



## POA Submits Seven Proposals to The Silver Hair Legislature's October Meeting In Tallahassee

One of the POA's primary objectives is to help change the Chapter 190 Florida State law that created the Community Development Districts (CDDs).

We generally feel that the Chapter 190 law is worthwhile as a catalyst for development of communities like The Villages – but it is also flawed with many loopholes that have led to problems and abuses. These need to be fixed.

Fixing the law, however, is easy to say, but very hard to do. The problem is that powerful political forces and statewide lobbies of lawyers, consultants, financiers, developers, etc., have a vested interest in maintaining the status quo.

But, residents of CDDs are also a powerful political force. We estimate that over a million people, mostly voting adults, live in the 160 or so CDDs in the state of Florida. Properly mobilized, these CDD residents might be able to provoke the needed changes.

One of the organizations in Florida attempting to mobilize seniors into a political action force is the Silver Hair Legislators (SHL). This state-wide group focuses the concerns of seniors into proposed legislation that receives the attention of actual state representatives and senators in Tallahassee. The annual meeting of the SHL is conducted in the legislative chambers in the state capitol. The legislation passed by the SHL is forwarded to the Senate and the House of Representatives for consideration.

Some of this SHL-initiated legislation can be expected to be passed into law. Not every piece of SHL legislation is passed into actual law; but, some of it is.

Five POA members are delegates to the SHL meeting to be held in mid-October. These include Tom Poss, Frank Renner, Charlotte Poss, Joe Gorman, and Russ Day.

Seven bills for consideration by the SHL were submitted by POA members. In summary, these are:

**HB-109 – A House Bill (HB) calling for application of state conflict of interest regulations to CDD consultants.** Any person or organization, including attorneys, financiers, bankers, accountants, consultants, etc., shall be subject to all state conflict of interest regulations in their dealings with CDDs, landowners, developers, and any state, county, or local officials, and will not render services or advice (paid or unpaid) to any combination of these on any given issue.

**HB-111 - This deals with the election of CDD supervisors.** In any family of CDDs, in which one of the CDDs can obligate or collect from residents in a related CDD for taxes, assessments, debt, or fees, then the supervisors in the controlling CDD shall be appointed by the developer initially for a term of two (2) years and then be elected thereafter for three (3) year terms by a popular vote of all homeowner residents living in all related CDDs in the family of CDDs.

**HB-113 - Deals with the issuance of bonds to purchase facilities.** Whenever a CDD wishes to purchase facilities in excess of \$3 million in the aggregate, within any one twelve (12) month period, and incur related debt to be paid off by residents, it shall first seek approval of the homeowner residents in the CDD or CDDs who shall be obligated to repay the debt, for the facilities to be purchased and the related debt obligation.

**HB-115 - Deals with the election of the District Administrator.** Any CDD District Administrator, serving in his or her position for a total of at least twenty (20) months, shall be required to stand for a popular election, by all homeowner residents in the related family of CDDs administered by the District Administrator, whenever any Supervisor in any family CDD is up for election.

**HB-117 - This bill deals with a dismissal/retention vote for the District Administrator.** Any CDD District Administrator, serving in his or her position for a total of at least twenty (20) months, shall

be subject to, on the next CDD Supervisor Election Day, retention or dismissal by a popular vote of all homeowner residents eligible to vote in an election in the family of CDDs administered by the District Administrator, when a petition requesting the vote, with proper signatures of at least 5% of all eligible voters in the family of CDDs, is filed with the local board of election commissioners on or before the deadline day for filing for candidates for any supervisor election in any CDD in the family of CDDs. Dismissed persons shall leave the District Administrator position within two (2) months of the vote and shall be ineligible for reappointment to any management position in the family of CDDs.

**HB-119 - Deals with the appraisal method and procedure used for the purchase of property from the developer.** Whenever a CDD wishes to purchase property or facilities in excess of \$3 million in the aggregate in any one twelve (12) month period, it shall seek, before the purchase, at least three appraisals of the property or facilities using the "comparable properties" appraisal method, performed by independent licensed property appraisers, and it shall then pay no more than 25% above the average of the three appraisals for the property or facilities being purchased.

**HB-121 - Deals with news reported by newspapers, TV, or radio stations in a CDD.** The administrators, employees, owners, developers, news outlets, and elected officials in any way associated with a CDD shall commit themselves to: (1) Promote the objectives and practice of a free press; (2) Promote fair, honest, balanced, and objective presentation of the news through developer-and/or CDD-controlled news outlets; (3) Work diligently to eliminate any bias, slanted, or unfair reporting of news; and, (4) Ensure that all reasonable points of view about community issues are presented by news outlets for consideration by CDD homeowner residents.

The POA plans a report to members about the SHL meeting at the November general membership meeting.

-- Tom Poss --

## CHIP

A few representatives from Concerned Homeowners in Partnership, better known as CHIP, attended the latest meeting of the Property Owner's Association in the Villages on Wednesday, September 19, 2001. There were approximately 100 POA members in attendance. Fanny Vail, vice president of CHIP, spoke to the POA about the CHIP organization, its purpose, its short term and its long term goals. Also present were Russ Day and Ken Coates, directors of the organization, and Fran Coates, a member of CHIP involved with the newly formed CHIP newsletter which is sent to CHIP members bimonthly.

CHIP was organized by some homeowners, residents of one of the deed restricted communities in southwest Marion County, as a result of a series of frustrations they had been having with the developer in their community. They had attempted for two years to get the developer to give an accounting of the amenities collected by the developer, as required by state statute. In addition there were a number of other problems, which were ignored by the developer when brought to his attention. The straw that broke the homeowners' back just happened to be a forced change of cable provider, with payment through the developer, which was mandatory whether or not the homeowner wanted cable, even whether or not the homeowner was living in the home. Part of the problem with this, was there had been no notice of the change to the homeowners.

What these residents discovered, as they fought their lone battle with the developer, was that the problem was not unique to their development. Similar situations were happening in other places. In other developments, even if there was an accounting given by the developer, if that was the entity which collected amenities, the accounting was a fictitious one, beginning with zero, and ending with a zero balance, and with little explanation or basis for the figures in between.

Another thing these residents discovered was that the state laws which required the accounting on the amenities collected was without teeth, unless someone was willing to take the developer to court, and even then it was without teeth as far as getting an accurate accounting.

And getting an accounting was only the tip of the iceberg, as far as homeowner problems went. The group discovered that the law in the state of Florida protects the developer and/or the management company of these communities and permits the usurpation of the rights of homeowners in those developments. These deed restricted communities have major problems which will not be solved without the power of all homeowners banding together.

Realizing what they were up against, the group decided to incorporate, and CHIP was created. The purpose of CHIP is to safeguard the rights of homeowners in deed restricted communities.

CHIP realizes that the primary way to do this is by reforming state statute, and by mobilizing a voting bloc that can demand legislators to create a climate in the whole state of Florida which will mandate fair dealings between developers/management companies and the residents who live in their deed restricted communities.

CHIP, for its first year, has limited goals. It is focused on reform of FS 689.265, which mandates a financial accounting by developers who collect and expend amenities. CHIP members present at the POA distributed copies of their proposed bill.

CHIP also had available copies of a disclosure summary which it has created and hopes to disseminate through the state.

Although CHIP started in Marion County, it plans to invite membership from deed restricted communities throughout the state. Ms. Vail stated that communities have various types of problems, but underlying all these many problems in all deed restricted communities, large or small, is the power of greed and the permissive laws of the state. It is only by banding together, by working as one force, that change will be effected, she said.

The safeguarding of homeowner rights is predicated upon vigilance, upon becoming involved, upon speaking up, upon service within the community and outside the community, in order to make a difference. It is also predicated upon joining with others, so that the strength of the larger numbers, of a greater voting bloc will help effectuate change. Also by joining each other, we strengthen our own smaller battle, and add power to our own individual voices.

The biggest problem in the safeguarding of homeowner rights, Vail stated, is apathy. She cited two actual examples of conversations CHIP board members had with outside persons. In one, the person said, "I believe in what you (CHIP) are doing, but I am not going to do it, because CHIP is not going to win." The other example was "Yes, I believe in your cause (CHIP), but I'd never join you because I am too busy." "This apathy is our greatest hurdle," she said.

There were some questions and answers. Following the talk, the group mingled at CHIP's table in the back, picking up literature, and talking with the Board members who had come.

For more information on CHIP, contact CHIP at PO Box 76142, Ocala, FL 34481, or call 352-291-9495 and leave a message. Or you can e-mail [Fannyvail@cs.com](mailto:Fannyvail@cs.com).

## OBJECTIVES OF THE POA OUR ACTION AGENDA

The POA is dedicated to maintaining and improving the quality of life in The Villages for the benefit of all residents. Specific objectives are as follows:

1. Change the Florida State Law, Chapter 190, that created the CDDs (Community Development Districts), to achieve the following:

- Resident approval for any spending program or purchase of facilities,
- Market-based appraisal system for purchase of any properties or facilities from the developer,
- Conflict-of-Interest regulations applied to developers, lawyers, consultants, commissioners, supervisors, vendors, and other involved CDD operatives,
- Election of the District Administrator,
- Election of VCCDD Supervisors,
- Competitive Bidding requirements,
- Code-of-Conduct regulations,
- Full disclosure for Monthly Fees and use only for the designated purpose.

2. Promote Objectivity in the news reporting function in The Villages as performed by the local newspaper, TV station, and radio station.

3. Support and Promote HB-83 sponsored by the Silver Hair Legislature calling for reform of the property tax methodology.

4. Support and Promote the efforts of CHIPS (Concerned Homeowners in Partnership, Inc.) on the issue of full disclosure and explanation of monthly fees.

5. Coordinate POA activities with any other relevant outside groups addressing homeowner rights, interests, and issues.

## MISSION STATEMENT OF THE POA

### WHAT THE POA STANDS FOR

The Property Owners' Association of the Villages is an independent organization devoted to the home ownership needs and interests of the residents of The Villages.

Specific attention is focused on housing, community, neighborhood, and government issues.

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

The POA was founded in 1975 as an independent organization. The POA has no ties or obligations to the developer of The Villages that might compromise the POA advocacy of homeowners' rights. Membership is open to all residents of The Villages.

**CANADIAN NEWS ARTICLE:  
TRIBUTE TO AMERICA**

News coverage was given recently to a remarkable editorial broadcast from Toronto by Gordon Sinclair, a Canadian television Commentator. Following below is the full text of his remarks as printed in the U.S. Congressional Record:

"This Canadian thinks it is time to speak up for the Americans as the most generous and possibly the least appreciated people on all the earth. Germany, Japan and, to a lesser extent, Britain and Italy were lifted out of the debris of war by the Americans who poured in billions of dollars and forgave other billions in debts.

None of these countries is today paying even the interest on its remaining debts to the United States. When France was in danger of collapsing in 1956, it was the Americans who propped it up, and their reward was to be insulted and swindled on the streets of Paris. I was there. I saw it.

When earthquakes hit distant cities, it is the United States that hurries in to help. This spring, 59 American communities were flattened by tornadoes. Nobody helped. The Marshall Plan and the Truman Policy pumped billions of dollars into discouraged countries. Now newspapers in those countries are writing about the decadent, warmongering Americans.

I'd like to see just one of those countries that is gloating over the erosion of the United States dollar build its own airplane. Does any other country in the world have a plane to equal the Boeing Jumbo Jet, the Lockheed Tri-Star, or the Douglas DC10? If so, why don't they fly them? Why do all the International lines except Russia fly American planes?

Why does no other land on earth even consider putting a man or woman on the moon? You talk about Japanese technocracy, and you get radios. You talk about German technocracy, and you get automobiles. You talk about American technocracy, and you find men on the moon - not once, but several times - and safely home again.

You talk about scandals, and the Americans put theirs right in the store window for everybody to look at. Even their draft-dodgers are not pursued and hounded. They are here on our streets, and most of them, unless they are breaking Canadian laws, are getting American dollars from ma and pa at home to spend here.

When the railways of France, Germany and India were breaking down through age, it was the Americans who rebuilt them. When the Pennsylvania Railroad and the New York Central went broke, nobody loaned them an old caboose. Both are still broke.

I can name you 5000 times when the Americans raced to the help of other people in trouble. Can you name me even one time when someone else raced to the Americans in trouble? I don't think there was outside help even during the San Francisco earthquake.

Our neighbors have faced it alone, and I'm one Canadian who is damned tired of hearing them get kicked around. They will come out of this thing with their flag high. And when they do, they are entitled to thumb their nose at the lands that are gloating over their present troubles. I hope Canada is not one of those.

Stand proud, America! Wear it proudly!!"

**FLOWERS AND WEEDS**

The Flowers and Weeds column is a good idea. And, the POA will not duck the hard issues that need to be mentioned. We ask readers to submit material for future columns.

**WEEDS** - To the CDD districts for the average increase in yearly assessments of almost 50%. Why didn't the supervisors pursue the issue of having the developer pay for lake liners and road improvements?

**WEEDS** - To the developer of The Villages for building what looks like inadequate and poorly designed traffic interchanges and leaky "lakes" and then sticking residents with the upgrade and repair bills. Why isn't this covered out of our monthly fees and/or paid by the developer?

**WEEDS** - To The Villages sales department for creatively calling the storm water runoff areas "lakes" and charging lot upgrades of \$45,000 upward for "lake-front" property. Mr. Wahl currently refers to these "lakes" as "retention areas."

**WEEDS** - To the executive management of the VHA for their do-nothing-say-nothing approach on the residents' rights issues mentioned above in the three previous "Weeds." What a disappointment this must be for the VHA membership to see their leadership sit silent on these important issues.

**FLOWERS** - To the Leesburg Commercial newspaper for running a picture of the sinkhole on the el Diablo golf course along with a comprehensive article on the situation. Thanks for giving us the news that the Daily Sun either censors, ignores, or minimizes.

**WEEDS** - To The Villages Daily Sun newspaper for its mis-statement of facts about the sinkhole on the el Diablo golf course. It said that the hole was five foot in diameter when the full size was actually closer to that of a basketball court. Is this minimization of the sinkhole size just more censorship of bad news in support of the Sales Department or merely sloppy reporting?

**WEEDS**- To the Recreation Department for not putting the clock back up at the Paradise Pool.

**FLOWERS** - To Fanny Vail of the Ocala CHIP organization for speaking at the recent POA monthly meeting. Her talk on "Protecting Resident Rights in Deed Restricted Communities" showed that other communities like The Villages often have the same kinds of problems. It is good to see other groups fighting for residents' rights.

**FLOWERS** - To the Daily Sun newspaper for its reporting on the reaction of Villages' residents to the terrorist's attack on the World Trade Center. When the Sun wants to, it can do first rate reporting.

**WEEDS** - To the Daily Sun newspaper for printing Carol Menci obituary twice, first with mention of her service as a POA officer and a second time with that detail removed. This is similar to the censorship of the Carol Kope obituary in which her affiliation with the POA was totally ignored. How can the editors at the Sun even call themselves professional newspaper people when they behave shamelessly with these censorship actions. This is disgraceful.

**FLOWERS** - To Villages resident for their generous outpouring of support and prayers for the victims of the World Trade Center disaster.

-Publius -

**APRIL FOOL'S REVISITED  
SINKHOLES = BIG BUCKS**

The recent sinkhole on the el Diablo golf course may be turned into a revenue producer for The Villages. Pete Wahl, District Administrator, in an effort to find new revenue sources to overcome resident unhappiness over the almost 50% increase in the yearly assessment, may consider filling the sinkhole with water and declaring it a "lake." That would allow a special billing to nearby residents on Margarita Drive for the premium to upgrade to lakefront property. No word yet on whether or when this scheme will be implemented.

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Advertising Dept. 750-5469 or 750-5640  
 Bulletin Editors: Charlotte Poss  
 Raili Day

**Oct. 17 - POA GENERAL MEMBERSHIP MEETING**

Our next meeting is scheduled for Wed. Oct 17, 7:00 PM. Paradise Rec. Center.

**Guest Speaker :**  
**Representative from the Red Cross & Doris Turlo from the OBG Lions**

**ROLLS AND COFFEE COME AND JOIN US----**  
 Oct. 17, 2001 7 p.m.  
**ALL RESIDENTS WELCOME**

**PROPERTY OWNERS ASSOCIATION MEMBERSHIP FORM**  
 P.O. BOX 1657 LADY LAKE, FLORIDA 32159

Completion of this form constitutes acknowledgement of the P.O.A. as your representative

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 NEW \_\_\_\_\_ RENEWAL \_\_\_\_\_ DATE: \_\_\_\_\_  
 ANNUAL DUES: \$6.00

Donation: \$ \_\_\_\_\_

Due to the overhead of the Bulletin (P.O.A. Paper) any contributions above the amount of membership will be appreciated.

The P.O.A. Bulletin  
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Articles are the opinion of the writer and must be signed. Articles may be edited for length, grammar and clarity. Mail Box letters must be signed by the writer, thus, giving the Bulletin permission to print the letter with signature. These letters will be edited only for inflammatory language.

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**P.O.A. MEETINGS**

Board of Directors - 7:00 PM  
 1<sup>st</sup> Tuesday of the Month  
 Charlie Chaplin Rm - Paradise Center  
 (all POA members welcomed)


General Meeting - 7:00 PM  
 3<sup>rd</sup> Wednesday of the Month  
 Paradise Recreation Center  
 Refreshments Served  
 (ALL RESIDENTS WELCOMED)

**IMPORTANT DAYS IN HISTORY**

Oct. 16, National Boss Day  
 Oct. 24, Untied Nations Day  
 Oct. 28, Clocks Change to Daylight Savings  
 Oct. 31, Halloween

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