

The POA BULLETIN

The Property Owners' Association of The Villages

Champions of Residents' Rights Since 1975

July 2003

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The Developer Sticks CDD #2 Residents With the \$127,000 Bill For Lago Bonito Synthetic Liner

The developer of The Villages threw a slap in the face of the residents of CDD #2 when it told them to pay for the Lago Bonito synthetic lake liner themselves. The developer has run away from its obligations to maintain that lake area.

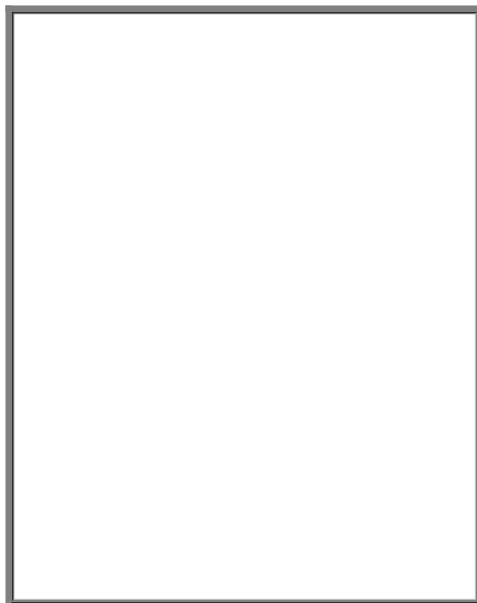
The \$127,000 plastic liner was ordered installed in the storm water run-off area, or retention pond, by the Southwest Florida Water Management District (SWFWMD or, as it is commonly know, "Swift Mud"). The liner was required to seal the pond bottom where several sinkholes have repeatedly drained the polluted storm water run-off into

the underground aquifer.

The liner was installed in May. The \$127,000 cost will now be paid by the residents of CDD #2. Estimates are that the cost per household will total about \$40.00 as a one-time charge paid out of funds collected from residents as part of their annual assessment.

Officials of the VCCDD and CDD #2 have said that the funds are available in a reserve account to make the payment. However, residents are actually paying the charge through annual assessments that were either higher than otherwise needed in the past to build the reserve account or will be higher than otherwise needed in the future to replenish the reserve account. Either way, residents will pay the \$127,000.

Residents asked Nick Jones, the chairman of CDD #2, to meet with the developer of The Villages to see if it would consider paying all or part of the \$127,000 cost. Mr. Jones reported back to residents at the CDD #2 meeting on June 6, 2003, that the developer said "no."



The Rationale for the developer paying the bill centers

around the following points:

1. The developer charged the six lot owners adjacent to the pond an average of about \$20,000 each, or approximately \$120,000 total, as a "lakefront lot upgrade" premium when those lots were first sold. One would have thought that accepting the upgrade premium would obligate the developer to maintain the "lake" as promised. Instead, we now find that the developer has reneged on that promise and has taken the premium money and has run away from its obligation
2. There is ample precedent for the developer to pay for the liner as it has done in several similar situations in the past. In the cases of Lago Santo Domingo and Lago Santiago, at the El Diablo golf course, the developer paid the full cost of installing a synthetic liner into each of these lakes. In the case of Lago Del Luna, by the De La Vista golf course, the cost was shared by the developer, the construction firm, and residents. The developer recognized its obligation to "make good" on its development efforts for each of these lakes. These precedents show recognition by the developer of its obligation.
3. There is a significant public relations aspect to this question. By not recognizing the obligation to make good, the developer is damaging its own reputation for integrity and fair-dealings with residents. If the developer is not fair with residents after they buy into The Villages, can prospective residents trust the developer to deal honestly with them on the initial purchase of a home here in The Villages? Can residents trust the developer to deal fairly with them on other issues, say, the sales of property to the VCCDD at a reasonable price? Unfortunately, the developer's actions here bring up serious questions about integrity and honest dealings.
4. The developer might argue that it was CDD #2 that built the retention area in question and therefore should be responsible for maintenance and the liner if necessary. It may be technically true that CDD #2 did the construction. However, construction followed a plan designed by the developer of The Villages and formally accepted by county officials. CDD #2 merely followed the plan formulated by the developer. The responsible party is the developer.

In summary, the developer is ignoring its responsibility for fair dealings with residents. The developer should pay the \$127,000 cost for the liner in Logo Bonito.

As a postscript, there are significant questions about the quality and thoroughness of the job done by the construction company in the installation of the liner. Some residents watching the installation job noticed what appeared to be sloppy work for sealing the existing sinkholes, spreading the ground around in an appropriate manner, and dealing with rips and tears in the liner. Although the construction company has extended the warranty to five years, sinkholes, new or old, are not covered. It is hard to have a good feeling about this situation.

Also, residents throughout The Villages should brace for similar charges for comparable pond repairs that the developer will force upon them. The Villages is now being recognized as an area of significant sinkhole activity. And, the developer seems to have washed its hands of responsibility for the cost of pond repairs on the properties in other areas of The Villages. Residents, hold on to your pocketbooks!

Finally, what a disappointment this is in The Villages. We always thought everything here was top notch and that the developer was always going to stand behind us and do what was right. Well, welcome to the real world – Obligations can be avoided – and Buyer Beware.

Annual Villages Survey Is Much Too Fluffy

The recent Villages Annual Survey has been completed and the results published in the Daily Sun. This Survey, conducted by The Villages and the VCCDD, showed that life in The Villages is pretty nice and facilities are highly rated.

The problem is that the survey asks many powder-puff questions, ignores many significant issues, and whitewashes the results in favorable commentary in the newspaper.

The POA Survey printed in the Bulletin used a survey technique that should be considered for the annual Villages Survey. The survey asked for a numerical rating of between 1 and 10 for each of 20 issues where 10 was the best rating. A selection of the ratings is listed below. The POA's comments and interpretations were discussed in the February, 2003, issue of the POA Bulletin.

	<u>Ratings</u>
General Questions	
Local Fire Services	8.3
Emergency Health Care Services	8.0
Villages Taxi Service	7.7
Entertainment of the Square	7.7
Neighborhood Watch	6.8
Villages Media Group:	
Villages Radio Station in General	6.4
Villages TV Station in General	5.8
Daily Sun Newspaper in General	5.3
Daily Sun Objectivity	3.6
District Administration:	
Villages Central District Gov't	3.8
Villages Administrator Performance	3.2
Villages Homeowner Organizations:	
The POA in General	8.9
The VHA in General	4.8
The CIC in General	3.7

The results of this survey are more specific and to-the-point in ways that The Villages survey never was. The quantitative nature of the responses here allows a quick assessment of the good points and problems.

Good points here are the factors rated with a score of 7.0 or better. These aspects seem to be the ones that Villagers are generally happy with.

Problem points are the factors rated with a score of 5.0 or less. Now it is easy to see the problems. Look at the list.

What are The Villages and the VCCDD going to do about these problems? Perhaps they should acknowledge these issues and focus on solutions.

THE VHA CORNER

At the recent meeting of the Sumter County commissioners that considered the county redistricting question, Don Burgess, president of the VHA, made an interesting comment.

In speaking against the map eventually adopted for the redistricting, Burgess commented that it violated the principle of "Taxation Without Representation." He felt that Village residents would be under-represented with just two of the five commissioners as the map showed.

The POA would like to thank Mr. Burgess for picking up on a phrase often used by the POA – that of "Taxation Without Representation." It is nice to see our message finally getting through to the hierarchy of the VHA.

Now, the question is whether Mr. Burgess would be willing to apply the same phrase to an equivalent situation right here in The Villages.

Namely, the situation with the five supervisors of the VCCDD who make most of the big money decisions in The Villages.

Residents cannot vote for these supervisors because they are appointed by the developer of The Villages. And, these supervisors like to commit Village residents to inflated-price purchases of property from the developer. The recent purchase of \$60 million worth of property valued at only \$10 million is a timely example.

Villages residents are then committed to repay the bonds out of their monthly maintenance fee. And, guess who would be on the hook to repay the bonds if the VCCDD ever failed and defaulted on the bonds? – The residents personally.

If we cannot vote for or against these free-spending supervisors, isn't this a prime example of Taxation Without Representation?

Would Mr. Burgess be willing to condemn this example of Taxation Without Representation in The Villages? He should.

Cheers and Jeers

Remember that we need material for this column from our members. Send it to us and be sure to list your name and address. Thanks.

JEERS – To the Union 76 gas station on Hwy. 446 for its dirty outside areas. Can't someone there sweep up the place every now and then. This really reflects poorly on The Villages.

JEERS – To The Villages maintenance department for its lax mowing efforts over the past month. There is foot-high grass in many common areas around The Villages. The mowing frequency has to be increased when we have this much rain, especially in common areas.

JEERS – To The Villages hospital for making an urgent care patient wait 11 hours in the emergency room before dumping the patient on another hospital for the require medical care. This is shabby treatment by our hospital.

JEERS – To the street repair gang patching a hole on Morse Blvd. in front of the Hacienda Country Club. They had some leftover asphalt granules that had to be cleaned up from the edges of the patch. Rather than pick these up for proper disposal, they just pitched several shovels of these excess asphalt granules into the grass.

New POA Treasurer

The POA is pleased to announce that Fran Cagner has accepted the position of Treasurer and Director of the POA. Fran succeeds Betty Cunningham who recently resigned as Treasurer.

Fran came to The Villages 3 years ago from New York state. She and her husband Joe live in Santo Domingo, CDD #2. They were recently involved in the effort to line Lago Bonito so as to prevent polluted storm water run-off from draining into the aquifer through sinkholes.

Fran will assume her duties August 1st. Please join us in welcoming Fran to her new responsibilities.

A Letter to Sarah

A week before the Civil War battle of Bull Run, Sullivan Ballou, a Major in the 2nd Rhode Island Volunteers, wrote home to his wife in Smithfield.

July 14, 1861 Camp Clark, Washington DC
Dear Sarah:

The indications are very strong that we shall move in a few days - perhaps tomorrow. And lest I should not be able to write you again I feel impelled to write a few lines that may fall under your eye when I am no more.

I have no misgivings about, or lack of confidence in the cause in which I am engaged, and my courage does not halt or falter. I know how American Civilization now leans upon the triumph of the government and how great a debt we owe to those who went before us through the blood and suffering of the Revolution. And I am willing - perfectly willing - to lay down all my joys in this life, to help maintain this government, and to pay that debt.

Sarah, my love for you is deathless, it seems to bind me with mighty cables that nothing but omnipotence can break; and yet my love of Country comes over me like a strong wind and bears me irresistibly with all those chains to the battlefield. The memory of all the blissful moments I have enjoyed with you come crowding over me, and I feel most deeply grateful to God and you, that I have enjoyed them for so long. And how hard it is for me to give them up and burn to ashes the hopes and future years, when, God willing, we might still have lived and loved together, and see our boys grown up to honorable manhood around us.

If I do not return, my dear Sarah, never forget how much I loved you, nor that when my last breath escapes me on the battle field, it will whisper your name...

Forgive my many faults, and the many pains I have caused you. How thoughtless, how foolish I have sometimes been!...

But, O Sarah, if the dead can come back to this earth and flit unseen around those they love, I shall always be with you, in the brightest day and in the darkest night ... always, always. And when the soft breeze fans your cheek, it shall be my breath, or the cool air your throbbing temple, it shall be my spirit passing by.

Sarah do not mourn me dead; think I am gone and wait for me, for we shall meet again...

Sullivan Ballou was killed a week later at the 1st Battle of Bull Run.

Taken from the TV series on The Civil War by Ken Burns.

Membership Renewal Letters To Go Out Soon

If you have not renewed your 2003 membership in the POA, you should be receiving a letter from us within the next month. Renewals so far have lagged, and we are hoping that this letter will jog everyone's memory. If you want to renew now, a 2003 Membership Application Form is provided on page 4 of this Bulletin in the upper left hand corner. Please complete all of the information on the form and return it to us with a stamped self-addressed envelope. Thank you.

Question of the Month

Why is it that the Daily Sun spends so much effort and front page space on the working of the Lady Lake City Council and the Lady Lake City Manager and so little effort on the monthly meetings of the governments in The Villages, namely the VCCDD and the various CDDs? Wouldn't the situation in The Villages and the workings of our governments be more important?

Lady Lake only accounts for about a third of The Villages population. With the tremendous growth west of highway 27/441, the percentage is falling. In 5-8 years the percentage could be 10% or less.

So, why doesn't the Daily Sun focus more on the CDDs? For some reason or another, the Sun doesn't seem to think that residents need to know what is going on in their governments. Why not?

April Fools Day Revisited

(Don't Believe Any Of This)

A Burlesque competition for the ladies will be in the next Village Games and held at Katie Belle's. Lingerie will be provided by the recreation department. Bump and grind musicians are being hired. Tempest Storm, a 74-year-old Village resident, who still has "it", will be the judge.

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