a clear understanding of their current conditions and a timetable of likely refurbishment and improvement needs of all of the facilities. At the suggestion of the District Manager, the AAC waited until the District staff had completed the five year capital improvement plan (CIP – which took staff 4 years to compile – 2008 until 2012), to review the significant renewal and replacement needs of the facili-

(Continued on page 12)

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## AAC Meeting Summary April 10, 2013

### Call to Order:

- Lewis Stone was introduced as the new Board attorney.

### Old Business Topics Included:

- The Lady Lake Technical Review Committee approved the Paradise Park Area A plans which will now be presented to the Lady Lake Town Commission for approval. Construction is anticipated to begin in late summer.
- The Woodshop Parking Lot project bid documents are in process and construction is anticipated to begin in June.
- Public input sessions were held regarding possible improvements to the Saddlebrook Recreation Center. Staff is reviewing the input and will provide recommendations to the AAC.
- The Irish Parade was a major success.

The AAC provided a consensus to include funding for Irish, Italian and German parades in the Fiscal Year 2013/2014 budget.

- The AAC approved a motion to replace the rusty pipe in Lake Paradise with a black PVC pipe at a cost of approximately \$14,500.
- Status of the Recreation Center Improvement Projects plan:
  1. Chula Vista – consensus to have the Architect complete a Scope of Services document and proceed utilizing the latest diagram presented to the AAC.
  2. Tierra Del Sol – preliminary meeting held with the Architect. A meeting will be held with residents to provide further review.
  3. El Santiago Restaurant building – consensus provided to have staff proceed with appraisals of the facility.
  4. Silver Lake – staff to hold an additional public input session to receive input while concurrently working with the Architect.
  5. Southside – staff is working with the Architect to prepare a Scope of Services document for a future AAC meeting.
  6. La Hacienda Sports Pool Area – a plan similar to the Savannah pool area will be utilized. Staff will prepare a Scope of Services document for a future AAC meeting.
  7. The AAC approved a staff request to have the VCCDD hire a temporary full-time employee as the project manager for these projects.

### New Business:

- With regard to stucco repairs and painting at the Savannah Recreation Center, the AAC agreed to cancel the contract with PaintSmart, USA, Inc., and award it to Lenard Bell Painting, Inc.

### Consent Agenda:

- The AAC approved the awarding of the bid to construct new dugouts and restrooms at Knudsen Field to Genesis Construction & Management, Inc.
- The Committee also approved the renewing of the catering contract with La Hacienda catering through September 30, 2013, and the awarding of a contract to Hardscapes of Central Florida for the pool deck renovations at the Saddlebrook Recreation Center.

### Audience Comments:

- Audience members spoke requesting the Committee consider actions to assure the water level in Lake Paradise remains high year round.
- Jackie Campbell, Resident Parade Committee chair, thanked the AAC for its support in funding the Irish Parade and also the commitment to support future parades. The AAC thanked Ms. Campbell for her efforts.

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

**Next AAC Meeting – Wednesday May 8th, 1:30 P.M. at the Savannah Center.** □

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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!!**

**Friday, March 22<sup>nd</sup> – 9:40am** – A 2006 Toyota was traveling eastbound on Banderos Avenue approaching the stop sign at Banderos and Bella Cruz Drive. A 2010 EZGO golf cart was traveling northbound on Bella Cruz, approaching the same intersection. It should be noted that the stop sign at the above intersection was a 2-way sign which governs traffic on Banderos only. As the golf cart was approaching the intersection the Toyota pulled out directly in its path. The Toyota intended to cross over Bella Cruz to continue to HWY 441. During impact the driver of the golf cart collided with the steering wheel causing injury to his person. He was transported to The Villages Hospital for medical treatment. The investigation revealed that the driver of the Toyota violated the right-of-way of the golf cart, which resulted in the collision, and the driver of the Toyota

was cited for the Violation of Right-of-Way at an intersection.

**Friday, March 22<sup>nd</sup> – 10:55am** – The driver of a 2013 Chrysler was backing out of her driveway while a 2008 GEM car was traveling northwest of Saffron Lane approaching the area from which the vehicle was backing. The driver of the Chrysler failed to observe the approaching GEM and struck the GEM as it passed by her driveway. The GEM sustained damage to the passenger's side from the wheel well to the passenger's rear side. The driver of the GEM stated that her dog had been riding with her in the passenger's seat and was ejected from the vehicle during the collision. The driver of the GEM stated she was going to have her dog examined by a local veterinarian. The driver of the Chrysler received a citation for improper backing.

**Friday, March 29<sup>th</sup> – 10:30am** – A resident was driving her golf cart on West Boone Court when a car stopped short in front of her. She slammed on the brakes and yanked the steering wheel, tipping over the cart as she fell out. The driver suffered back pain and pain to her legs from battery acid. She was transported to The Villages Hospital for evaluation/treatment.

**Wednesday, April 3<sup>rd</sup> – 8:25am** – A golf cart was traveling east bound on Belvedere Blvd. and made a right turn onto Castleberry Cir. The driver attempted to make a U-turn on Castleberry to go back west bound on

Belvedere. As the driver attempted to make the U-turn the golf cart accelerated up over a concrete curb and crashed into a stop sign post, breaking it in half with the front bumper. The driver stated she remembered she had something else she needed to do and turned into Castleberry to do a U-turn. The 88 year old driver was issued a citation and transported to The Villages Hospital.

**Friday, April 5<sup>th</sup> – 3:30pm** – A golf cart was traveling eastbound on Churchill Downs near the intersection of Livingston Loop when the right tire of the cart struck the curb. After striking the curb, the driver fell out of the car and the cart traveled onto the grass then back onto the roadway ejecting the passenger onto the roadway. Both the driver and the passenger were transported to Leesburg Regional Medical Center.

**Friday, April 12<sup>th</sup> – 5:30pm** – A golf cart (2012 Star EV 4-seater) was south bound on Odell Circle travelling downhill in the golf cart lane. The driver stated that a gust of wind caused him to start swaying to the point he crashed. The officer stated that upon inspection of the vehicle it was noticed that the suspension was loose and the vehicle was in high range and that it appears that something caused the driver to lose control of the vehicle when it started swaying from side to side until it flipped on the driver side and slid to a rest in the middle of Odell Circle. Two occupants were transported to Ocala Regional Hospital for treatment. □



**TIM BABIARZ**  
Lawyer

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## District Manager Pushes CDDs to Look at Consolidation

A CDD3 supervisor raised the issue of consolidation of CDDs at his February supervisors meeting. The CDD3 supervisor making the request was not available in March, so the CDD3 Board decided to wait until their April meeting to hear from him regarding what he was suggesting and what problem he was trying to address.

In the interim, members of other CDD Boards, as well as other residents, were advised there was no information to be provided by staff until the CDD3 Supervisors had been provided with the results of their request of staff. When the District Manager received these requests for updates, she stated any such change in the way the districts are governed was a "policy driven" decision and staff would simply take direction from the boards.

However, it now appears the District Manager wants to expedite the merger discussion process. Even before CDD3 met on Friday April 12<sup>th</sup> to hear from the board member who initially raised the issue and to receive the anticipated report from District Counsel, Ms. Tutt had already suggested a Task Force be established and lined up representatives from CDD1 and CDD2 to serve on a task force to look at the structure of The

Villages' district form of government. No doubt all the other CDD Boards will have to designate and send a participant if only to hear what is being proposed regarding their district.

This "order of events" raises two questions:

1) Should the suggestion of a task force have come after staff results were presented and discussed by the CDD3 Board? The CDD3 Board might have decided they did not want to move forward with the review and then the merger issue might have "died".

2) Should the request to assemble a task force have originated with at least one of the District Boards rather than the District Manager? After all, Ms. Tutt had identified the merger issue as a policy decision and one for which "staff would simply take direction from the boards".

According to the Daily Sun article on April 13<sup>th</sup>, "...The task force would examine in public a number of options aimed at finding new efficiencies, including the possibility of merging the Community Development Districts..."

Task Force Representatives are:  
CDD1–Ellen Cora    CDD2–John Blum  
CDD3–Bill Ray    CDD4–Chuck Kazlo  
CDD5–Jerry Knoll    CDD6–John Calandro  
CDD7–Jerry Vicenti    CDD8–Jack Reimer

**The POA highly recommends you attend the meetings of this task force, once they are announced, and make your opinions known to your CDD representative.**

While it is always a good idea to see if there are better ways to operate, bigger is not always better. Where will the consolidation savings come from, how much are they, and do they balance the loss of resident representation? While much of the business of each CDD is similar, there are substantial differences and concerns, some of which we identified in an article in the POA April Bulletin, which are as follows:

1) Would consolidation of the Districts deteriorate and/or dilute the residents' voice in government?

2) Would consolidation include the commercial districts or be confined to the residential districts?

3) What about Town of Lady Lake/Lake County residents? (They are not in a CDD.)

4) Would we all become liable for each other's debts? (Districts south of CR 466 have a lot more infrastructure bond debt remaining.)

5) Would we all then pay the same annual CDD maintenance fee (residents north of CR 466 now pay about half what those south of CR 466 pay? – The north average is \$286 {range is \$246 to \$337}. CDD7 is \$385 and CDDs 5, 6, and 8 are \$483, \$498 and \$548.)

6) How would enforcement of deed restrictions take place since most of the Districts have different deed restrictions?

7) Would a large consolidated district have a hard time getting small things done for residents versus now where Districts can

(Continued on page 9)

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## CDD Consolidation

(Continued from page 8)

quickly direct the maintenance staff to take care of things?

8) Would we all be assessed like the current project wide south of CR 466? (The POA does not believe the allocation methodology used for determining Project Wide assessments is fair to the residents.)

9) Does the fact that residents live in three different Counties impact consolidation? (Marion County is the only one that requires the CDD to maintain its own roadways.)

There are many other unanswered questions so, as you can see, we are probably quite a ways away from seeing a formal proposal. Thus, at this point, the POA remains neither for nor against “district consolidation” because we do not have a clue as to what will be proposed. □

## Deed Restrictions Q&A

The following are answers provided by our February guest speaker, Diane Tucker, who oversees the Community Standards Department.

1) If you have submitted an Architectural Review Application and been denied and plan to appeal the decision you should **not** contact your CDD Supervisors because the appeal will be presented to your CDD Board. It is required that the appeal hearing be the first time they have any knowledge about the requested modification. If the appealing resi-

dent has any questions they need to address them to the deed compliance office.

2) I understand that the only way the deed restrictions can be changed is by the Developer doing it. There is one glaring absence that we have in The Villages deed restrictions and that is there is no limitation on what color you paint the exterior of your home. What can be done about this? A) Basically, the restrictions state that any modification, or alteration must be approved by the Architectural Review Committee (ARC). The language begins with the construction process and then goes into modifications, etc. It has always been the intent of the Developer that repainting of homes was not part of that deed restriction. However, even though this is the way it has been interpreted, it does not address repainting of homes specifically. For example, in Villa restrictions it specifically states that prior to repainting your villa you must go before the ARC for the colors. District legal counsel has advised that if a CDD Board chooses to interpret that to mean homes language as to modifications and alterations includes repainting that the Boards can elect to do so. However, in researching the area, staff determined that it would be a monumental task. It goes from – do you just include the repainting of the home; do you include repainting shutters and your front door; does it include the color of the shingles; – it grows. District 1 had a group of residents that approached the CDD1 Board regarding this

issue. After all was said and done, including looking at the potential number of applications to the ARC which would be overwhelming, this group said they still wanted to do it. They agreed to work on it and come back to the Board with their findings. That was in the fall and no word yet, but a meeting has been set between the District staff and this group and a plan to present the group’s findings to the CDD1 Board at their March meeting. (Stay tuned)

3) What can be done about RVs parked on our streets? I live in a small cul de sac and if we had a major fire, it could present a real problem. A) The streets are public streets so they are permitted to park in the street for up to 72 hours for the purpose of loading and unloading. However, if at any time it becomes a safety issue where you believe an emergency vehicle could not pass, or the flow of traffic would be detained, then call law enforcement and they will come out and check into it.

4) I understand that a neighbor can file a complaint for violations on the exterior of the home, but what about complaints for excessive noise coming from the inside? A) If there is an internal complaint staff takes the information and turns it over to the Developer’s representative and they take care of it. □

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## Parades Are Back!!

The Resident Parade Committee (RPC), with the assistance of The Villages Recreation Department staff pulled it off. They were able to put together and put on an outstanding Irish parade which was attended by an overflowing crowd of appreciative residents, in spite of the lack of publicity by the Daily Sun, the VHA and The Villages radio station. Jackie Campbell, Chair of the RPC went before the Amenity Authority Committee (AAC) on April 10<sup>th</sup>, and requested that the AAC/Villages Recreation Department co-sponsor the October 2013 Italian and German parades as well as the March 2014 Irish parade, all of which would be held at Spanish Springs Square. All three of these parades actually occur in the next fiscal year’s budget (2013-14).

Individual members of the AAC expressed their appreciation for the outstanding efforts of the Committee and all of their volunteers as well as the Recreation Department staff. The AAC then “unanimously” agreed in consensus to consider funding during the fiscal year that begins October 1<sup>st</sup>. (Actual approval of the allocation of funds will take place at a future AAC meeting.) □

## Law Enforcement

(Continued from page 2)

section where that golf cart lane will end and you have white “hash marks” and signage directing you to merge you **MUST CHECK FIRST** before you merge **TO BE SURE** that it is clear. You cannot just continue to ride over those hash marks because if there is an auto which wants to turn right and there is a crash and the Deputy can prove that you have gone across those hash marks, the golf cart driver will be cited.

2) Golf carts and the law:

a) DUI’s – You can receive a DUI for operating a golf cart – anywhere in the State – that can be you pulling off of a street and pulling onto your driveway – you can still be arrested for DUI. It does not matter whether you are on private or public property – if you are operating a vehicle while under the influence you can be arrested.

b) OPEN CONTAINERS – Open containers of an alcoholic beverage in a golf cart are prohibited. If a golf cart is moving and you do something to bring attention to yourself by a law enforcement officer and he makes the approach, whatever he finds when you are pulled over is fair game. Drinking and driving or riding in a golf cart is dangerous.

c) SEAT BELTS – Golf carts are not equipped with seat belts – not by the standard that was originally drawn up for golf carts, and not by Florida State Statutes that state what safety equipment is required on a golf cart. What they are equipped with by the standards is a passive restraint (arm rest/grip) and most people don’t use it. Whenever someone is driving a golf cart the driver is holding onto the steering wheel so he has something to hold onto and generally the passenger is not holding onto that little ‘grip’ on the side of the seat, but that’s your passive restraint and if the driver makes a sudden turn to the left the passenger falls out of the cart.

Lt Wolfe stated that, “...before we started talking with Elaine and the POA and their concern about the lack of seat belts in golf carts and before Elaine brought it to our attention, as well as to The Villages Public Safety Department, we did not realize that we had had at least 12 deaths in the last six years as a result of people being ejected from

(Continued on page 11)



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## Law Enforcement

(Continued from page 10)

or falling out of a golf cart.” Lt. Wolfe advised that the reason golf carts do not come with seat belts is because the chassis is not designed to sustain a rollover should one occur, and according to the standard you would be more likely to have a serious injury or death if you were wearing a seat belt. When we look at the statistics, from what we can see, **we have had zero deaths as a result of rollovers.** So, when it comes to seat belts, it’s really up to you – whatever you are comfortable with and makes you feel safe.

3) Is the golf cart path adjacent to the roundabout at the north end of Morse Blvd and El Camino Real one way or two way? **A)** According to the County, it is one direction only – counterclockwise – the same direction as the vehicles in the traffic circle – IT IS NOT TWO-WAY. The fact that there is no signage and there is a post in the middle of the path causes the confusion. This roundabout is the only one in The Villages that has a golf cart path on the outer ring.

4) Is there any law in Florida on tailgating and what should you do if you are being tailgated?

**A)** I would definitely say you should slow down and tap your brakes and see if that will do it. If they do pass you, you can always get their tag number and report it to law enforcement of them being a harassing driver.

5) How many people here have the Community Watch number in their cell phone? The resident suggested that we should have both the Community Watch (753-0550) and SCSO (793-0222) telephone numbers in our cell phones. **A)** If it a true emergency you should dial the Universal Number – 911 – will get your local Sheriff’s office. Please be mindful of where you are so that you can relay that information. If it is a non-emergency call Community Watch or the Sheriff’s office directly.

6) I see an awful lot of people in handicap parking spaces that do not have either a plate that says it has a handicap permit or the hangar device. I know that there are signs that say a \$250 fine for illegally parking. Has anyone ever been cited? **A)** We do enforce it, but we also apply common sense. If it is an automobile we will issue a citation if they do not have a display. However, if it is a golf cart, they will not have a license plate or a rear view mirror so they make a copy of

the placard and tape it to the windshield. If a golf cart is parked in a handicap parking space and the permit is not displayed, a deputy will stand there and wait until they come back so that they can sign the citation and if they can produce the placard, they will not be cited for failure to display it.

7) If you park your car in Sumter Landing on a street with striping for the cars and you park in an appropriate space and then a golf cart, straddling the striping parks in front of you boxing you in so that you cannot exit the parking space with your car, can the golf cart be cited for parking illegally? **A)** In Sumter County (Each county has their own regulations.) they cannot be cited because Sumter County does not have a parking ordinance when it comes to parking spaces on the roadway. The only parking ordinances in Sumter County are the ones that pertain to a fire hydrant, distance from a stop sign and handicap parking. The only suggestion would be that if it is a golf cart, maybe it can be pushed to give the car clearance and then pushed back where it was.

8) Can the SCSO enforce the 20 mph golf cart speed limit on the multimodal trails

(Continued on page 12)

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From left to right : Ketan Doshi, MD, Craig H. Reynolds, MD, Rama Balaraman, MD, Samuel E. Myrick, MD, Thomas H. Cartwright, MD, Maury B. Berger, MD

## Law Enforcement

(Continued from page 11)

as well as on the streets? **A)** We have to get a little bit creative because there is not a posted speed limit because the County does not enforce speeding on the multimodal trails. There are only two instances where the SCSO would address issues on those trails which are as follows: a) If you are weaving all over the place and it is obvious that there is something wrong with you, be it from medication, alcohol, etc. – if you bring attention to yourself and a deputy driving on the street sees you weaving all over the place, he will come and check you out and see if you are alright – anything they find after that is fair game; b) If we can articulate reckless driving anywhere in the State of Florida, public or private property, you are fair game.

9) We have talked about golf carts, cars, bikes, what about pedestrians? When pedestrians are walking on a street in a designated golf cart lane towards you are they required

to move out of your way? A) Regardless of whether you are on a bicycle or in a car or golf cart, you have a responsibility to try and prevent any harm to that person even if you have to come to a stop. It is not about who has the right-of-way, it's not about anybody being right or wrong, it's about what you have the obligation to do because you are the one that is in control of that vehicle.

10) How do you deal with the increase in traffic during the winter months? **A)** The volume of people in The Villages this year is making it very difficult for some of you to make a left hand turn when you try to enter some of the main arteries. There are peak times when many people are on the road, so try to avoid them, or you may have to turn right and then come back in order to avoid a long wait. □

## VHA Slams Settlement

(Continued from page 4)

ties and golf courses for which lawsuit damages were claimed. **With the CIP in place, renovations, additions, and upgrades are NOW being addressed and are generally being paid for via the settlement funds received,** although it is up to the discretion of the AAC to decide whether to pay for projects out of settlement funds, R&R reserves or the current operating budget. In the end, any unspent funds are effectively reserves for future needs.

Other currently active Amenity System

projects expected to be paid for from settlement funds include:

- De La Vista Multimodal Path (recently completed at a cost of \$57,471)
- Paradise Park Area "A" – currently undergoing approval from Lady Lake Commission with construction anticipated for late summer 2013
- Paradise Park Area "B" – design proposal being reworked by Kimley-Horn & Associates
- Woodshop Parking Lot Project – construction anticipated to begin June 2013
- Chula Vista Recreation Center – reconstruction (enclosing the lanai), relocation of the pool room to provide a large meeting room capability, kitchen improvements and shade options for the pool area
- Tierra Del Sol Recreation Center – major addition and refurbishment to provide a large meeting room, kitchen area, indoor restrooms and new décor throughout
- Southside Pool – major renovation of the restrooms and meeting room building
- Silver Lake – architectural review to determine a more optimal layout of the facility
- La Hacienda Sports Pool – demolition and construction of new restrooms and shower facilities, similar to the Savannah pool area
- El Santiago – staff was directed to proceed with obtaining appraisals for the for-

(Continued on page 13)

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## VHA Slams Settlement

(Continued from page 12)

mer restaurant building for purchase negotiations with the Developer

- Enhancements and/or expansion of the Saddlebrook Recreation Center

While the individual cost of each of these projects has yet to be determined, the total impact on the Amenity Fund would be substantial and indications from the Amenity Authority Committee are that they will be paid for with settlement funds.

### What the VHA said:

“The Defendants in that suit included Village Center Community Development District and the Developer. To avoid a lengthy law suit, the Developer agreed to a settlement between the parties...”

### What the facts show:

1) *If there was no merit to the lawsuit, why did Mr. H. Gary Morse make the following statements in his 4-page “letter” to the residents in the December 14, 2007, issue of the Daily Sun wherein he advised the residents of the lawsuit and its settlement?*

In this published “letter”, Mr. Morse stated that there was a problem with their (The Villages of Lake-Sumter) plan and that “...the commercial districts should retain their responsibility to assess their landowners, to maintain their districts and enforce

their bond covenants, but after the Developer builds the amenities and transfers them to these commercial districts, the responsibility to operate these amenities in perpetuity should be turned over to the residents instead of the commercial districts.” (Hence the Agreement to create the Amenity Authority Committee.) He went on to say that, “... Villages’ residents seem to divide up into 3 basic groups.

“Group 1 is the silent group. They love living here. They don’t want to bother with anything. They just want to enjoy the golden years of their retirement.

“Group 2 wants to help. They love living here and believe they can improve The Villages by working with their Developer. They gravitate to the VHA.

“Group 3 – They love living here. But, they believe that the Developer’s goal is to take advantage of the residents. They believe they can improve The Villages by challenging the Developer and fighting for residents’ rights. They gravitate toward the POA. The same one I worked with the day I arrived, March 1, 1983.

“The biggest complaint that group 3 has is that they believe we sell the amenities to the Districts without establishing adequate Renewal and Replacement Reserves, and failing to accurately project the future increased costs necessary to maintain consistent service levels, thus taking advantage of residents.

“The common denominator of all 3 groups is they all love living here.

### “Group 3’s complaint about amenity

(Continued on page 14)

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## VHA Slams Settlement

(Continued from page 13)

**sales can prove to be the best thing that ever happened for every resident that's here today and those yet to move here.** All we need to do is get all three groups to work together. **...We have found some issues that could have been addressed better at the time of each sale. The most glaring one was not setting aside enough reserves to rebuild Paradise Center out of our first sale... Through the diligent work of the Plaintiffs' group and our representatives, a settlement agreement was reached, ...** which included a \$40M cash settlement, plus the creation of the AAC which would control all of the amenity funds, including the settlement money, with the only exception being

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funds required to service the bonds.

2) *If there was no merit to the lawsuit, why did the defendants require the plaintiffs and their attorneys to sign a NON-DISPARAGEMENT AGREEMENT?*

Excerpts from that document which is on file in the Lake County Court House are as follows:

“...The discussions, negotiations, pre-suit discovery and communications between and among the Class Representatives, their attorneys, and the representatives and attorneys of Defendants are highly confidential and **the confidentiality provisions are a key element of consideration for the settlement for H. Gary Morse.** The Villages of Lake-Sumter, Inc. (VLS), the Board of Directors and all officers, employees, agents, managers and staff of VLS and **any affiliated or related company or subsidiary of VLS, and all those in privity therewith** (collectively all jointly designated as “VILLAGES”), The Class Representatives, individually and as Class Representatives, hereafter all jointly designated as “CLASS”, and VILLAGES stipulate and agree that **in consideration of the compromised settlement** of those claims asserted in the above-captioned matter, and in consideration for the settlement and release of all claims as described in the Settlement Agreement and Release Signed in connection with this matter, they hereby enter into this Non-Disparagement Agreement...”

**“Without the non-disparagement requirements set forth herein, VILLAGES**

**would not have entered into the settlement or any discussions or conferences leading up to the settlement.”**

“...CLASS, VILLAGES and their counsel agree not to disparage the other party regarding any matters or claims that were raised or could have been raised resulting from the allegations in the lawsuit. This Agreement shall remain in effect until January 1, 2021...”

Because of this Agreement, the plaintiffs and their attorneys (CLASS) cannot discuss the merits of the case (they can only state what is in the public records) without violating the Disparagement Agreement, but apparently the VHA, a Villages club that, in the words of H. Gary Morse, “believe they can improve The Villages by working with their Developer”, can disparage the plaintiffs and their attorneys. It defies understanding that they would assert the only reason the settlement was agreed upon by the Developer was to avoid a “lengthy lawsuit” when the cost of litigating the matters outlined in the Settlement Agreement would have been miniscule compared to the actual settlement figures.

Moreover, it defies reason to call a claim non-meritorious when, as in this case, a judge approved the settlement of the claim, but only after evidence of the merits of the claim were presented to him through documents and witnesses’ testimony. Because the 4-page “letter” from Mr. Morse was published in The Daily Sun, the “Staff Writer”

(Continued on page 15)

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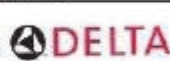
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# VHA Slams Settlement

(Continued from page 14)

for the subject article in the April 2013 VHA “Villages Voice”, would have had easy access to Mr. Morse’s December 14, 2007, 4-page “letter” to the residents in which he announced the class action lawsuit, its settlement, and the favorable reaction thereto; yet the writer chose to ignore the true facts.

Sadly, the writer also ignored his/her responsibility to do the necessary homework before publishing inaccurate and misleading statements as “facts”.

**What the VHA said:**

“The plaintiffs’ projected shortfall in amenity revenues, primarily due to debt services on bonds, has just never materialized. To the contrary, those amenity surpluses have contributed to other revenue stream surpluses that have already grown District Reserve and Investment Funds to more than \$100 million.”

**What the facts show:**

*This is not the first time the VHA has tried to confuse Village residents into believing that the Amenity System has over \$100M in reserve and investment funds. The weekly cash analysis report prepared by the staff of the District Finance Department clearly shows that most of that \$120M balance is NOT associated in any way with the VCCDD Amenity Reserves.* The residential

CDD reserves account for over \$40M, another \$30M is sewer and water company reserves and the VCCDD (non-amenity) and SLCCDD reserve funds total over \$25M. The Renewal and Replacement reserve funds for these 20 plus other District entities have absolutely nothing to do with the needs of the VCCDD amenity system.

If you go to the POA website at [poa4us.org](http://poa4us.org) and scroll down the left hand side you can click on class action lawsuit and find the Court approved Settlement Document, the Affidavit of R. Elaine Dreidame presenting to the Court the basis for the determination of the \$40M in damages, and Mr. Morse’s “letter”. After hearing testimony, the Court ruled at the March 2008 Fairness Hearing that the settlement was appropriate for the defendants as well as the plaintiffs. □

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*Mother's Day - May 12th*  
**Only One Mother**

Author Unknown

Hundreds of stars in the pretty sky,  
 Hundreds of shells on the shore together,  
 Hundreds of birds that go singing by,  
 Hundreds of lambs in the sunny weather.  
 Hundreds of dewdrops to greet the dawn,  
 Hundreds of bees in the purple clover,  
 Hundreds of butterflies on the lawn,  
 But only one mother the world wide over. □

## LETTERS

### Comcast Contact

I thought that there was an article in an issue of the POA Bulletin about a woman at Comcast that offered to help any villagers with problems they were having with Comcast repair issues. Can you offer any help with this?  
 Ralph Trondle

**Editor's Note:** Her name is Debbie Brainard. She can be reached by email at

## LETTERS TO THE EDITOR

Debbie\_Brainard@cable.comcast.com. Debbie's telephone number is 904-256-1800. She has been very responsive to the issues our residents have been experiencing. □

### The Resident Parade

As a resident of The Villages and a member of the Claddagh Club, I personally want to thank the POA for their support of the parade organizers and for keeping this issue in the headlines. I had the pleasure to attend the parade and was pleasantly surprised at the large number of people attending and supporting the parade in the form of words or just cheering for the participants. I have probably attended most of the parades in the seven years I have lived here and this parade to me was one of the best! Thank you again for your support of this fun event and hopefully parades like this one will continue to be a part of The Villages lifestyle.  
 Joan McLaughlin

**Editor's Note:** Thank you for your comments. The POA was glad to be in a position to assist the residents who wished to have the parades continued and, we too were proud of

what they were able to accomplish in just two months time as well as the tremendous crowd that attended the parade and cheered them on. And, best of all, they did such a good job and the attendance was so great, the Amenity Authority Committee agreed by consensus to fund three parades via the 2013-14 budget. Those parades, the October Italian and German parades and the March Irish parade will all be held at Spanish Springs Square. □

### Roundabout Safety

Don't we all want to increase traffic safety at Round-A-Bouts? Here's how: Paint "YIELD" in bold lettering on the road surface of all the approaches to the Round-A-Bouts. This is especially critical for visitors to The Villages who may not be familiar with Round-A-Bouts. I know there are small yield signs now. But these signs are inadequate.  
 William F. Kerschner

**Editor's Note:** We forwarded your suggestion to Scott Cottrell, Director of Public Works for Sumter County and he responded

*(Continued on page 17)*



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## LETTERS TO THE EDITOR

### Roundabout Safety

(Continued from page 16)

as follows: “Thanks for forwarding the suggestion regarding the YIELD signage at the Roundabouts. We concur that they need to be improved and have been discussing the best approach. Many are faded and need to be replaced. But rather than pavement markings that say YIELD, we are looking at increasing the size of the YIELD signs, and possibly augment selected locations with YIELD AHEAD signs. More to follow, but wanted you to know.” □

### Lake Paradise

Your recent article in the latest bulletin concerning Lake Paradise said because of possible flooding it is hard to determine if this site can be updated. Yes, it would be expensive, but in order to make it look like all our other beautiful surroundings, I think it would take some dredging and deep enough so that people who live in the area would not have a worry. As I remember, the biggest rains that we have had over the years have not actually gone into homes but just close. I may be wrong, but this is the way I remember it.

If this lake was dredged and then liner protection like they have done in other places, then I feel this could be accomplished. If you think about it, many new

people, and even people who live south of here sometime for one reason or another pass this location. With all the beautiful areas that we have here in The Villages, it is a shame that we have this to look forward to each year.

Thank you. Jack Weber

**Editor's Note:** Your comments have been raised and discussed at several AAC meetings. The net of the discussions is that we would all like to see all of our water features filled to the high water mark at all times. Unfortunately, even if we had the water to do that, (which we don't), it would defeat their function of storm water control. While Lake Paradise has not had flooding in recent years, we have not artificially raised the level of the water in Lake Paradise during the dry season

either. It is important that there be capacity in the lake so that when the rainy season arrives the lake can handle whatever level of rainfall we receive. Dredging the lake and lining the dredged area would not affect the appearance of the shoreline and the island around the “waterfall”, they would still be dry during the drought periods. These unlined areas would still be needed if we are to have any capacity for significant runoff during the rainy season.

(Continued on page 18)

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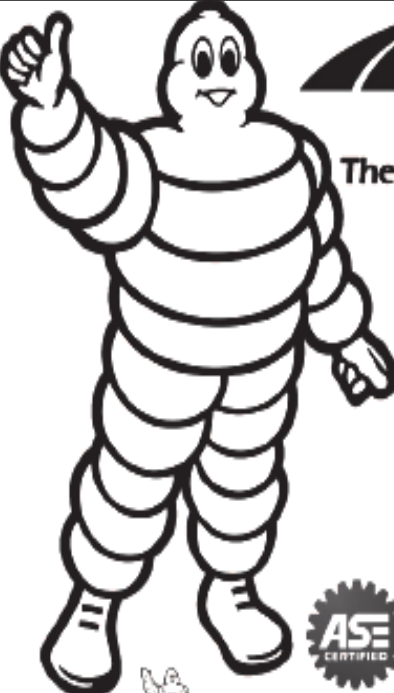
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## LETTERS TO THE EDITOR

### Lake Paradise

(Continued from page 17)

In Florida we must deal with a dry season and a rainy season – that's nature. Almost all of the lined ponds here in The Villages have substantial areas above the level of the liners to assure sufficient percolation into the ground to dispose of rain water to allow capacity for future rain water runoff. Dredging water features – making them deeper – and lining them may increase the likelihood of subsurface sinkhole activity as a result of less groundcover over the lime rock and the increased concentration of weight in that area. In addition, such dredging activity would require substantial deviation from the existing storm water management plan and there are indications that approval of such changes would be highly unlikely from the Southwest Florida Water Management District. □

### Trail Fees for Singles

I do not understand the SLCCD not wanting to discuss executive golf course trail fees. As it is now, there could be four people living in one house and two golf carts and they pay the same trail fee as a single person. I do not advocate doing away with all fees, just make it equal so that everyone that plays an executive pays the same. B. Strausbaugh

**Editor's Note:** As a result of the current IRS audit, the Developer has not transferred any amenity contracts to the SLCCD during

the last five years. The AAC was advised by the District manager that the SLCCD Amenity System did not have sufficient amenity income to consider the revenue reduction that would occur if they were to establish a single person trail fee or eliminate trail fees altogether. Hopefully once the IRS review has ended, the transfer of amenity assets (and amenity fee contracts) south of CR 466 will resume and the SLCCD revenue stream will increase sufficiently for the SLCCD Board to consider changes to the trail fee schedule that currently exists. □

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# Seniors Vs. Crime

## Leading the Fight Against Scams The Scam Blotter

During the First Quarter of 2013 (1/01 thru 3/31), the two offices of Seniors vs. Crime located in The Villages (the Marion County Office at the Marion County Sheriff's Office on Mulberry Lane at CR 42 and the Sumter County Office at the Sumter County Sheriff's Office at Morse Boulevard and CR 466) report processing 200 new cases in support of residents in our area.

During this same period the volunteers completed and closed 202 cases, recovering \$157,517.03 for area residents in monetary value or realized gain. All of this was done at absolutely no cost to Florida taxpayers.

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By far, the most complaints were described as involving or concerning Contractor or Home Repair Related Issues (32), Landscapers or Lawn Services (30), Drive-way Work (17), Scams or ID Theft (13), Unsatisfactory Service from a Business (12), Credit or Billing Problems (11 complaints), and Individual-to-Individual issues (7). The remaining 78 complaints were spread across some 31 complaint descriptions with there being no more than 5 complaints in any single descriptive category.

What exactly was it that residents were complaining about?

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In 38 cases it was Incomplete Work, while some 36 cases alleged Unsatisfactory Performance by the vendor. 33 cases involved some type of scam, fraud, price gouging, pressure sales, deception, or ID theft. 20 cases involved either a Contract Dispute, an issue with a Contract Warranty, or an alleged Breach of Contract. Financial or Credit is-

(Continued on page 20)

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## Seniors Vs. Crime

sues led to another 17 cases. Billing Disputes were the cause of 17 cases while Faulty Products led to another 12. In 10 cases some Assistance was provided to clarify issues or misunderstandings but these did not rise to the level of a complaint. The remaining 17 cases were spread across some 8 categories, each with 4 or fewer complaints per category.

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

Over one third of the situations described above involve either unsatisfactory or incomplete work. That would indicate too many of us are paying for work or services without inspecting the finished product before parting with our hard earned money.

Even worse, too many of us are paying in advance so we don't even have the opportunity to inspect the completed product before paying for it. Don't pay in advance. Inspect the finished product carefully before making that final payment. Stay alert, be smart, be aware and be wary.

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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 apply it. Use your common sense in everyday situations. Plain, ordinary common sense can be your best weapon against scams and other rip offs, if you will only use it!

Remember, no one will watch out for your interests better than **YOU**. When in doubt as to what you can do to protect your interests, contact your nearest Seniors vs. Crime office in The Villages for advice or assistance. Keep in mind that there is never a charge for their services. They can be reached at 352-753-7775 in Marion County Sheriff's Office or 352-689-4600, Extension 4606 in Sumter County Sheriff's Office. Volunteers at both offices are ready, willing and able to assist you. To schedule one of these free presentations for your group, contact either office.

Seniors vs. Crime representatives are also available in the rear of the room at each POA monthly meeting. They will be happy to talk to you one-on-one before or after the 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. □

### Our Gardening Column:

## Hawthorns

by Anne Lambrecht, Master Gardener  
 annegarden@embarqmail.com

When we moved to The Villages, our landscaping package included a half dozen Indian Hawthorns along the front in a row. At first I was annoyed that we received such cheap and common plants but ten years later, they are the only original landscape plant that still graces my garden. But they're not in a row anymore. They are my first evergreen to bloom in the spring. After the blooms fade, there will be dark blue berries which the birds love. This medium shrub is grown throughout Florida and the coastal areas of Georgia and the Carolinas. They are cold and salt tolerant. Indian Hawthorns (*Rhaphiolepis indica*) are from Asia and are members of the rose family.

The leaves are a dark leathery green and grow at the ends of the branches which make the shrub look nice and full. In the fall and winter some leaf drop of the older leaves occurs and the leaves will turn to a crimson red color before falling off the plant. The flowers are usually white, sometimes pink, and small but fragrant, typical of flowers of the rose family.

(Continued on page 21)

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## Hawthorns

(Continued from page 20)

After the flowers die off, a blue-black berry grows. The berry is actually called a "pome", similar to apples or rose hips. Birds love them and Indian Hawthorns are an excellent choice for attracting birds to your garden.

Indian Hawthorns will grow in well drained areas and in most soils. They are moderately drought tolerant once established and they do well in sun or in shade. Growth will be more compact and faster in sites that allow for more sun. Fertilize once a year, in the spring. Pruning is rarely necessary but sometimes a branch may shoot up around the rest and also you should prune off any damaged or diseased branches. They usually do not have any critters bugging them except sometimes scale insects occur on the undersides of the leaves which you can remove by using horticultural oil without damaging other beneficial insects in your yard. Leaf

spots are sometimes caused by a fungus when moisture is allowed to remain on the leaves during the night. Once we start to have warm nights, be sure to irrigate in the early morning hours.

One tree form of Hawthorn worth mentioning is *Crataegus flava*, or Summer Haw. This native tree grows in the southern states, in northern Florida and on the panhandle. These trees have branches that "weep", which makes it so pretty. Thorns on the branches make this small tree a great place for nesting birds. The clusters of spring flowers look like apple blossoms. These flowers are Missouri's state flower.

Some interesting facts and folklore about the Hawthorn:

They are popular in the world of herbal medicine. The leaves are believed to alleviate stomach problems, high blood pressure and kidney ailments. The berries can be made into sauces, jams and jellies. "May Haw" jelly is the name of the jelly. Whenever we are in the panhandle, we always buy

some - it is delicious, a little tangy and vibrantly red. The Husband will not touch it with a ten foot pole.

Hawthorn flowers are safe to eat and are often added to salads and desserts. The flowers can also be steeped in hot water to make a soothing beverage. The leaves are often used

(Continued on page 22)

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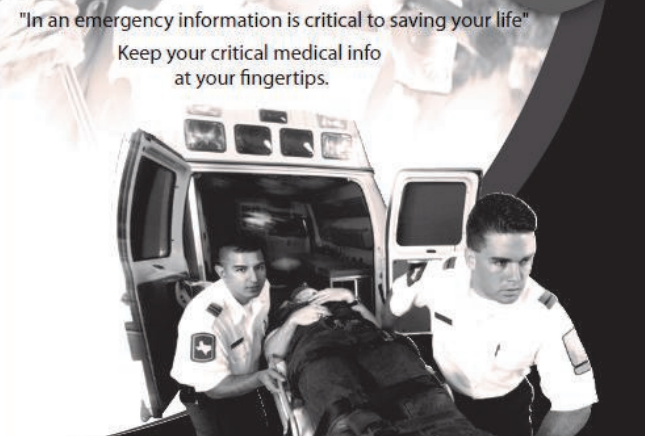
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# Hawthorns

(Continued from page 21)

as a non-nicotine substitute for tobacco. Chewing young leaves can also help alleviate hunger pangs. Hey, we need this tree here NOW.

The fine-grain wood is used for making canes, boxes and tool handles.

In Britain, the tree is associated with fairies (another reason to get this tree). The Pilgrims supposedly named the Mayflower after the Hawthorn whose nickname is “Mayflower”.

Centuries ago, Hawthorn flowers were not allowed in Asian homes, as the blooms were associated with death.

In the early Middle Ages, the fruit from the Hawthorn tree was used to make wine which was consumed by people suffering from high blood pressure.

The Husband has an extreme dislike for Master Gardeners -- actually any horticultural person. He hates the way they gather together enthusiastically discussing plants in Latin. He feels he has no relationship with someone who gets energized over a certain species or flower, the way so many of us do.

He hates our dirty fingernails. It’s true, gardeners are a different breed. So I’m not going to let on that next week we are hosting 40 of my Master Gardener compatriots for a garden tour and lunch. □

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