

THE



Issue 40.12



BULLETIN

December 2014

Free Copy

Champions of Residents' Rights Since 1975

The POA Website – www.poa4us.org

H. Gary Morse, a True Visionary Our Sincere Condolences to His Family

Mr. Morse was the guiding force behind The Villages that we know today. His knowledge, encouragement and leadership will be missed by everyone.

He was a true visionary which is a rare talent, indeed. Visionaries are generally described as those individuals who possess the following qualities: They are imaginative, big-picture oriented, focused and present, open minded, a positive energizer, not afraid of failure, willing to admit mistakes, and they share and communicate their dream/vision. Gary Morse possessed all of these traits.

He created a lifestyle that we never imagined we would enjoy in our retirement. He was a private person who preferred to stay in the background, while watching the fruits of his labor benefit the rest of us. Mr. Morse created the sense of community that we all feel so deeply about. There is no other place in the world like The Villages and we will be forever in his debt for what we now enjoy - a place where dreams come true.

May he rest in Peace.

**THE POA IS NOT ANTI-DEVELOPER
THE POA IS PRO-VILLAGES RESIDENTS**

The last letter Mr. Morse wrote to the residents was published in the December 14, 2007, edition of the Daily Sun at which time he announced the settlement of the VCCDD class action lawsuit. It was entitled

"Yesterday, Today and Tomorrow". Since more than 50% of the current residents were not here at that time, we are taking this opportunity to share some excerpts from his letter, as follows:

THE PLAN

"Community Development Districts are designed to be controlled by the developing landowner during the development process, for developer's build communities, governments don't. The District is then turned over to its residents to self-govern and operate the District in perpetuity... The Villages will have 100,000 residents and will be divided into 10 (now 11) numbered Districts. These residential districts are governed by the residents who are the property owners. This works well in the Community Development District format.

Tuesday, December 16, 2014

POA GENERAL MEMBERSHIP MEETING

Third Tuesday of the Month – 7:00 PM

Laurel Manor Recreation Center

**A CELEBRATION
OF THE LIFE OF
RICH LAMBRECHT
See article on Page 7 of this Bulletin**

**Ollie's Frozen Custard
after the Meeting For All!**

All Residents Welcome - Come and Join Us!

"We will also have 3 Development Districts covering our 3 towns that will have no residents, just like Disney's District, with the government remaining in the control of our family, the developing landowner.

THE PROBLEM WITH THE PLAN

"These three (commercial) Districts should retain their responsibility to assess their land owners to maintain their Districts and enforce their Bond Covenants. But after your Devel-

(Continued on page 2)

POA Election Results

POA elections were held at the November membership meeting.

ALL 2014 OFFICERS RE-ELECTED

- **President** – Elaine Droidame – Chatham
- **Vice President** – Jerry Ferlisi – Poinciana
- **Secretary** – Carolyn Reichel – Sunset Pointe
- **Treasurer** – Donna Kempa – Amelia

Six 2014 DIRECTORS who were eligible for re-election returned and were elected. Former Directors Ray Banks and Victor Ray were required to resign from the POA Board due to their recent election to the CDD 8 Board of Supervisors where one POA Board member, Sal Torname, currently holds a seat. These resignations avoid potential Sunshine Law issues.

- **Director** – Ken Copp – Duval
- **Director** – Barbara DeCoste - Pennecamp
- **Director** – Myron Henry - Hadley

(Continued on page 4)

H. Gary Morse

(Continued from page 1)

oper builds your amenities and transfers them to these Districts, the responsibility to operate these amenities in perpetuity should be turned over to the residents, instead of the district.

"We tried to address this issue when I sent a letter to Villages Center District last April 28, 2006, in which I requested the District to consider various options to accomplish this goal. The District, with the guidance of Gary Moyer, found a means to accomplish the goal through inter-local agreements and elections. But residents in some Districts voted for it and residents in other Districts voted against it...

"In the interim, until a resident Amenity Authority Committee can be established, the Village Center District established a Resident Advisory Committee... It's the first step in the right direction.

ENTER POLITICS

"Villages' residents seem to divide 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 Villages Homeowners Association. 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 Property Owners Association. The same one I worked with the day I arrived, March 1, 1983.

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

"The common denominator of all 3 groups is 'they all love living here'. But, it was the different politics between these three groups that kept the resident Amenity Authority Committee from becoming a reality the first time around.

THE SOLUTION

"Group 3's 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 [emphasis added]. All we need to do is get all three groups to work together.

"Our attorneys have been working diligently for almost a year with attorneys for some of the leaders of Group 3 on all past amenity sales to Villages Center District. 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. Therefore, the District had to refinance the rebuild...

"The agreed settlement is an immediate payment to the Center District of \$11,803,168 and annual payments totaling \$28,021,000 over the next 13 years. All monies will go into the Amenity Division Budget to assure adequate reserves and continuity of services.

"Included in the Class Action Suit is the formation of an elected resident Amenity Authority Committee who will have the respon-

(Continued on page 4)

POA Mission Statement

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

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

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

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

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

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

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

The Villages Residents' Bill of Rights

RESIDENTS have RIGHTS to:

1. Be treated in a respectful, fair, and responsive manner by the Developer and our local government officials.
2. Have decision making authority for important issues in our community.
3. Elect our top government officials and approve appointments of the top administrative officials in our community.
4. Approve major purchases of common property and the related debt obligations assumed by residents.
5. Have local governments that are free of any conflict of interest issues.
6. Be charged honest monthly amenity fees that are used only for the stated purposes.
7. Receive full disclosure when purchasing a home here in The Villages.
8. Receive an objective market appraisal for major purchases of common property.
9. Receive objective, unbiased, 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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NOW ACCEPTING 2015 POA MEMBERSHIPS

On behalf of the Officers and Directors of your POA, we would like to say "thank you" for the tremendous response of members renewing their POA memberships and also for the many, many new members who joined with us in 2014, 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. The POA Mission Statement and the POA's 'Bill of Rights for Villages Residents' can be found on page 2 of this Bulletin.

Our membership year runs from January 1 through December 31. We are now accepting **2015** POA memberships. Please use the form

on this page. POA members will have access to discounts provided by our Discount Partners (details on page 23) and POA members who have provided us with an email address will receive our monthly POA email Newsletter reminding them of the speaker and date of the upcoming monthly POA membership meeting, as well as Special Alerts 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 one of our monthly meetings, which is where we are alerted to possible problems that residents are experiencing, i.e., roofing

issues, sinkhole insurance, underground air conditioning line failures, etc. The POA meeting is held the third Tuesday of each month at 7PM at Laurel Manor. A typical meeting consists of about 10 minutes of organization business; 20 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 30 minutes and answer questions for 15 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. □

IF YOU APPRECIATE THE EFFORTS THE POA MAKES ON YOUR BEHALF, IT'S TIME TO SHOW IT – SEND IN YOUR POA MEMBERSHIP APPLICATION TODAY. WE WANT YOU ON OUR TEAM!!!

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POA 2015 MEMBERSHIP – NEW/RENEWAL & DONATION 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 **2015** 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 me my **2015** Membership Card.

Please hold my POA Membership Card for me to pick up at one of the monthly POA meetings.

2. **ADDITIONAL DONATION:**
 Please accept my additional **2015** contribution to the POA in the following amount: \$ _____

3. **TOTAL CHECK AMOUNT:** \$ _____

THANK YOU FOR YOUR CONTINUING FINANCIAL SUPPORT.

Dues Paid Date _____ (Office Use Only)

H. Gary Morse

(Continued from page 2)

sibility and authority to manage and spend this money, in addition to the District's regular Amenity Budget.

"ALL AFFECTED RESIDENTS IN GROUPS 1, 2 AND 3 SHOULD BE BEHIND THIS CLASS ACTION SUIT [emphasis added]."

THE FUTURE

"The Sumter Landing District which serves CDD 5, 6, 7, and 8, and the Brownwood District which will serve CDD 9 and 10, will be formatted the same as The Villages Center District.

"Just like the numbered Districts, they will remain under our family's control during the development of the numbered districts that they serve. They will operate the amenities with the guidance of a Resident Authority Committee. Then the management of the amenities will be turned over to the elected resident Amenity Authority Committee in perpetuity.

"Detailed discussions among the attorneys for both sides are progressing and we all hope that soon a Class Action for Lake Sumter Landing District can be commenced which will not only prevent inadequate reserves, but will also create the resident Amenity Authority Committee for that area as well.

"This will enable our family to complete our dream of building the Disney World for active retirees that you all desire. And we appreciate all the help you give us in accomplishing this."

Unfortunately, the ongoing IRS investigation, which commenced in early 2008, grounded these discussions to a halt. Due to the timing of statutes of limitation, it was necessary to move forward with the recently filed lawsuit against the Sumter Landing District and the Developer, which was intended to require the initiation of an elected resident Amenity Authority Committee for the Districts south of CR466, and a formula that would prevent inadequate reserves as detailed above by H. Gary Morse.

The Judge dismissed the case, but allowed for the filing of a second amended complaint by the plaintiffs. The POA is hopeful that the SLCCDD and the Developer, whether by Court order or because they want to comply with H. Gary Morse's vision, will honor his "hope" and take care of both of these matters.

H. Gary Morse was an outstanding business man and a fair one. He was willing to admit even the best could make mistakes and provided remedies for any shortfall.

If any reader is interested, you can find the entire four page insert on our website - poa4us.org - Go to the left hand column and click on class action lawsuit. □

POA Election Results

(Continued from page 1)

- **Director** – Sal Torname – St. James
- **Director** – Jerry Vicenti - Hemingway
- **Director** – Cliff Weiner - Piedmont

The newly elected Officers/Board of Directors will commence their term of office on January 1, 2015.

Biographies of the POA Officers elected are as follows:

Elaine Dreidame, President

Elaine is a native of Cincinnati and moved to Polo Ridge in 1999 and now lives in the Village of Chatham. She has served as President of the POA and Editor of the monthly POA Bulletin since January 1, 2011.

Elaine received a B.S. in Education and a Master of Education from the University of Cincinnati and went on to earn a Ph.D. at The Ohio State University in Physical Education and Administration of Higher Education.

Elaine spent the first six years of her career as an Instructor and coach at The College of Mt. St. Joseph in Cincinnati and followed that with twenty-nine years at the University of Dayton where she served in roles as assistant

(Continued on page 5)

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POA Election Results

(Continued from page 4)

professor of physical education, head women's basketball and volleyball coach and senior associate director of athletics.

The scope of her impact on intercollegiate athletics encompassed the institutional, conference and national levels. She served as Division I Vice-President of the NCAA, a member of the NCAA Council and the NCAA Executive Committee, the NCAA Joint Policy Board and numerous other NCAA Committees. She was a member of the National Association of Collegiate Directors of Athletics Executive Council and served as chair of the NACDA/Sears Director's Cup Committee.

Elaine was inducted into the University of Dayton Athletic Hall of Fame and the Ohio Association for Intercollegiate Sports for Women Hall of Fame. In 2003, she received the National Association of Collegiate Women Athletic Administrators Lifetime Achievement Award.

Elaine served on the POA board in 2005-2006 and resigned from that position to head up the POA Outsource Legal Action Team which filed the successful class action lawsuit. Following the completion of the lawsuit she

rejoined the POA Board of Directors in 2008.

Jerry Ferlisi, Vice-President

Jerry and his wife (Maureen) acquired their "Village" home in 2005, but became full time residents in the Village of Poinciana in May 2010, upon Jerry's retirement. He's had a long & distinguished career in Finance. He holds a BS in Accounting from Long Island University. He was trained in Public Accounting (Pannel, Kerr Forster) and moved into Hospital Finance where he served as Controller, St John's University, South Shore Division. He held senior positions at Staten Island University Hospital including Controller, VP, and Sr. VP & CFO. He's held similar positions (CFO & Sr. Director) for the NYU Hospital For Joint Diseases in New York City. Jerry has served on numerous Finance Committees including the Hospital Association of NYS (HANYS) & Greater NY Hospital Association (GNYHA). Earlier in his career, he served as Treasurer for the New Springville Civic Association, (a not-for-profit civic organization).

In addition to being Vice President of the POA, Jerry is a Supervisor for District 5 and is a member of The Villages CERT (Certified Emergency Response Team).

Jerry & Maureen are the proud parents of two sons, Scott (married to Tammy) & Chris

(who is married to Erin with a gorgeous 3 1/2 year old granddaughter). They reside in Brooklyn & Staten Island respectively.

Donna Kempa, Treasurer

Donna, her husband Tony and retired guide dog, Parson, moved to the Village of Amelia from a suburb near Buffalo, New York. Donna is a cum laude graduate from the University at

(Continued on page 6)

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POA Election Results

(Continued from page 5)

Buffalo, BS in Registered Accounting and Finance. She also holds an AAS degree in Computer Programming. She holds certifications in public accountancy (CPA), fraud investigation and examination (CFE) and information systems auditing (CISA).

Following graduation, Donna was employed by Ernst and Young (Big 4 Public Accounting firm). She left public accounting for a life with less travel and joined Blue Cross and Blue Shield health insurance as a financial auditor. She currently works as an offsite Information Technology Consultant for Independent Health, a regional health insurance plan located in Williamsville, New York. In addition to being the POA Treasurer, Donna is a newly elected District Supervisor in CDD 6.

In her spare time, Donna can be seen jogging along Odell Circle, watching her husbands' softball game, playing pickleball, golfing, participating in yoga and Pilates classes or enjoying the entertainment at the town squares.

Carolyn Reichel, Secretary

Carolyn is single and lives in the village of Sunset Pointe. She has two sons and three wonderful grandchildren who live in Maine.

Carolyn graduated from Colorado College with a degree in Sociology. After raising a family, she returned to school and became a Registered Nurse. With the demands of nursing, Carolyn continued her education looking for alternatives. In this process, she became a Registered Record Technician, a Paralegal, a Certified Professional in Health Care Quality, earned a Masters' Degree in Legal Studies, and finally settled in as a Nursing Home Administrator for 17 years before retiring to The Villages five years ago.

In retirement Carolyn volunteers as a counselor for SHINE, (Serving the Health Insurance Needs of Elders) and is a member of the Community Improvement Council. In her spare time she enjoys golf, bridge and singles activities.

Carolyn joined the POA Board in 2010, and has served as Secretary since that time. □

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Rich Lambrecht Gone, but NOT Forgotten!

The POA regular membership meeting on December 16th at Laurel Manor at 7PM will be designated "**A CELEBRATION OF THE LIFE OF RICH LAMBRECHT**".

We will be asking friends and associates of Rich to share some of their best memories of Rich and hope to be able to put together a picture presentation as well.

Anne Lambrecht will be on hand to provide us with some additional stories about "The Husband", which many of us enjoyed in her monthly POA Bulletin gardening article.

His long-time friend, Don Deakin, has agreed to serve as Master of Ceremonies and organize the evening's activities.

If you would like to be on the list of those sharing memories and/or if you have pictures of Rich, please contact Don at drdeakin@aol.com. □

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Rich Lambrecht A Friend and Leader of Villagers

By Myron S. Henry
POA Board Member

Our friend Rich Lambrecht, his productive life is clear. From New York he came, after a successful career.

The Villages in Florida, energetic involvement was his goal. Before too long, his schedule was full.

Rich served as supervisor, for his CDD. And the Amenity Authority Committee, a key member was he.

Rich was hard working and passionate, no task was too great. Villagers are fortunate, he was dedicated to their fate.

Rich personified the best, in leadership for Villagers everywhere. He wanted to be sure, Villagers were treated fair.

He has passed from this earth, but in life Rich stood tall. His ideals and commitment, inspire us all.

When we think of Rich Lambrecht, we don't see him as gone.

We thank him so much, as his legacy lives on.

If you have a question about anything in The Villages, or how to do something, or want to report a problem, etc., please call the VCDD Customer Service Center at 352-753-4508.

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Amenity Authority Committee (AAC) Meeting Highlights November 12, 2014

Audience Comments:

- Request for a dog park in the CDD 1-2 area. The AAC advised there is a lack of land in the area for that type of facility.
- Resident expressed concern that the AAC was renovating old recreation centers and actually building some new ones, and not considering adding a pool or recreation center in the Belle Aire – Glenbrook area, which had neither facility. The AAC response was that they were enhancing cur-

rent facilities, not looking to find land in other areas to build new facilities where none had been put in by the Developer.

- Resident requested consideration to put in a shuffle board table at the El Santiago Recreation Center. AAC advised that it would be evaluated after the facility was up and running and usage of the area could be determined.
- Resident comment regarding the fiscal impact and process of the El Santiago Recreation Center project. Staff provided clarification.
- Resident asked if the AAC would give consideration to providing an indoor pool. This was discussed later under Supervisor comments.

New Business:

- Revisions in the Architectural Review Manual were distributed and discussed and Staff requested the AAC address any questions or concerns with the revisions over the next two months.
- Ms. Forrester made a motion to cancel the AAC meeting in December due to the usual lack of pertinent business for them during that month. The AAC voted 3 - Deakin, Bell, and Wilcox - to have the December meeting, while 2 - Forrester and Weber - voted against having it. There will be a December, 2014 meeting.
- Sam Wartinbee presented a design and review of the proposed rebuild of the deck

(Continued on page 9)

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AAC Meeting Minutes

(Continued from page 8)

at Schwartz Park. Mr. Deakin expressed concern that movement of the deck to a different spot appeared to significantly diminish the prior lake view. It was agreed that AAC members personally view the site and Mr. Wartinbee agreed to check out what grade changes would be involved in the various possible sites, as they would influence the construction costs.

Information Items Only:

- On Tuesday, November 4, 2014, the District held a **Landowner** Election for the three (3) expired term seats on the Amenity Authority Committee. Each **Landowner** Election was held at a recreation facility within the geographic area of the District. However, Staff is aware that polling places for the **General** Election can be held at several different locations. Three separate shifts of volunteers were utilized at each location to adequately run the **Landowner** Election polling places. Staff is aware that having one polling location in each District may have required some residents to visit two separate facilities to cast their votes for the **General** Election and the AAC

Landowner Election which may have caused an inconvenience. We understand this concern and will review alternatives to add voting opportunities for the 2016 **Landowner** Election which may require an amendment to the Interlocal Agreement that established the Amenity Authority Committee. An amendment of this type would need to be agreed upon by all parties of the Agreement. Voter turnout for the elections were as follows:

- Lady Lake/Lake County portion of The Villages: 6%
- District 1: 11%
- District 2: 15%

Audience and committee members suggested that vote by mail, provision of early voting, proxy voting, electronic voting and all possibilities be looked at in order to increase the turnout.

Supervisor Comments:

- Mr. Bell made a motion, which was approved unanimously, to name a room at the Tierra Del Sol Recreation Center after Tootie Jackson based on her contributions.
- Mr. Bell suggested Staff discuss the possibility of naming the new El Santiago Recreation Center after H. Gary Morse with the appropriate people.

- The Committee requested statistics be provided pertaining to utilization of dog parks.
- Mr. Bell requested Staff review the cost and process for an enclosed pool. Staff agreed to look to see if there are any current pools that could be retrofitted and report back at the December meeting.

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

Next AAC Meeting - Wednesday, December 10, 9A.M., at the Savannah Center. □



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POA Directors Wanted

Good news & MORE good news.

The good news is that three members of the POA Board of Directors, Donna Kempa, Ray Banks and Victor Ray, were elected to their respective District Boards of Supervisors. Two of them, Ray and Victor, were elected to serve on the same CDD Board that already had a POA Director, Sal Torname, serving. These two newly elected Supervisors have voluntarily resigned from the POA Board of Directors in order to avoid even the appearance that a Sunshine law violation may develop. (A recently approved policy by the POA does not permit more than one Supervisor in any one District to serve on the POA Board.)

The MORE good news is that the POA now has two openings for Directorships on its Board. We are seeking candidates who believe in Residents' Rights & want to make a difference. In particular, we are looking for the following:

1. A candidate who possesses investigative writing and editing skills & would assist, research and write articles for our monthly Bulletin. Experienced writers or reporters would be welcomed, and
2. A candidate with leadership abilities and aspirations to become an Officer of the POA.

If you have an interest, please contact Jerry Ferlisi, Vice-President of the POA, at (352)-391-5261. □



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"(1) As used in this section, the term:

(a) 'Open container' means any container of alcoholic beverage which is immediately capable of being consumed from, or the seal of which has been broken;

(b) 'Road' means a way open to travel by the public, including, but not limited to, a street, highway or alley. The term includes associated sidewalks, the roadbed, the right-of-way, and all culverts... (According to Lt. Nehemiah Wolfe of the Sumter County Sheriff's Office, "...this does NOT include the recreation trails which run parallel to many of our Boulevards, but it does include the golf cart lane when it is on a roadway shared with automobiles.")

"(2)(a) It is unlawful and punishable as provided in this section for any person to possess an open container of an alcoholic beverage or consume an alcoholic beverage while operating a vehicle in the state or while a passenger in or on a vehicle being operated in the

state;

(b) It is unlawful and punishable as provided in this section for any person to possess an open container of an alcoholic beverage or consume an alcoholic beverage while seated in or on a motor vehicle that is parked or stopped within a road as defined in this section... *(While discretion is used by area law enforcement officials in the road areas around our town squares, be aware that they can give you a ticket for this offense.)*

"(3) An open container shall be considered to be in possession of the operator of a vehicle if the container is not in the possession of a passenger and is not located in a locked glove compartment, locked trunk, or other locked non-passenger area of the vehicle.

"(4) An open container shall be considered to be in the possession of a passenger of a vehicle if the container is in the physical control of the passenger... *(If the container is in a cart cup holder it is considered to be in the possession of the operator.)*

"(6) Any operator of a vehicle who violates this section is guilty of a noncriminal moving traffic violation... A passenger of a vehicle who violates this section is guilty of a non-moving traffic violation..."

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POA Sinkhole Insurance Committee Update

The Committee continues to investigate all possible means to create the availability of sinkhole coverage for Villages residents. It is a daunting task and they estimate that there is only about a 20% chance that they will be able to make it happen but have agreed to continue pursuing it. The idea of having the Florida legislature make any changes in the 2011 sinkhole insurance revisions has been abandoned because it is evident that the insurance industry does not have any interest in revising it.

The Committee is currently reviewing other Florida statutes and consulting with various insurance agencies to determine if there is any way they could legally put together a self-insured solution (alternative risk financing as it has become called).

We will continue to keep you updated on their progress. □

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District 4 Recreation Trail Striping Survey

At their October, 2014 meeting, the District 4 Board of Supervisors discussed striping of the Recreation Trails within their District in the interest of public safety. That discussion mentioned several types of striping including reflective yellow skip center line striping, reflective white solid striping on the curbs, and Roadway Pavement Markers (RPM's). There was also a discussion focused on determining the preferences of the District residents.

The Board requested that Supervisor Kazlo conduct an informal survey of the District residents using his personal email list.

In order to support Mr. Kazlo's efforts and the District 4 Supervisors' desire to obtain survey data of the District residents' preferences, the POA decided to volunteer their services by utilizing the professional services of an online survey company, Survey Monkey, with whom they have had previous survey experience and already have an annual contract.

Below is a copy of the email sent to POA members in CDD4 and a copy of what the survey looked like when they clicked on the link to the survey company with the results inserted. We forwarded this information, along with the actual report from Survey Monkey, to District Manager Janet Tutt and the five CDD4 Supervisors in the hope that this information would be helpful to the District 4 Board of Supervisors decision-making process.

"THE POA NEEDS A FEW MINUTES OF YOUR TIME! PLEASE HELP BY COMPLETING THE LINKED SURVEY. IT WILL TAKE YOU A COUPLE OF MINUTES AT MOST! (The deadline to respond to this survey is Friday, November 7th.)"

Historical Background:

"When most of us living in District 4 moved to The Villages, the recreation trails were made of white concrete. The trails were used for walking, jogging, skating, golf carts, etc. Golf carts could only be driven during daylight hours. In 2005, after petitioning local governments, residents were given permission to drive 24/7. Use of the trails in-

creased in popularity. Shortly thereafter, in the interest of public safety, reflective yellow 'skip center lines' were added.

"In 2009, the Recreation Trails were reconstructed with black asphalt and concrete curbing, but striping was not replaced. Many residents have asked, 'Where is the striping?' and have expressed concerns about vision issues during rain storms and especially at night.

"In response to residents' concerns, and in the interest of improving public safety, the District 4 Board has discussed replacing the striping on the Recreation Trails within District 4. Funds are available in the District 4 budget and cost is very minimal, (ranging from six CENTS to forty-two CENTS per household, PER YEAR), so cost is not an issue. (These figures are based on an estimated 'life' of 5 years, the estimated costs per household per year, and each type of striping and reflectors. Details are provided on the survey instrument.)

"Thank You for helping the POA help YOU.
** One survey per household please ** "

(Continued on page 15)

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(Continued from page 12)

District 4 Recreation Trail Striping Survey - RESULTS**PURPOSE OF SURVEY:**

To determine the preferences of District 4 residents.

BASIC DATA:

716 Households received the email
673 Opened the email, and
261 (36%), Households responded -
Double the average response.

1. How many people are in your household?

14% One Person
84% Two People
2% More than Two People

2. Do you own or drive a golf cart?

93% Yes
7% No

3. Do you ever drive a golf cart at night or in the rain?

86% Yes
14% No

4. Are you in favor of striping the Recreation Trail along Buena Vista Blvd?

82% Yes
18% No

Note: If you answered **YES** to question No. 4, please answer ALL remaining questions, 5 - 9. We need that data to get the best evaluations. **THANK YOU.** If you answered **NO** to question No. 4, you will be taken to the end of the Survey

5. Do you favor using Reflective Yellow Skip Center Line Striping?

- It is a 3 foot long center stripe with 9 feet between stripes.
- It identifies the lanes for users traveling in opposite directions.
- It alerts users to use caution if passing slower traffic.
- It improves visibility at night and during rain storms.
- **(Cost is about \$ 0.06 per household, per year)**
94% Yes **6%** No

6. Do you favor using Reflective White Solid Striping on the Curbs?

- It identifies outside edges on **BOTH** sides of the Recreation Trail.
- It improves visibility at night and during rain storms.
- It enables users who may be blinded by the glare of oncoming headlights to look down and away from the glare.
- It has a longer life because it is not in the high traffic areas.
- **(Cost is about \$ 0.32 per household, per year)**
84% Yes **16%** No

7. Do you favor using Roadway Pavement Markers, (RPM's)?

- These are reflective, raised markers, (usually white or yellow), glued to the road, (like the blue reflectors previously used in the Villages to identify fire hydrants).
- Used primarily on curves and narrower sections of the Recreation Trail in addition to center line striping.
- **Note:** RPM's can be a tripping hazard for pedestrians, skaters, cyclists, etc.
- **(Cost is about \$ 0.04 per household, per year)**
41% Yes **59%** No

8. Do you favor using BOTH No. 5 and No. 6? - (Cost to do BOTH is about \$ 0.38 per household per year)

76% Yes **24%** No

9. Do you favor using ALL three, (Nos. 5, 6 and 7)? - But only using No. 7 on curves and narrower sections of the Recreation Trails. - (Cost to do ALL three is about \$ 0.42 per household, per year)

41% Yes **59%** No

The CDD4 recreation trail striping issue was on the November 14th Board Agenda. The Board reviewed and discussed both Supervisor Kazlo's survey results and that of the survey provided by the POA. After receiving two audience comments, Supervisor Kelly stated that the input was overwhelmingly in favor of striping. He made a motion, seconded by Supervisor Brockman, to have 4 inch reflective/beaded yellow **skip** line striping placed in the center of all CDD4 multi-modal paths and 4 inch **solid** center reflective/beaded yellow lines placed on all curves, with the entire project not to exceed \$4000. The motion passed unanimously. (Note, the **annual** CDD4 operating revenue is projected at \$1,818,706.) □

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Are District Funds Keeping Up With Inflation?

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always be at a level where short term assets cover short term debt. It is reasonable to say that The Villages CDDs must also keep their houses in order by being financially accountable to meet their short term obligations.

Here in The Villages there are 11 Residential Districts and 3 Commercial Districts. At any one time the total amount of Working Capital for these entities totals millions of dollars. This is understandable because Working Capital contains annual bond debt and maintenance assessment payments, including pre-paid bond debt pay-offs. In most households, similar to operations in The Villages, money is not left idle. It is either banked or invested in various markets.

Working Capital of these entities is invested in short term funds that are as liquid as possible to meet current Villages obligations. The

investment policy that was established emphasized in order of priority: Security, Liquidity and lastly, Yields. A few years ago, the District Management recruited the services of Public Financial Management (PFM), a national consulting firm with an Orlando branch.

PFM Asset Management LLC is a leader in the industry, managing separate accounts for more than 200 public entities, for state and local governments, non-profit corporations, pension funds, and similar institutional investors. For their institutional clients, they provided investment management services for the benefit of over 5,000 additional investors through pooled investment funds. Separately managed accounts range in size from about \$25 million to more than \$500 million.

Until recently, PFM had invested in three short term funds all with low performance yields, reinforcing security as the top priority. This strategy provided safety but has left performance of these funds below the current Consumer Price Index (CPI) and over time has been reducing purchasing power. In October, the Districts gave PFM authorization, with the creation of a new investment policy, to invest a small portion of Working Capital in a long term investment portfolio, the objective being to obtain a higher yield. The targeted

(Continued on page 17)



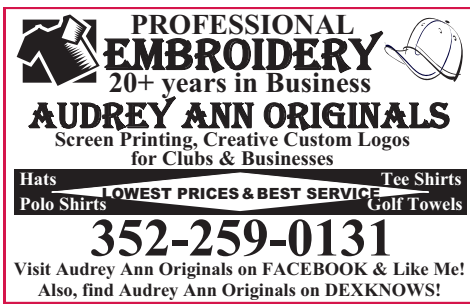
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District Funds

(Continued from page 16)

higher yield would be in the range of 5-7 percent and weighted against the existing short term investments, would eventually reach the prevailing CPI.

The short and long term portfolios are predominately invested in high quality AAA and AA bonds and are benchmarked against indexes that match their investment mix. Their performance is regularly monitored by PFM, The Villages Finance Department and the Investment Advisory Committee which is comprised of one Supervisor from each of the 14 Community Development Districts. Investment decisions are exercised with care, skill, prudence and diligence under circumstances

prevailing within the market, using the objectives of Safety, Liquidity and Yield, in that order. The POA endorses the expertise and skills that these bodies possess. They have shown transparency by keeping the residents informed with all pertinent happenings, thus demonstrating that these funds are in good hands. □

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LETTERS TO THE EDITOR

Letter to the Editor:

OC Supreme Shingles

We saw the letters to the Editor questions regarding Owens Corning asphalt strip shingles in the last edition of The POA Bulletin, and thought that we should let you know what Seniors vs. Crime is doing relative to this subject.

On October 9, 2014, we wrote to Owens Corning, d/b/a Owens Corning Roofing and Asphalt, LLC, Michael H. Thaman Chairman and CEO, One Owens Corning Parkway, Toledo, OH 43659, putting OC on notice that we had received four (4) complaints from consumers living in The Villages regarding defective OC asphalt strip shingles alleging that they are being discriminated against by Owens Corning's claim settlement practices.

We pointed out that while Owens Corning has agreed to honor its "commitment to quality" to a large number of other consumers in

The Villages, Florida, by agreeing to replace their Owens Corning asphalt strip shingles where granule loss was determined by Owens Corning to affect the performance of the roof, by replacing Owens Corning asphalt strip shingles including both labor and material, while failing to honor that "commitment to quality" to other consumers living in The Villages, Florida, whose roofing material was made out of the same materials and were manufactured during the same time period as those who received 100% reimbursement. We advised that we believed that such disparate treatment by Owens Corning between similarly situated consumers living in The Villages, Florida, would constitute violations of the Florida Deceptive and Unfair Trade Practices Act, Florida Statutes §501.201 *et seq.* (hereinafter referred to as the "Act").

We received a response from Lori A. Suffety, Team Leader. BMG Quality Solutions,

(Continued on page 19)

the **McDonald** agency 

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Letters to the Editor, continued:

OC Supreme Shingles

(Continued from page 18)

Owens Corning Sales, LLC, an authorized representative of Owens Corning Roofing and Asphalt, LLC, stating that she had "reviewed each of the claims thoroughly and found they were each handled above and beyond the terms of the warranty coverage available. Please note that the listed claims relate to Owens Corning Supreme® shingles. The program your letter refers to where Owens Corning is providing coverage for labor is a specific program specific to homeowners with Owens Corning Oakridge® shingles manufactured between 2006 and 2010 and does not impact Supreme® shingles or the listed claims."

We thanked her for her prompt response, but pointed out to her that we were not looking at this matter in the context of warranty law, but rather from the perspective of the separate and distinct provisions of the Act. We also pointed out that we have statements from consumers living in The Villages, that live next door to some of our complainants, that state that they received reimbursement for all labor and materials for defective Owens Corning Supreme® shingles. We further notified her that we currently have over

twenty-eight (28) complaints and that the number was growing. Her response is that she is looking further into this and will get back to us.

We recently referred another case to State Attorney Brad King as an "enforcing authority" for the FL consumer protection statute and just got word from the AG that he sent it to them since it was not "criminal." Consumer Protection is not criminal, but the Legislature provided in the statute for State Attorneys to be enforcing authorities in situations where only one judicial circuit was affected as is the case here. Enforcing the Act is a civil enforcement and even though he is authorized by statute to enforce the Act, we are unaware of any instant when he has done so. If he refuses to enforce the Act, or does nothing for ninety (90) days, then we can refer it to Attorney General Pam Bondi's office and hope she will do something. If consumers in The Villages believe that their elected officials are not doing enough to protect them from unfair and deceptive practices, then they should let their elected officials know. There is a large enough voting bloc in The Villages, that enough complaints can cause a change in policy of the elected officials.

John S. Smith, III, Seniors vs. Crime
Sumter County Sheriff's Office, 8035 E.

CR466, The Villages, Florida 32162
(352) 689-4600, Ext. 4606
Fax: (615) 250-7921 or (352) 689-4601
Email: SumterSVC@jss3rd.com

Editor's Note: Thank you very much for your efforts on behalf of the residents of The Villages and for permission for the POA to print your letter in the POA Bulletin.

We would suggest that any residents who have found themselves in this position and have not yet filed a complaint with Seniors vs. Crime do so as soon as possible. (Their office is located at the Sumter County Sheriff's Annex on CR466, just west of Morse Boulevard.) □

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Letter to the Editor:

VA Loans in Villages

First, thanks for your great articles. I always look forward to a piece of reality.

I'm a veteran and was also told no new housing in The Villages due to the slow "processing times" of a VA loan. We found a house in Del Webb and the entire processing open to close was 22 days (Ameris Bank). That old excuse is no longer true since all forms are scanned in and emailed. I'm guessing, The Villages "no VA loans policy" is simply due to the government being allowed to participate, and they don't want any eyes in this operation. With Veterans Day coming up, I'm sure we will see all the bunting and flags.

However, what about life after Nov 11th for Veterans that want to participate and use their earned benefits. I regard this as an insult to me and other vets. Thanks Again For All You Do, Edward Mikell, CMSgt, USAF (retired)

Editor's Note: We continue to hope that The Villages will commence selling new homes to prospective residents who want to use their earned benefit – even if it is just for the new homes that are already built and for sale. □

Letter to the Editor:

Walgreens Eliminating 24 Hr Pharmacy Support

I have learned that on 11/22/2014, Walgreens is going to drop 24 hour pharmacy support in The Villages, to save the cost of 6 hours of a pharmacist's salary. They will close the pharmacy from midnight to 6 AM, but will still keep the rest of the Bella Cruz store open 24 hours a day. This will mean that there is no place: 1) to fill a prescription at a Walgreens store at night in The Villages, and the store is near the hospital and ER, and 2) no Walgreens pharmacist who knows you, and has access to your records to discuss a drug reaction or drug problem at night. The closest 24 hour stores will become Inverness, Gainesville, and Mt Dora. If other Villagers are also concerned by Walgreens closing our only 24 hour Walgreens pharmacy, please ask them to call 1-800-Walgreens to voice their displeasure and request reconsideration.

Michele Beaven

Editor's Note: Thank you for sharing. □



Letter to the Editor:

Hispid Cotton Rats

I have seen this addressed in your paper which I read often, RATS! Yes, RATS. I live in one of the walled areas and have seen them running on the walls. I called The Villages about this and was told they are probably large field mice. (I know a mouse from a rat!) I had to pay my pest control company to place black boxes with poison because I started to have rats in my beautiful yard. They also told me people with bird feeders will attract them. I can't be the only one with this problem, which has not been resolved in over a year's time. I would be interested in what others have done about this. I lived near a park up North for over 50 years and never saw a rat. Can't believe I have this problem here in The Villages. I would love to see this in the Bulletin.

Editor's Note: This topic has been brought up several times in the past. Here is what we have learned:

1) If you see rats/rodents in a particular area that is District property, such as the postal stations or recreation trails, you can contact the VCDD Customer Service at 753-

(Continued on page 21)

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Hispid Cotton Rats

(Continued from page 20)

4508 with the location and they will have traps put out.

2) Another resident, Paul Nistico, advised us that, "...these are Hispid Cotton Rats and they are common rural rodents of the south-eastern U.S. and the New World tropics. They are NOT the Norway rats, those invaders from the Old World that we have all learned to abhor in urban settings, so eager to live among us, eat our garbage and spread disease. Hispid cotton rats, on the other hand, are native to the fields and agricultural areas of our region, and probably carry no more fleas or disease than do the rabbits and squirrels that we enjoy seeing on our walks and drives. The cotton rat's diet largely consists of green vegetation – stems, foliage and seeds. They also consume insects and other small animals. They have no instinct for entering our homes or eating our garbage. If we can learn to accept the cotton rat as just another member of our native wild-life community, we and the cotton rat will be happier for it."

You might try checking with neighbors to see if anyone has been feeding birds and, if so, explain your concern and see if they would be willing to discontinue feeding them. □

Letter to the Editor:

Gate Cards for Sale?

We have heard the latest scam with the Paradise/Medical gate is that some Villagers are selling their spare gate passes to people in Stonecrest for \$100 or more so that they may have access to The Villages.

My comments to the Villagers who are selling their gate passes is that they are being dishonest, fraudulent, and unfair to the other residents who pay amenities to live here. What are they thinking?

Mr. Sam Wartinbee's office has already put in instant cameras that go directly to the police station when the vandals are tearing up the gates from the outside and they have an instant clear picture of them and their golf carts. Judy Reeves

Editor's Note: We are disappointed that Villages residents would do this. However, the scam will actually be on the purchasers because when the resident goes to the District office and requests a replacement card because their card was lost or stolen, the "lost or stolen" card will automatically be deactivated. Hopefully word will get out quickly if a few nonresidents who purchase gate cards at \$100 or more find out that they no longer work. □

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Debit or Credit Card, Which is Safer??

First there was Target. Then came Chase Bank. More recently there was K-Mart and Home Depot, even the US Post Office.

Barely a week seems to pass without news of a hack attack on retailers and other companies that access the records of customers, including card details. And then there are the everyday risks of card number theft we all face, from stolen wallets through skimming devices to spyware-infested PCs.

What is the safer card to use -- debit or credit -- in a world where personal financial information seems less secure than ever? The basic fact is that when it comes to the risk of card details being stolen, both debit and credit varieties are equally vulnerable. Whichever card you use the most is logically the one that's the most likely to be compromised. If crooks can get their hands on either of them, they'll steal the information and use it or sell it. But it's what happens after the theft that can make a difference.

Here are some facts you should know about debit and credit cards:

- By law, a customer is usually only liable for the first \$50 of fraudulent use of their stolen credit card number. In practice, most credit card issuers and banks waive this liability and victims end up not having to cover any of the fraudulent use charges.
- To get the same \$50 protection with a debit card, the loss or theft must be reported within two days. Again, some banks may waive this \$50 too -- but fewer than with credit cards.
- After two days, debit card users may be liable for up to \$500 of fraudulent use for the first 60 days. If a debit card theft or fraudulent use is reported more than 60 days after the fact, the liability you face may be open-ended.
- With a credit card, any fraudulent payments are usually credited back into your account within a few hours of notification.
- With a debit card, it can take two weeks or longer for a bank to investigate fraudulent use and re-credit your account. During that time the sums involved may be missing from your account, perhaps even forcing you into an overdraft situation.
- Debit cards are normally linked directly to your bank account. If your PIN number is

also compromised, the scam artist will be able empty your account almost immediately.

- Most credit card issuers will send you a daily account alert if you ask for one. This can be more difficult or not even available for bank-accounts linked to debit cards.

On a financial risk and liability basis, a credit card is a better bet. Additionally, credit cards often offer damage or theft insurance on items purchased with the card. They also tend to offer better dispute rights with merchants. If you must use a debit card, the two-day reporting deadline for fraud and the risk of your account becoming overdrawn through fraudulent cash withdrawal underline the importance of frequently checking your bank and card accounts.

A word of warning though: Don't forget that credit cards do call for a higher level of self-discipline than debit cards. With debit cards, your spending is generally limited to how much cash you have in your account. With credit cards you can spend money you don't have -- and that can land you in trouble. Credit cards may protect you better against theft but it's up to you to protect yourself from spending unwisely with them!

Let's face it; cash and checks are on the way out. Cards and, in the near-future, cell-phones and virtual currencies, will be the payment method most of us will be using. Our security will be in the hands of others but, whether you're using a debit or credit card, best-practice security still begins with you.

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. There is never a charge for their services. Seniors vs. Crime can be reached at 352-753-7775 at the Marion County Sheriff's Office in The Villages; 352-689-4600, Extension 4606, at the Sumter County Sheriff's Office in The Villages; or 352-750-1914 at the Wildwood Police Annex in Brownwood. All three office volunteers are ready, willing and able to assist you. To keep up with the latest scams, **LIKE** 'Seniors vs. Crime Region 4' on Facebook. □

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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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