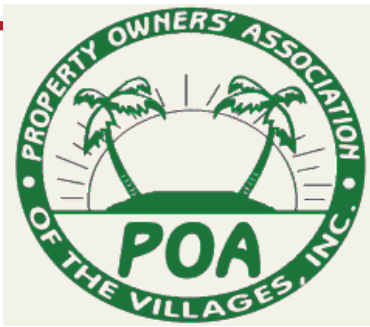


THE



BULLETIN



Issue 40.01

January 2014

Free Copy

Champions of Residents' Rights Since 1975

The POA Website – www.poa4us.org

Was The Class Action Lawsuit Necessary? YOU BE THE JUDGE!!

Villages residents who were not around during the early and mid 2000s may wonder what prompted this lawsuit, so the following is a brief description of what led up to the need to go to Court.

In 1993, Gary Moyer, as Village Center Community Development District (VCCDD) District Manager, advanced the idea of having the VCCDD acquire the amenity contracts and facilities from the Developer. He advised that the VCCDD could issue recreational revenue bonds to purchase them and then the VCCDD could run the amenity program. This would be possible under Florida Statutes, so that's what the VCCDD decided to do. The first recreation bond was issued in 1996. At that time, the Developer transferred about 5,000 amenity contracts to the VCCDD, along with numerous amenity properties. Then the VCCDD, which was the Developer appointed/elected Board, would decide how those amenity fees were spent. (The residents had no vote on Board members.)

Between 1996 and 2005, just in the VCCDD territory (area north of CR 466), the total bond obligation, with principal and interest, was \$508 Million. Over time, as these transactions were occurring, the VCCDD

Board would meet monthly and members of the "Class Action Five" would attend.

The "Five" expressed their greatest concerns about the deteriorating condition of Paradise Center, but were continually put off by the Board. Why? Because, it did not have the money to do the renovations. Why didn't it have any money? The problem and the basis of the Class Action lawsuit was that when the appraiser (who was employed by both the Developer and the VCCDD Board) figured out what the operating costs would be, it was fig-

(Continued on page 4)



Dangerous Golf Cart Crash Site

BEWARE! There is a very dangerous spot when going southbound on the Buena Vista Boulevard recreation trail just south of Stillwater Trail where **there is curbing protruding into the pathway to protect the roots of a Live Oak tree.** (See picture above.) The POA was first alerted to this situation in March of 2009, when a resident (Maynard Breim) submitted his crash information to us for inclusion in the POA Bulletin golf cart crash page. (He hit the curb and was ejected from his cart and suffered minor injuries.) He advised that he had contacted Deborah Franklin, the District Risk Manager, who had con-

(Continued on page 2)

Tuesday, January 21, 2014

POA GENERAL MEMBERSHIP MEETING

Third Tuesday of the Month – 7:00 PM

Laurel Manor Recreation Center

**"AARP Tax Aide Program
in The Villages"**

**Presented by Jerry Hanson and
Roy Wittich of AARP Tax Aide**

**Followed by Questions & Answers
Audio and Visual in Overflow Room**

**Coffee and Donuts After the Meeting!
All Residents Welcome - Come and Join Us!**

Dangerous Crash Site

(Continued from page 1)

tacted District Property Management and they had placed several reflectors on the curbing.

There was another incident in that general area in October of 2012, wherein the police report simply stated the location as Buena Vista and Stillwater and the narrative stated that the golf cart hit a curb with the passenger side rear tire. (The driver was thrown from the cart and transported to The Villages Hospital.)

While preparing our annual report for 2013 on the golf cart crashes with injuries and/or fatalities that had occurred over the previous year, we noted that two police reports for accidents on August 30th (The driver was ejected and transported to the Ocala Trauma Center) and October 17th (the driver and passenger were both ejected and transported to the Ocala Trauma Center) also stated the location of the crash as Buena Vista Blvd and Stillwater.

However, in the narrative the August incident stated, “...The crash occurred at a point in the pathway where the curving on the west side curves eastward into the pathway to circumvent a tree...” and the narrative in the October accident stated, “...There were no witnesses to the crash at the scene upon my arrival. It appeared the golf cart might have hit the curb since there are tire marks on the curb.” Both crashes resulted in serious injuries.

We asked Maynard Breim, who had reported the first incident, to go to the site and see if the tire marks were in the same area as where he had his crash. He confirmed it was the same and supplied the POA with pictures.

We then contacted Lt. Wolfe with our findings and pictures and asked him to contact the reporting officers to determine if, in fact, all of

these crashes were at the same spot on the path. He replied that yes they were.

We then contacted Deborah Franklin about our findings. She was surprised to learn that there had been three crashes during daylight hours at the site after the reflectors had been installed. After reviewing our pictures and police reports she agreed that this protruding curb site needed immediate attention. She contacted Janet Tutt that same day and then advised the POA several hours later that Ms. Tutt had begun work on it by contacting Dave Burgess, District Property Management.

The next day the POA was advised by the District that “Initial/immediate steps being taken by DPM is the adding of cautionary markings in both the asphalt (multi-modal path) and on curbing today or, the latest, tomorrow.”

The curbing in question has now been painted a bright yellow and reflectors have been placed on the trail leading up to and around the protruding curb. The POA commends District staff for proactively addressing this safety issue and hope that it will be looked at further, possibility moving the entire trail in that area several feet to the left so as to avoid the need for the protruding curbing, even if it is painted a bright yellow. We also want to express our gratitude to Maynard Breim for assisting us in this effort.

Lastly, the POA supports the painting of a solid white center line or broken white lines down the middle of the recreation trails on Morse and Buena Vista Boulevards and El Camino Real, in order to make the residents safer, and hope this will be addressed by both the Amenity Authority Committee (AAC) and the Project Wide Advisory Committee (PWAC) as soon as possible. □

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. □

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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Colony Boulevard Solution

The Traffic Light is Out and the Golf Cart Bridge Is In

At a previous meeting the Project Wide Advisory Committee (PWAC), which is made up of one resident elected supervisor from Districts 5 through 9, had authorized costs for development of services on a proposed traffic signal.

However, when it met again on December 12th, it did an about face and voted unanimously to request a scope of services from the engineer to move forward with the design of a golf cart bridge over the roadway where golf carts intersect with vehicular traffic. It was estimated the cost would be a minimum of \$400,000 which would be paid for by Districts 5 – 9 via their annual District maintenance assessment, unless the Developer, who had oversight for the original layout of the Boulevard and golf cart ‘intersection’, steps up and assumes the financial responsibility for part or all of the “FIX”.

As it turns out, the residents will **not** have the final say in the matter, because the Sumter Landing Community Development District (the ‘Developer’s Board’) has the authority over the PWAC, which is **only advisory**. □

IT’S TIME TO RENEW YOUR POA MEMBERSHIP

On behalf of the Officers and Directors of your POA, we would like to say “thank you” for the tremendous renewal response and also for the many, many new members who joined with us in 2013 as a way of supporting Residents’ Rights for all Villagers. Our desire is to keep each of you informed of facts about issues which may not have been clearly or fully presented in other media.

Our membership year runs from January 1 through December 31. We are now accepting **2014** POA memberships (\$10 per household). Please use the form below or go to poa4us.org and fill out and print the form. POA members have access to discounts provided by our Discount Partners listed on Page 22. POA mem-

bers who have provided us with an e-mail address receive our monthly POA Email Newsletter reminding them of the speaker and date of the upcoming monthly POA membership meeting, as well as informing them of any matters that we believe they should be aware of on a timelier basis than what our monthly Bulletin can provide. We would also like to cordially invite you to attend any of our monthly meetings, which is where we are alerted to possible problems that residents are experiencing, i.e. “walls put up in the middle of the night”, abrupt cancellation of the parades, roofing issues, air conditioning line failures, etc. The monthly POA meeting is held the third Tuesday at 7PM at Laurel Manor. □

THE POA HAS YOUR BACK – DO YOU HAVE OURS?

POA 2014 Membership – New / Renewal and Contribution Form

Please complete each section and return to: **The POA, P.O. Box 386, Oxford, FL 34484**

New Renewal Number of People in Household

PLEASE PRINT!

NAME(S)(1) _____
(SAME LAST NAME)

NAME(S)(2) _____
(DIFFERENT LAST NAME)

ADDRESS _____

VILLAGE _____ VILLAGES ID# _____

CITY/STATE/ZIP CODE _____

PHONE _____

EMAIL _____

(We respect your privacy. Your email address is for POA Official use ONLY)

1. MEMBERSHIP NEW/RENEWAL: Please enroll my POA membership for 2014 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:** _____

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Lawsuit Necessary?

(Continued from page 1)

ured too low. There was no money allocated for Amenity Renewal and Replacement Reserves (R & R Reserves) for facilities and infrastructure, additional staff, contingencies for such things as increases in the minimum wage, etc. So, when it came to the point where the VCCDD Board had to do something with Paradise Recreation Center, it had to issue another bond to rebuild Paradise Center.

In addition to the public acknowledgement by the VCCDD that there was no designated Amenity R & R Reserve account in 2005 the minimum wage increased, which resulted in a loss of many of our swimming pool monitors, after-hours golf ambassadors, and a reduction in the services provided by Neighborhood Watch. Further, the recreation trails were not being adequately maintained and the Board kept denying their responsibility and the District’s attorney finally told one of the plaintiffs that, “The Board has made their decision. If you don’t like it, take it to the courts. That’s what the courts are for.”

For over three years, the plaintiffs had been researching everything the VCCDD had done since the first bond transaction, ending up

with over 3,000 pages of relevant materials, and believing they were right, sought out a law firm to represent them. After several attempts to secure a large firm with statewide offices failed, the plaintiffs were very fortunate to find a former Federal prosecutor living in The Villages who was willing to take it on.

At her urging, her brother, also a former Federal prosecutor, left his comfortable retirement and agreed to lend his expertise and assistance. Together, they persevered for two years (working 24-7 on our case) to finally arrive at the settlement with the Developer. Needless to say, the Developer and the Court agreed with the Plaintiffs, and their attorneys.

After serious discussions and negotiations between the Class Action Five’s attorneys and the Developer’s attorneys, the Developer agreed that he had overlooked some things and that adjustments were needed.

In his December, 2007, letter to the residents in which he announced the Class Action lawsuit settlement, he stated that there was a problem with their 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 commer-

cial districts, the responsibility to operate these amenities in perpetuity should be turned over to the residents instead of the commercial districts;” thus the agreement to establish the Amenity Authority Committee (AAC) which is comprised of six members: an elected resident from each of the four residential CDDs north of CR 466, an elected resident from the Lady Lake/Lake County portion of The Villages, and an appointed representative from the VCCDD. This AAC now controls the expenditure of all non-bond required amenity income north of CR 466.

Mr. Morse went on to say that, “... 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...” And most importantly, he stated that, “...The complaint about amenity sales can prove to be the best thing that ever happened for every resident that’s here today and those yet to move here.”

We will first present what the settlement funds have done for the amenity program north of CR 466 and follow-up with a discussion on how this Class Action lawsuit will impact the residents south of CR 466.

Let’s begin with the AAC Amenity R & R Reserve Account:

At a recent VCCDD meeting, Ms. Tutt pointed out to the VCCDD Board that as of September 30, 2013, the AAC had an R & R Reserve fund balance of \$9,800,000. However, what she did not mention was that had it not been for the lawsuit, that fund would cur-

(Continued on page 5)

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Lawsuit Necessary?

(Continued from page 4)

rently be at approximately \$2,766,732 instead. Here is why:

a) Settlement funds were used to pay off the paradise renovation bond which was \$2,933,268;

b) As a result of that early bond debt payoff, \$500,000 plus interest payments, which would have been due out to the 2015 maturity date of the bonds, were no longer required.

In order to understand the rationale for the next two settlement requirements, it is important to note that at the time the lawsuit was filed (after 11 years of the VCCDD managing the amenity fees and three years after the last bond transactions), **THERE WAS A TOTAL OF ONLY \$210,254 in the Amenity R & R Reserve fund** that could be used for that purpose and \$592,705 that was required to be in reserve by the bond covenants and could not be used for amenity R & R purposes - (Whenever there had been a surplus at the end of the budget year, it always had found its way to be used for something other than R & R for the amenities.)

c) The settlement negotiations required that the District would immediately place the \$1,000,000 from the VCCDD 2006 budget, which was in the operating budget and had never been moved to the R & R, and the \$1,200,000 in the then current 2007 budget which had been designated for R & R, but

which residents had been advised at a VCCDD meeting would be reduced considerably to pay for the movement of various VCCDD office personnel to other buildings, into the Amenity R&R Reserve account immediately; and

d) The Defendants were required to place \$1,400,000 into an Escrow Account which would be required to be used if the VCCDD did not put the \$1,400,000 which had been designated for R & R in the 2008 VCCDD budget, into the R & R Reserve account.

So, with nothing else considered – the amount that would be there today, without the lawsuit settlement funds, would be considerably less than \$9,800,000. We are extremely happy about that large figure, but we do want the record to show (since the District Manager never mentions any of the benefits that the lawsuit brought to the residents) that the large amount is primarily because of the impact of the lawsuit settlement, as opposed to astute District management.

In that same regard, we believe it is necessary to educate the residents that the funds for what Janet Tutt and Sam Wartinbee have referred to, in the October 24th edition of the Daily Sun, as an aggressive capital improvement program undertaken by the AAC to modernize and improve the facilities, **are all being paid for with MONIES FROM THE LAWSUIT SETTLEMENT – not your amenity fees.**

The following is an itemization of the projects approved as of December 1, 2013 for facilities north of CR 466, as a result of the funds received from the Class Action lawsuit. (In addition to the \$5 to \$7 million in the current AAC R & R Reserve Account):

(Continued on page 6)

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Lawsuit Necessary?

(Continued from page 5)

Completed Project Expenditures:

- Rec Trail Reconstruction \$9,023,051
- De La Vista Path to Postal Station 60,317
- Sub-Total \$9,083,368**

AAC Ongoing Approved Projects With Estimated Costs:

- Paradise Park – Area A \$794,475
- Saddlebrook Picnic Pavilion 52,080
- Chula Vista Rec Center 630,000
- Hacienda Sports Pool Restrooms 430,694
- Southside Rec Center 162,728
- TierraDelSolRec Ctr 1,135,000-1,350,000
- Silver Lake Rec Center 165,000
- ElSantiago Restaurant 977,738-1,500,000
- El Santiago Picnic Pavilion 6,000
- Woodshop Parking Expansion 171,410
- Lindsey Lane Golf Maint. Bldg. 550,000
- Glenbrook Gate Path (50%) 23,500
- Knudson Score Booth/Storage 28,000

Sub-Total Estimate \$5,126,625 - \$5,863,887

AAC Approved Projects With No Estimates:

- Paradise Park – Area B ????

TOTAL APPROVED (EST) TO DATE: \$14,209,993 - \$14,947,255

SETTLEMENT FUNDS RECEIVED

TO-DATE TOTAL \$22,782,950 plus they have earned an additional \$571,816 in interest, so the total is **\$23,354,766**. Additional settlement funds will be paid on December 31st each year, from 2013 through 2020, totaling \$17,124,200, as follows:

2013	\$2,557,000
2014	\$2,767,800
2015	\$2,811,600
2016	\$2,229,900
2017	\$2,482,800
2018	\$3,104,200
2019	\$1,004,200
2020	\$ 166,700

(It was determined that no additional funding was necessary after 2020, because at that point the annual bond debt reduces from \$16 million to \$12 million, or less, going out to the 2037 maturity date.) Hence monies will be there to modernize and update the remaining VCCDD recreation facilities as they already are nearly 15 years old

Now, let’s talk about how this lawsuit benefits the residents living south of CR 466, beyond the obvious facts that they will have beautiful, safe trails to drive on, and up-to-date facilities to use, when they venture to the north side of CR 466.

In 2005, prior to the lawsuit, the Developer had made an amenity transfer for properties south of CR 466 using the same appraiser and the same formula to determine the pricing of the bonds. (Again, no designated R & R Reserve for facilities and infrastructure, contingencies for increases necessary in staff, salaries, etc., just like what caused the problem in the VCCDD territory.)

Additionally, another transfer, again using the same formula and appraiser, was just about to take place in 2007, when the Developer received the Notice of the lawsuit, and the transfer was halted. So, had it not been for the lawsuit, residents living south of CR 466 would have eventually found themselves in the same situation as did the plaintiffs.

In his 2007 letter to the residents, Mr. Morse advised that, **“Detailed discussions among the attorneys for both sides are progressing and we all hope that soon a Class Action for Lake Sumter Landing District (area south of CR 466) can be commenced which will not only prevent inadequate reserves, but will create the resident Amenity Authority Committee for that area as well.”** (It was mutually agreed between the attorneys to toll (defer) the lawsuit until after the IRS investigation was completed, so it is still on hold.)

**SO, WAS THE LAWSUIT NECESSARY?
YOU BE THE JUDGE!** □



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Golf Cart Crashes

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 MIGHT KEEP YOU IN YOUR CART!**

Saturday, October 19th – 9:30 AM – A golf cart operator was eastbound on La Grande Boulevard. Another golf cart was west bound on La Grande. The eastbound driver said she was blinded by the sun and did not see the oncoming golf cart as she attempted to turn left into the gate that leads to Tarrson Boulevard, resulting in a collision between the two carts. The eastbound driver was **EJECTED** from her cart and taken to The Villages Hospital and from there sent to the Ocala **Trauma** Center. The two occupants in the westbound golf cart were both transported to The Villages Hospital for evaluation. The eastbound driver was cited for making an improper left turn.

Wednesday, October 23rd – 2:25 PM – A

14 year old male, operating a 2007 Yamaha golf cart, was travelling northbound on Inner Circle. A witness advised law enforcement that it appeared to be travelling at a high rate of speed and that as it turned left onto Audrey Lane it was leaning to the right and tipped over onto the passengers' side. The driver was not injured, but his two female passengers (approximate ages of 16 and 20) did sustain injuries and were transported to The Villages Hospital. The driver admitted to driving too fast and was cited for Careless Driving.

Friday, December 6th – 10:00 AM - A 67 year old golf cart operator fell out of her cart when she hit a curb while driving on Pinellas Place. She stated that she was trying to pick something up off the floor of the cart and hit the curb. She appeared to have minor injuries and was transported to The Villages Hospital for evaluation.

Monday, December 9th – 1:45 PM – A witness stated that he saw a golf cart travelling northbound on Morse Boulevard at De Silva Street hit and jump the curb on the east side of the roadway at De Silva Street and come to rest against a county sign. He observed the driver get **EJECTED** and land partially on the golf cart path and the curb. The ninety-two year old golf cart operator had a laceration to the back of her head and was transported to

the Ocala Regional Hospital.

NOTE: We have been tracking golf cart crashes with injuries since January 1, 2012. We are aware that we are only able to report a certain percentage of these crashes because the Florida Highway Patrol forms do not have a specific category for golf carts, so it is difficult for local law enforcement to locate them without reading through every crash report. However, **we have not come across any golf cart occupant who was injured and transported who was using a seat belt.**

In the February 2014 Bulletin, we will provide a summary of our findings over the two year period from January 1, 2012, through December 31, 2013. □

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November Forum Q&A

Open Forum: Rich Lambrecht, AAC member and CDD4 Supervisor, was available to assist President Dreidame, as follows:

- 1) Can someone investigate the cause of accidents on the golf cart path south of Stillwater at Buena Vista? There is a “bend” in the golf cart path resulting from a large oak tree with a built up curb that juts out into the path which may be difficult to see. **A)** The POA is aware of this situation and is currently making contact with one of the individuals involved in an accident at that location to determine if the police report we have acquired stating the most recent accident occurred on the “Buena Vista Trail south of Stillwater Trail” also resulted with interaction of a golf cart tire with the same raised curbing. We have secured the police reports indicating that site and are commencing contact with Lt. Wolfe to have him ask the officers who investigated these accidents to confirm that they all occurred at the same spot. We will then follow-up with the District’s Risk Manager to correct this problem. (See article on Page 1)
- 2) What is the status of the restaurant in Orange Blossom Hills? **A)** We reported last month that they had cleaned the interior and were waiting for the previous restaurant operator to remove his equipment before commencing any renovations. However, there has been no observable indication that they have done anything further. (Update on Page 15.)
- 3) In regard to the golf cart path bridge connecting the northern and southern sides of Hwy 441, would it be safer if a stop sign were placed at the end of the parking lot connecting that path with Paige Place? **A)** Rich Lambrecht advised that he would bring it to the attention of the Amenity Authority Committee (AAC).
- 4) Is the golf cart path across the entrance to Glenbrook still planned on being moved to the resident side of the gate for safety purposes? **A)** The AAC agreed to split the cost with District 3 to move the golf cart trail which goes along Buena Vista from in front of the gates to the other side of the gates. That construction should start very soon.
- 5) What is going to happen with the Savannah Center once the Church on the Square reopens ? **A)** We are not sure, but it is

likely that once the Church on the Square is turned into a Performing Arts Center, which is probably a year from now, there will be a migration of the commercial kinds of ventures from Savannah to the Church on the Square. If this happens, it will be very good news for the residents because right now the residents in that area do not have a place to hold meetings for their clubs, because almost any evening that there is a performance going on there, even though it is in the theater, you cannot use any of the other rooms because there is no place to park. So, once they start having fewer and fewer commercial ventures in the Scarlet O’Hara Theater, the residents will be able to start using the Savannah Center for more of the lifestyle recreation programs and clubs.

- 6) How do I obtain information on businesses I want to hire for household services? **A)** The closest thing we have to aid you with is Seniors vs. Crime. They cannot recommend someone, but as you decide on contractors you want to contact for an estimate, you can call Seniors vs. Crime first and ask if the company has had any complaints against it, and if so, how many and in what time frame. This is a way to screen potential contractors. You can also contact The Villages Warranty Department (753-6222) to obtain the names of some of their ‘approved’ contractors.

(Continued on page 9)

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November Forum Q&A

(Continued from page 8)

- 7) How do you drive the roundabouts? Either I don't understand them or perhaps others don't. **A)** You can go to the District web site, districtgov.org, and you will find a brochure which describes the process vehicles should follow when using the roundabouts.
- 8) How are my amenity fee increases determined? **A)** Your Declaration of Covenants and Restrictions commits that property to the payment of a monthly amenity fee into perpetuity and that amenity fee can be raised or lowered no more than the annual CPI. That date for each homesite is based upon the date the property was sold by the

Developer to the first owner of the lot. For example, if you buy a new home in December, then every December whoever is in that house will be eligible to have an amenity fee adjustment based upon the CPI during the previous twelve months. Currently there is a cap on the amenity fee of \$155.00 per month.

- 9) Who and why are roofs being inspected in Caroline and why was mine not inspected? **A)** Owens Corning is supposed to be sending representatives to The Villages to evaluate the condition of roof shingles which might be from the acknowledged defective shingle batches. Some of the houses built between 2007 and 2009 were roofed with defective shingles. The Warranty Department has stated that it knows exactly which properties have shingles

from the bad batches and has sent the list to Owens Corning so that they can send their own representatives in to check the roofs in question.

- 10) Is there going to be additional parking or a parking garage around the Church on the Square once it is completed? **A)** Not that we have heard, but that doesn't mean it won't happen. We usually do not know anything until the Developer breaks ground. You also need to remember that the theater that they are building will only have seating for about 200 more people than what the Church on the Square could accommodate, so it will likely be more of a coordination of activities by the Event Coordinator to avoid conflicts that would result in too many people coming to the square on the same evening. □

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AAC Meeting (Amenity Authority Committee) Summary December 11, 2013

Old Business Topics Included:

- Capital Projects Update:
 1. Paradise Park Area “A” – Major progress continues with completion scheduled for January 2014.
 2. Knudson Score Booth/Storage – bid documents being prepared; plan to be able to award bid at February AAC meeting; project completion estimated to be in April 2014.
 3. Chula Vista – construction bids received and are being reviewed; anticipate awarding bid at January AAC meeting; project completion expected June 2014.
 4. La Hacienda Sports Pool Restrooms – construction is underway with project completion by March 28, 2014.
- 5. Southside – construction has begun and scheduled for completion by year end; the need for additional improvements has been identified (parking lot and pool/spa) and will be addressed, with the facility being ready January 31, 2014.
- The Committee was advised that after further review with the architect, an alternative to expansion of the existing Tierra Del Sol facility has been suggested. This option would have the existing facility demolished and a totally new facility be constructed in the same area. The revised layout for the new structure will provide approximately 1235 additional square feet of space (6500 square feet total) and permit the large meeting room to be divided into two smaller rooms. Demolition is estimated to cost approximately \$7,500 and the total cost of the new structure is estimated to be \$1.2 to \$1.35 million versus the \$1.1 million estimate for the addition and renovation option. The AAC approved the demolition and new construction plan.
- Staff provided an updated layout proposal for the former El Santiago restaurant building. In light of the architect’s recommendation regarding demolition of the Tierra Del Sol facility, the AAC requested staff have the El Santiago proposal reviewed to see if it would also be better achieved via demolition and new construction.
- The AAC reviewed the house re-painting options and on a 3 to 2 vote, approved Option 2 which provides that ARC approval is required only if the chosen color is not the original color or is not a color on the District’s approved color palette or within the color palette’s hue range.
- AAC Chairman John Wilcox volunteered to represent the AAC on the Governance Improvement Committee, which is considering several operational improvement suggestions.

(Continued on page 12)



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AAC Summary

(Continued from page 10)

New Business:

- With the Paradise Park project nearing completion, the AAC voted 3 to 2 to permit dogs on leash in Paradise Park Area "A" for a six month review by staff to determine the impact to the facility (see related article on this page).

Informational Items:

- Staff announced that a Weather Committee meeting will be held on January 15, 2014, to review the current weather guidelines for recreation sponsored outside field and court leagues. The Committee is to include district staff, resident activity representatives and health and weather professionals. The meeting is at 3 p.m., at the Savannah Center Ashley Wilkes Room (see related article on Page 14.).

Committee Member Comments:

- At the request of a Committee member, the AAC agreed to provide the funds to paint a center line on the Buena Vista (north of CR 466) and El Camino Real recreation trails. The trails are owned by the individual numbered Districts, so they will have to approve the project. Future line maintenance to be provided by the AAC.

Please go to the districtgov.org website for the Official Minutes, Agendas and Meeting schedule.

Next AAC Meeting – Wednesday, January 8th, 9:00 AM at the Savannah Center. □

Paradise Park Area "A" Dog Usage

At the AAC meeting held on December 11, 2013, the subject of dog usage of the soon to be completed Paradise Park Area "A" was

addressed.

Substantial improvements are in the process of being made to the area between the east side of the golf cart bridge and Lake Paradise. These improvements include enhanced landscaping features, irrigation, walking paths, park benches and picnic tables.

Before this area was upgraded, dog owners frequently walked their dogs on leashes at the site. Now there is a fenced dog "park" where dogs can run "off leash" and residents have been inquiring about dog usage of the new park that is expected to open in January.

The AAC was presented with several usage options that ranged from prohibiting dogs from the new park to permitting them anywhere in the park as long as they are on a leash. By a 3 to 2 vote, the AAC approved the staff recommended option to allow dogs on a leash in Area "A" for a six month trial period while staff reviewed the impact on the facilities. The two dissenting votes were against having a trial review period. □





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Weather Policy for Recreation Sponsored Activities

John Rohan, Director of Recreation announced that there will be a meeting of the Weather Committee on Wednesday, January 15, 2014, at 3 p.m., in the Ashley Wilkes Room at the Savannah Center. The purpose of the meeting is to review the current weather guidelines for Recreation sponsored activities.

In early September of this year, a resident suffered a fatal heart attack while participating in a recreation softball league. At the time, the temperature was 92 degrees and the humidity was 60 percent (heat index = 105). The softball league boards currently have a policy of suspending play if the temperature reaches 95 degrees. While tragic, given the resident’s recent medical history, it is possible that this incident could have happened at any time during any activity.

While the recreation department would like to change the league rules to reflect suspending play if the **heat index** reaches 95, most softball players we have heard from feel this would unnecessarily cause a dramatic curtain-

ment in the summer softball leagues. With high humidity, the heat index could reach 95 while the temperature is 82 degrees. Many days during the summer season, the heat index reaches 95 by 10:30 or so in the morning – so a heat index of 95 rule would effectively cancel most of the games scheduled for the day, most days during the summer season.

The boards of the various softball leagues take player safety very seriously and have taken proactive actions to assure the safest possible experience while playing softball in The Villages. With regard to weather, current league policies include the option of umpires and managers to call for 5-10 minute breaks midway through games when it is particularly hot, constant efforts to make sure players adequately hydrate throughout the game, liberal substitute runner options and allowing players to sit out for an inning or even drop out of a game and request a sub, without penalizing the team. These policies have worked well for years and the players feel they are the best ones to judge their ability to handle Florida weather.

Staff is apparently particularly concerned with forcing district employees to work on these high heat/humidity days. As a result, the district staff is considering changing the

weather policy and possibly shutting down all outdoor activities that require staff participation (softball, executive golf, pickleball leagues, etc.) if the heat index reaches 95 or some other level determined by the Committee. We suggest if you have an interest in this subject, you plan on attending the meeting on January 15th. □



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Orange Blossom Hills Restaurant Update

The Villages Daily Sun reported the following on November 20th – “Interior demolition work is about to begin in advance of

renovations at the historic country club in the Village of Orange Blossom Gardens. Demolition work is required to the interior because of the age of the building. The Villages Commercial Property Management Division advised the time frame for renovations will be based on the type of repairs needed that are found during demolition.”

While demolition work is in progress, we still have no knowledge of who will take over the restaurant operation. □

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The Villages Honor Flight YOU CAN HELP!

Do You Know A WWII Vet Who Has Not Seen The Memorial Monuments?

Lesla Walters, a representative from The Villages Honor Flight (VHF), was invited to the November POA meeting to tell us about this program. A summary of her remarks are as follows:

The Villages Honor Flight (VHF) is part of a nationwide organization that flies WWII Veterans to Washington to see their memorials at no charge to them. The VHF was founded in 2011. In the last two years, they have flown ten flights and have transported 250 Vets to Washington to see their memorial.

They leave about 3:00 AM and fly to Washington, see the memorials and then return to the American Legion about 11:00 PM to crowds of between 300 and 800 people welcoming the Vets back home. In 2014, each flight will include 50 Vets and 50 guardians (who pay their own way, each one accompanying one Vet), which will enable them to transport more Vets than in prior years. At the moment there is a waiting list of over 150 guardians. WHAT WE NEED IS VETS!!! (This is where YOU come in....)

There are so many Vets out there in the surrounding area who have never heard of VHF and what they do, so, IF YOU KNOW of any WWII Vets, please tell them about Honor Flight. They can go to the VHF web site, which is villageshonorflight.org for information.

Additionally, since some of the Vets are very frail and cannot make this long and tiring trip to Washington, the VHF is inaugurating a land based program for them and are currently working out the details.

If you have never been to a VHF “Homecoming”, please try and make it even though it is late at night. It is really worthwhile, if only just to see the expression on the faces of the Vets as they get off the buses

from the airport to the cheering crowd waving flags and music playing. It is really a very emotional evening, so try and find Vets for the program. Remember, “ALL THEY DID, WAS SAVE THE WORLD!”

At the conclusion of Lesla's presentation, President Dreidame advised her that the POA fully supports what they are doing and we are hoping that with this crowd, and hopefully conversations that they carry on, will help get some of the Vets identified, She then presented Lesla with a POA check for \$1,000.00 to pay the expenses for two Vets to go to Washington. □

LETTERS

Letter to the Editor: Villagers Recycle

Does The Villages get remuneration for our (residents) recycling? If so, how much?

A. Guzzardo

Editor’s Note: The “Villages” does not receive any money. This revenue was considered in the valuation of the system when the North Sumter County Utility Dependent District, in December of 2012, purchased the Sumter Sanitation system. The FY12/13 revenue was \$116,000. □

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Letter to the Editor:

Pool Restrooms

It was recently stated by The Villages that the rest rooms at our area pools are open to the public (public restrooms). Area workers used them which I do not have a problem with. If this is true then the building and pool are public. Do our amenities pay for the cleaning and repair of the “public restrooms”? The Villages stated they are public restrooms and so they should be cleaned by the Developer or county NOT by our amenities fees. This statement seems to open up Pandora's box as what is open to the public and who is responsible for the maintenance.

Editor’s Note: We forwarded this concern to Janet Tutt, District Manager, and received the following response:

“Yes, revenues from amenities and other sources pay for the maintenance of the bathrooms and some multi-modal paths. However, they are not a “recreation” amenity...the activities/services/facilities are amenity activities paid for through the amenity revenues. There are many governmental facilities that you can access but have areas restricted to pass holders/etc. The buildings were acquired as a result of the amenity fee revenue stream purchase paid for with government tax ex-

empt bonds. The activities/services are provided through amenity fees paid by the property owner.” □

Letter to the Editor:

Health Care Centers

The December 2013 Bulletin (Page 17) has a Health Care Center letter and Editor’s note leaving people with the impression that only United Healthcare is accepted at the health centers. This is incorrect. A review of the Health Care Center’s website shows at least 30 different accepted health plans. Check out this link: thevillageshealth.com/insurance.php. Please clarify in the next bulletin.

And, thank you for the valuable work that all of you do. Lou Daigle

Editor’s Response: Yes, the website lists all sorts of insurance they will accept - note it includes the Humana PPO which the letter writer had and she was denied. Why? She states "As residents of The Villages and as retirees under an employer provided health insurance plan and Medicare, Humana Medicare (Employer PPO), a Medicare health plan with prescription drug coverage, we are tremendously upset that we will be unable to utilize the new Health Care Centers due to the exclusive contracting arrangement with

United Health Care." So, because she was on Medicare, and as the site says, if you are on Medicare, only United Health plans will be accepted. They will accept other insurance if you are not on Medicare.

The majority of individuals who are receiving retiree health care benefits from a previous employer are on Medicare and thus, unless the employee plan is with United, they are not eligible to participate in the care centers. (They are also not in a position where they can opt for United Health Care in lieu of their employer provider and expect the employer to continue to pay for it.)

We hope this clarifies your concern. □

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Letter to the Editor:

Handicap Parking

I have become frustrated with the lack of on street handicap parking places at the town squares. They are only located in the parking lots which are behind the stores and not convenient to many of the stores. They all require a great deal of walking to reach many of the stores and even the theaters. For those with a walking handicap, having to use a cane, or walker, this is unacceptable.

When I questioned why there was no handicap street parking, Carrie Duckett in the District office responded: “The District meets all ADA requirements for accessible parking spaces in the Lake Sumter Landing parking areas.”

I then asked for the reasons or rationale for not providing any on street spaces and received the following non-reply: “The locations of the parking spaces were determined in the initial construction of the town squares. It was designed to meet all ADA requirements and it still meets those requirements.” Appar-

ently, she does not know the definition of rationale, as she did not present any rationale for the placement of the places. They no doubt do meet the letter of the law, but fail badly in meeting the intent of the law.

As for being billed as the friendliest town, The Villages is Not Friendly when it comes to parking for their handicapped residents and visitors at the town squares. This needs to be changed. Richard E. Traylor

Editor’s Note: The POA has contacted Ms. Tutt about this issue in the past and received the same answer. We agree that merely meeting the letter of the law, as opposed to meeting the intent of the law, was the decision of the Developer when he designed the town squares. Knowing he was building a commercial area for retirees, we would have hoped that he could have been more respectful of the needs of his handicapped residents and at a minimum, put several of the ADA required spaces in the street parking areas IN THE SQUARE. It would be wonderful if the Developer would consider making this adaptation in all three squares NOW. □

Letter to the Editor:

Unmanned Gates

I know that "manned gates" are for traffic control and not security. My question is why are some heavily used gates (e.g. St. James) unmanned, while some lightly used gates (e.g. Chatham) are manned? It seems like a waste of money. What am I missing? John Phillips

Editor’s Note: As best we can tell, originally this was to be a gated community (as opposed to a community with gates) and so most (if not all) gates were manned. Apparently starting with District 3, the Developer’s design changed to provide at least one manned gate (for visitors) to each section while providing multiple unattended (resident only) gates. After transferring road maintenance to the County, all gates must allow for resident and non-residents access. While some gates (Morse at CR 466, etc.) require staffing at all times to avoid backing vehicles up onto a busy road, the need for attendants at some of the others may be unnecessary. As the Amenity Authority Committee (AAC) continues installing multiple camera coverage at all gates, we believe the AAC should also consider cutting back gate attendants at gates that do not impact major roadways. However all gates would have a button to connect to Community Watch HQ to obtain any required assistance (directions, help, etc.). □

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Our Gardening Column:

A Long Winter's Nap

by Anne Lambrecht, Master Gardener
annegarden@embarqmail.com

Mother Nature has given us a sign. The days are shorter, the air is cooler. Growth has stopped. It is time now to let our gardens rest.

The New Year promises a fresh start both with our lives and our gardens. Real gardeners dream of new and different plants and ideas for our spring gardens. Those seed catalogs keep rolling in. But keep on dreaming now for at least six weeks!

In north central Florida our winters are mild but we can have weeks of killing frosts. The fierce, relentless wind can wreak havoc on even the stoutest shrub. January can be a crazy quilt of weather: warm, cold, windy, rainy. Usually it's cold in the morning and warms up nicely during the day. Some days it doesn't warm up at all.

All the tender green has virtually disappeared and the garden is all sticks. Other plants, especially the tropicals, have perhaps "burned" with the frost and wind. Succulents and cacti have turned to mush. Keep your plants watered, even if they're burned. Don't let plants become dehydrated. Deep watering

prior to a freeze will help prevent dehydration and damage.

Many citrus trees are ready to pick. If you have a citrus tree, check the fruit now for ripeness by tasting it instead of checking the color. Fruit does not sweeten after picking. It is harvest time for Navel, Parson Brown, and Pineapple oranges, Temple and Dancy tangerines, grapefruit and tangelos.

If you have not already planted hardy annuals, it's still a great time to plant dianthus, pansy, petunia and snapdragon. The nectar in these plants helps feed over-wintering creatures like bees and butterflies.

It is very important that you resist the temptation to prune. We can still freeze right into March. Our last frost date is March 10th. Waiting until March to prune and trim is too much to ask, I know--I can hardly contain myself until February, but I try.....I try.

I try to keep busy and productive in my garden with other chores for January. It is good to go outside, just to get some fresh air. Some chores to take your mind off pruning:

- Weed. There are always plenty of weeds to pull. The lawn guys who we've hired are supposed to put "pre-emergent" weed killer down in January. This stuff kills the weed seeds before they emerge. If you see your lawn guy out there in January ask

him what he's putting down and he should answer you with the word "pre-emergent".

- Clean your birdbath, bird feeders and water features.
- Clean your pots and containers. Use a scrub brush with a mild bleach solution and let them dry in the sun.
- Refresh the mulch in your yard. If you don't have rocks, the mulch you use will slowly decompose and put good nutrients back in the soil. Pine straw, pine bark nuggets, and Melaleuca are all good choices. Melaleuca, made from the Australian Melaleuca tree, has become a Category 1 invasive pest in South Florida. Originally, its purpose was to soak up water but now it's taking over, replacing our native plant and animal habitats. So they cut it down, grind it up and bag it. You can buy it (it's about \$1 more per bag than pine bark) from the Marion County Extension Service 352-671-8400. Termites do not like this stuff therefore it is recommended you put it right next to the foundation. It is a nice beige color.
- Amend your soil with leaves and compost.
- Clean and sharpen your tools.
- Think about what new stuff you will be growing in your nice, clean pots.
- Think about growing vertical gardens: maybe a trellis in a pot, maybe a flowering vine by your entranceway.
- And most of all, take a little rest. It's good for us.

This is the Husband's favorite time of year. After a freeze, he goes out there and whacks everything back to a nub. He thinks he's doing me a favor, cleaning up the yard, but he does it when I'm out of the house and hopes that I won't notice. He definitely knows better, but he just refuses to submit. PLUS he leaves all the debris for me to pick up.

Upcoming Events in January: Jan 4-5 Camellia Society Show, Kanapaha Botanical Gardens Gainesville 352-376-3434 (there might be a charge to enter the garden); Jan 18 Camellia Society of Central Florida Show, Mead Garden, 1300 S Denning Dr Winter Park 407-440-8384; Jan 22-27 Space Coast Birding & Wildlife Festival Theme: Raptors, Titusville 321-268-5224; Jan 25 Camellia Show Ocala Golf Club 3130 E Silver Springs Blvd, 352-595-3365. □



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We anticipate an alarming rise in reported tax refund scams in our area, especially during this somewhat shortened tax season, due to the 16 day government shutdown in October. The U.S. Treasury Inspector General for Tax Administration reported that Florida has the highest rate of stolen identity tax refund fraud in the nation. E-filing of your tax return is not the problem. The problem is what someone **pre-tending to be YOU** sends to the IRS!

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Either way, the IRS thinks it's you! When you file your real return, the IRS says, "Whoa! We've already processed your return and sent you your refund." Lucky you - you get to spend time convincing Uncle Sam that both of you are tax fraud victims. With luck and hard work, you may eventually get your refund.

Can you actually stop this from happening to you? Unfortunately, NO! With your data, they can file a tax return in your name.

The best thing you can do is to file your tax return early, before a crook files a fake one in your name. The IRS should announce the first date you can file sometime in late December (too late to make it into this article).

The IRS won't start processing returns until at least 01/28/14 and possibly as late as 02/04/14. Should the government shut down again, refunds could be tied up even longer.

Acting IRS Commissioner Danny Werfel says that the IRS is trying to open as early as possible. However, if the original projections hold, the opening date could be pushed well into February, making for an extraordinarily short tax season. You still must file a return by 04/15.

If you ever suspect that your personal data has been compromised, immediately let the IRS know, call the IRS Identity Protection Specialized Unit at 1-800-908-4490 or send in the IRS Identity Theft Affidavit, Form 14039. With this information, the IRS can mark you as a potential identity theft victim and flag your tax account for any questionable activity. Seniors vs. Crime has this form available at all offices in The Villages. Then the IRS can correspond to confirm you are you, before processing.

What can you do if it does happen to you?

If you receive a notice from the IRS concerning multiple filings of your return, **respond immediately**. The same applies if the electronic filing of your tax return is rejected because "the system" says your SSAN has already filed a tax return. Keep in mind that the **IRS does not initiate contact with taxpayers by email!** This includes any type of electronic communication, such as text messages and social media channels. If you believe someone may have used your SSAN fraudulently, notify

(Continued on page 21)

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Seniors Vs. Crime

(Continued from page 20)

the IRS immediately by responding to the name and number printed on the notice or letter you receive. You will need to fill out the IRS Identity Theft Affidavit, Form 14039. That form is available online at irs.gov/pub/irs-pdf/f14039.pdf. Also file an ID Theft police report and get a report number. Alert the major credit

bureaus to “freeze” your credit. Lastly, you will need to file a complaint with the Federal Trade Commission and with the Internet Crime Complaint Center (IC3).

Seniors vs. Crime can be reached for assistance if you suspect any kind of scam, at 352-753-7775 (Marion) or 352-689-4600 (Sumter County), or 352-750-1914 (Wildwood). Volunteers at all three offices are ready, willing and able to assist you. □

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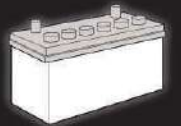
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A well trained and intelligent young nurse recently began her hospital professional career in South Florida. After only two days, patients acknowledged her exceptional caring, competency, and genuine concern. Having watched this young lady mature over her recent twenty years of life, I can attest to the sincerity and commitment. The nurse's supervisor, however, criticized the amount of time she had taken with patients when that time could be spent on paper work.

A similar setting was déjà vu for a resident who, during training over a quarter of a century earlier, was told that his efforts contacting patients to assure they were doing well was a waste of time...better spent reading more journal articles. It was but a few years later that the individual who criticized the actions of the resident sought a job with the radiation oncologist in private practice.

I am convinced that the actions of both nurse and physician "healers" were driven with sincere intent, quickly appreciated by those vulnerable from their illness. Some may say that such passion is a "calling" to the profession. I have never, in over thirty years of practicing medicine, found a patient who did not value being cared for as someone special.

The paper work was, as were the journal articles, assuredly completed with exactness and concentration. But, in reality, there was never a choice between patient or paper that had to be made. Both can be appreciated if only the professional truly cares.

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