

The POA BULLETIN

The Property Owners' Association of The Villages

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Champion of Residents' Rights Since 1975

August, 2005

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Developer Sticks CDD #4

With a \$164,000 Bill

Residents of CDD #4 in Marion County will be paying a \$164,000 bill for repair of a pond on the developer's Nancy Lopez golf course.

The pond is on the east side of Buena Vista Blvd., just south of the country club. It is totally enclosed in the golf course owned by the developer of The Villages. There is no access to the pond without walking on property owned by the developer.

The pond does serve three functions. First, it serves an aesthetic function as a water hazard on the golf course. Second, serves as a reservoir of water for irrigation of the developer's golf courses. Third, it serves a practical function for storm water run-off for the lands and streets around it, including the golf course and the residential areas.

Several months ago, the pond drained when a number of sinkholes developed below it. The solution mandated by the local regional water management district was to line the pond with an artificial membrane liner. The liner is designed to hold water and prevent run-off water contaminated with street or lawn pollutants from flowing down through the sinkhole's limestone fractures into the aquifer.

The cost was originally estimated at approximately \$145,000. Further sinkholes developed and raised the repair cost to \$164,000.

Now, with this background, one wonders why CDD #4 residents are being asked to pay the repair cost for a pond located entirely within the boundaries of a privately-owned golf course. Wouldn't you think that the owner of the golf course would be responsible for one of the ponds on the course?

Well, not so fast....

We think that early in the life of CDD #4 the supervisors appointed by the developer agreed to the developer's idea to transfer ownership of the pond to CDD #4. This wasn't unusual since most of the ponds in The Villages are owned by the various residential CDDs. And, the developer probably loved the idea of reducing his property tax bill by transferring the property to the CDD government. Nonetheless, it is surprising for a residential CDD to own a pond completely enclosed by property owned by someone else. The pond, after all, is part of the golf course!

This points out one of the problems with the conflict-of-interests situation that the POA Bulletin has commented on several times in the past. We believe that when the supervisors are appointed by the developer, there is a conflict-of-interests situation in the many dealings between the developer and the supervisors. Very often it is the interests of the developer that prevail - much to the disadvantage of the residents.

In this Nancy Lopez pond situation, we can imagine a scenario in which the developer decided to transfer the ownership of this pond to the residents so as to avoid any responsibility for sinkhole repair costs in the future and also to avoid the property taxes. One word from the developer, we think, and the developer-appointed supervisors would be quick to accommodate the developer's wishes.

Do you think that the supervisors would have a conflict-of-interests by agreeing to this?

Do you think that the residents would get the short end of the stick in a clever maneuver like this by the developer?

Do you think that resident-elected supervisors would have agreed to this?

OK, wait a minute you say, the pond serves several functions, and the residents do benefit by the pond accepting storm water run-off. So, let's call that a 33%-67% split with the golf water hazard and irrigation functions. So, split the costs 33% residents and 67% developer.

Do you know what the developer has offered to pay for his share of the \$164,000 cost?

He sent a \$15,600 check to help with the \$164,000 payment. This is far from the \$110,000 that the 67% split would suggest.

This is a pittance! This is an insult!

Frankly, the developer should pay the entire cost of the repair because the pond should be his because it is on his property.

CDD #4 supervisors should send this check back to the developer and tell him: thanks, but no thanks....

Ms. Nancy Lopez should be very unhappy that the developer is treating residents like this on her signature course.

We are left with the conclusion that Nancy and her good name are being used by the developer to further his own selfish interests.

As an addendum here, please refer to the Residents' Bill of Rights on page 2 of this Bulletin. We think the developer's actions here are a direct violation of several of the Rights listed.

First, the developer should treat residents with respect and in a fair and responsive manner. This pond situation looks like a clever and secretive developer trying to sneak one past us. And, at a time when we were vulnerable before CDD #4 had its resident-elected supervisors.

Second, the developer should consult with residents before making changes in our community. Residents, not developer-appointed supervisors, should have been consulted about whether residents wanted to own a pond completely enclosed by the developer's golf course. Even though there were probably no residents in CDD #4 when this decision might have been made, we don't think the developer's supervisors should ever be in a position to "sell-out" the residents.

Third, residents should be able to vote for the supervisors in the Central districts (the VCCDD and the SLCDD) in an election. That would solve many of these conflict-of-interests problems with these supervisors who make all of the big money decisions in The Villages with no inputs from residents. This is the Taxation Without Representation argument.

Look again at the Residents' Bill of Rights on page 2. See if you don't agree with the principles listed there. This is your community - you deserve to have these Rights respected.

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POA Gets Turndown From VHA on Plans for a Debate

The POA recently invited the VHA to a debate. The idea was to give the presidents of both organizations a chance to explain their positions on various issues in The Villages. The POA's thought was that this would be a good opportunity for residents to learn more about both organizations. And, in a debate format, we felt that Villagers would be able to judge who best represented the interests of residents in The Villages.

Guess what happened.

The VHA turned us down cold.

Their response to our request, delivered by their president, Mr. Doug Tharp, was a curt: "Thanks for your email. I must, however, decline your offer."

We were greatly disappointed - and, all Villagers should also be disappointed.

The VHA missed a worthwhile opportunity to participate in a discussion about issues in The Villages for the benefit of all residents. What a shame.

We are not sure why the VHA turned us down.

Maybe they didn't want an open discussion about the issues.

Maybe they didn't want to answer to residents about their lack of support for Residents' Rights issues.

Maybe they are afraid of the POA.

Maybe they really believe in censorship.

Maybe they don't want the VHA membership and all residents to hear what the POA has to say.

Maybe they checked with the developer and he told them not to debate the POA in an open forum.

What ever the reason, it is a shame that they took this position. The losers here are Village residents.

The challenge for you the reader, if you are a VHA member, is to ask in the next VHA meeting why President Tharp took this ill-advised position. Perhaps a grassroots effort by the VHA membership can turn this around and get the debate idea off the ground.

You should ask why the VHA won't meet the POA in a debate for the benefit of all residents.

Wouldn't you like to see this debate between the POA and the VHA?

The POA president's email to the VHA president is printed below. You already know the VHA response: "I must ... decline your offer."

Doug Tharp
President, VHA

Dear Doug:

I am writing to invite you to a debate between you and me as presidents of our respective organizations. This would be in U.S. presidential format, with questions posed by a panel of independent people. I am thinking the Savannah Center could be used and perhaps we could charge a small admission to cover the cost of renting the facility. The sponsor(s) of the debate could be one or more Villages clubs with no connection to either of our organizations.

The objective of the debate would be to inform residents about the thinking of our two organizations about various issues in The Villages. This would hopefully bring our positions into better focus for the ultimate benefit of residents.

Timing would be open to discussion, but something in a November time frame might be appropriate. We are thinking it would be best to wait until snowbirds are back in The Villages.

Doug, we think this debate could be worthwhile for the benefit of residents. I hope you agree.

Why don't you think about this and get back to me within a week or so. If you are agreeable, I would suggest we appoint one or two of our people on each side to start working on the details. Hopefully, we can work together to make this an especially valuable event for the benefit of residents.

Thanks in advance for your consideration. Please contact me directly if you have any further questions. In any event, I look forward to your response on the basic debate idea.

Sincerely,

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Villages Spokesman Gets the Chula Vista Response Wrong

We take issue with Mr. Gary Lester, communication spokesman for The Villages, over comments he made about the June 30th Chula Vista protest demonstrations.

Mr. Lester told the Ocala Star Banner that The Villages should not be blamed for the closing of the Chula Vista Restaurant "because a private party operator chose not to continue operating the restaurant." He went on to say that "it wasn't our [the developer's] choice to discontinue operating the Chula Vista Club. That was a decision by a private person who leased the building."

The POA believes that the developer of The Villages, which owns and leases out the Chula facility, provoked the decision to close the business by increasing the lease charge to such a high level that the operator was forced out of business. Why? Again, the POA believes that the developer wanted out of the responsibility of maintaining and paying property taxes on the facility and decided to force the issue. Then, the POA believes, the developer plans to get rid of the facility by selling it to the VCCDD.

This appears to be the same tactic that the developer used in closing the Silver Lake Club. He also tried the tactic in the attempted closing of the Orange Blossom Restaurant which residents protested and reversed.

Even so, knowing that the Chula Vista Club was so highly regarded, why didn't the developer make an attempt to find another restaurant operator to take over the club? This is an important point - why didn't the developer make a good-faith attempt to find another operator of the restaurant facility?

Furthermore, the developer made no attempt to consult with residents over this substantial decision. This was a disrespectful way to treat residents about an extremely important community issue. Had there been a frank discussion of the problems with the club, we residents might have been able to rally support for the business. But, we never got the chance.

Remember also that in a survey of over 500 residents about this issue, only a few favored turning the Chula Vista Restaurant into a recreation facility. Over 99% of Villagers questioned wanted to keep it as a restaurant and dancing club (see the Letter to the Editor in the June, 2005, Bulletin).

And, on the amount of the lease charge - why didn't the developer show a little

community spirit and responsibility and offer a lower lease charge so as to help what may have been a financially struggling business? Even that would have brought in more money than what will come in now, which will be nothing. And, it would also be more money than the subsidized swimming pools and shuffleboard courts bring in, which is nothing. And, please don't tell us that the developer can't afford it. And, don't tell us that greed is good.

Bottom line - we think Villagers have been done in by an increasingly autocratic developer who disregards the best interests and wishes of residents in this, their own community.

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Letter to the Editor: Chula - Dictator

Is transforming Chula Vista from a restaurant to a recreation center a good idea? I have my opinion, other Villagers have theirs.

The fact is The Developer does not care what we Villagers think. The Developer decided unilaterally. IF The Villages was a city, Florida State Sunshine Laws would require public hearings.

When one person, The Developer, can make such unilateral decisions, without recourse by The Village residents, then The Villages is more like a Dictatorship or a type of Feudalism, and The Villagers are the serfs in the Developers Serfdom. A serf "is a member of a servile feudal class, bound to the soil and subject to the will of his lord."

My dictionary defines DICTATOR as: 1. One holding complete autocratic control, 2. one ruling absolutely and often oppressively. DICTATORIAL: 1. arrogantly domineering, 2. Oppressive to or contemptuously overbearing toward others. DICTATORSHIP: 1. A government organization or group in which absolute power is concentrated, 2. a despotic state.

It appears to me that The Developer has, in a dictatorial manor, mandated that the Chula Vista restaurant be transformed into a recreational center. After which the Developer will sell the same to the VCCDD, the members of which were appointed by The Developer.

What will the next DICTATORIAL edict be? Will it be to transform the Nancy Lopez restaurant to a recreation center? How about Cane Gardens? Maybe Arnold Palmer? Perhaps El Santiago? Per chance La Hacienda? Is Tierra Del Sol a possibility? Is Orange Blossom next on the hit list?

Without a "Villagers" elected government, in the VCCDD we are nothing more than serfs subject to the whims of The Developer.

James J Bradbury

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This is Your Chance to Help Protest The Chula Vista Closing

Village residents have stood by and watched the closing of the Silver Lake Restaurant and now the Chula Vista Restaurant. Yes, the closing of these clubs happened right before our eyes without considering the residents' desire to keep open these popular meeting places to wine, dine and dance.

Which local club will be next? It is quiet obvious the developer and the VCCDD do not want to be in the local dining business after a residential area has been developed and sold.

The POA has completed a petition and backed a demonstration to maintain the Chula Vista Club. We certainly believe there should be one more attempt to save the Chula Vista Club.

We are asking all POA members and village residents to call Mr. Gary Morse at 753-6232 to express your desire to RE-OPEN the Chula Vista Club as a place in which we can wine, dine and dance. Keep dialing until you reach his office and express your desire to keep the Chula Vista Club open.

The POA has written several articles about the failure of Mr. Wahl to be in tune with the residents. The Chula Vista Club is another example of Mr. Wahl not having the pulse of the people. Had Mr. Wahl had the pulse of the people he would certainly have tried to persuade the developer to keep the Chula Vista Club open. Mr. Wahl has failed again. Please give him a call at 753-4508 and tell him to get in tune.

Let's help the people with the Chula Vista Club - the next problem could be in your neighborhood.

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The Objectionable Patron Program

Is Back

In the POA Bulletins from last year (see the Bulletin Archives on the POA web site), we voiced strong opposition to the Patron Program of the Lifelong Learning Center (LLC).

The Patron Program solicited \$50.00 donations from residents and then gave them special discounts to LLC programs in Villages facilities like the Savannah Center.

We don't mind the LLC giving special discounts to their Patrons, but we object to these special discounts being given for programs in facilities owned, paid for, and supported by Villagers.

Now we see that the LLC is back to its old tricks. A July 13 program for the Mulberry Center listed a price of \$5.00 for Patrons and \$10.00 for Villages Residents.

The amenity fee of Village Residents is paying for the construction and maintenance of the Mulberry Center. We feel it is wrong for Villagers to be divided into two classes and then charged difference ticket prices based on their ability to pay what amounts to a bribe to the LLC.

This is still special discounts for special people in a facility that our amenity fees support.

The LLC saw the inequality of this program last year and stopped the discounts then for its programs in Villages facilities.

Now, the LLC is starting the discounts again.

We opposed the discounts last year. And, we oppose the discounts this year.

Why is it so hard for the LLC to understand this?

The LLC can give discounts for programs in its own facilities, But, when it has a program in Villages facilities, we don't want special discounts for special people based on the ability to pay a bribe to the LLC.

The Lifelong Learning Center should stop the special discounts in Villages facilities. We residents don't like bribes to use our facilities. And, we don't like special pricing for special people who can afford to pay those bribes.

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**POA Speakers
For Club Meetings**

If your group or organization is looking for a speaker at one of your meetings, consider having a POA speaker in for a presentation on the POA, its mission and goals, and the Residents' Bill of Rights. This is a good opportunity for your organization to learn more about the POA and how it represents the best interests of all residents.

Call Joe Gorman at 259-0999 to check the speaking and meeting schedule. There is no charge for this -- other than our normal speaker's fee of one donut and a cup of coffee.

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Letter to the Editor:
Wal-Mart
Golf Cart Path

My wife and I attended our first meeting of your POA tonight. I must say you do a very good job and appear to be very much aware of what's going on.

I am a resident of Marion County. I was part of the team that got night time driving of golf carts. Not sure of your position on that issue but it seems to be a no-brainer since there have been no accidents attributed to night time driving.

I did read about an article in your paper about an access path to Wal-Mart from The Villages. It was an opinion column under the title of "What do Villagers want." The fact of the matter, of which you are probably aware, is that there is access to Wal-Mart from The Villages. Many of us have done this trip.

I guess my question is this, it's a two way street. If we can get to Wal-Mart, those who have access to Wal-Mart (other adult communities in the area) can get into The Villages.

The access gate to our community is a gate that requires no access card. Just drive up and the gate opens. Can we fix this issue or is it relevant and worth the effort?

The sales pitch is "a gated community." Access through that gate should require a key card.

Ed Metz

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Cheers and Jeers

Cheers - To The Villages Daily Sun for its coverage of the Chula Vista protest demonstration. First, the Sun actually covered the demonstration with a story! Second, the story was fairly accurate. There was also a picture of the demonstrators. Good job, Sun.

Jeers - To the Golf Division for the lousy condition of some of the Hilltop tee boxes. They are awful. Please re-sod.

Cheers - To the Katie Belle's restaurant for its Watering Hole Menu, from 11 am to 3 pm, with six menu items priced under \$4.00 and another five priced under \$5.50. What a joy it is to find some reasonably priced lunch menu items at a Villages restaurant.

Jeers - To the FedEx truck parked on the sidewalk in front of the Katie Belle's building on July 8, 2005. Who is going to pay to repair the sidewalk when it eventually crumbles under the weight of one of these big trucks?

Cheers - To The Villages radio station for its great weekend programs of Golden Oldies. It sure is fun to hear those great old songs.

Jeers - To The Villages Central District truck driving on the golf cart path on the south side of Highway 466 close to Morse Blvd. Those cart paths were not designed to handle the weight of a truck that should be driving on the street. Could this be why the cart paths on the side of Buena Vista Blvd. are crumbling?

Jeers - To the lawn mowing staff of The Villages for allowing grass on Morse Blvd. (west of the El Camino Real circle) to grow so long that the clippings needed to be raked up. With all the recent squawk about increased minimum wages, why pay laborers to rake up when timely mowing with a mulching mower blade should have been done? This is poor scheduling and poor management.

Cheers - To The Villages for trimming the vines and painting the stucco wall in the backyards of the houses along San Pedro Dr.

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Letter to the Editor:

Lopez Golf Cart Path

I live between the Savannah Center and Nancy Lopez and the cart path is like a washboard. It also is in poor condition along Avenida Central from Buena Vista

towards downtown. In the past four years, my trail fees and amenities fee have increased, but I have not seen any resurfacing of the cart paths. Can anything be done?

Steve Boren

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Short Comments

Please remember to renew your 2005 POA Membership now. You can use the form on page 7, upper right hand corner.

If you see Bulletins laying in the street or the gutter after delivery, or if you know a house is unoccupied, please pick up the Bulletins and either hold them for the resident's return, or discard them. Thanks.

Remember that the POA monthly meeting has been moved to the Hacienda Center in the Ricardo Montalban room. Same time and day: 7:00 p.m. on the third Wednesday of the month.

Ask one of your neighbors or friends who isn't a member of the POA to join!!

The sexual offender and predator web site is:

http://www3.fdle.state.fl.us/sexual_predators/

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Remember Pat Tillman

Readers of the Bulletin will recognize the box often displayed here saying: "Remember Pat Tillman; He Died Protecting Us In Afghanistan." If you don't know the whole story, here it is:

Pat Tillman was born in 1976 and was recognized as a football talent in his early school years. In the 1998 NFL Draft, the Arizona Cardinals selected him in the seventh round. He soon became the team's starting safety and broke the franchise record for tackles in 2000 with 224.

Pat refused to allow the fame and fortune of being a professional football

player affect him. He drove the same old truck he had in college (without air conditioning) and refused to be tethered by a cell-phone. Mentally, he pursued a master's degree in history from his alma mater (Arizona State University) and read voraciously in an attempt to better understand many different topics, including the roots of current political and social systems, the conflicts among them, all the while developing, debating, and discussing his ideas with his eager listeners, family and friends.

During his years as a Cardinal, Pat volunteered with the Boys and Girls Club of Arizona, Boys Hope Girls Hope and March of Dimes, and went to elementary, middle and high schools around the Phoenix valley to read to kids and give talks.

In the spring of 2002, he informed the Cardinals of his decision to place his NFL career on hold and become a U.S. Army Ranger. The decision shocked many and garnered national media attention despite his refusal to speak publicly about his decision to walk away from a million dollar football career.

His words from an interview the day after the attacks of September 11th, 2001, speak for themselves: "At times like this you stop and think about just how good we have it, what kind of system we live in, and the freedoms we are allowed. A lot of my family has gone and fought in wars, and I really haven't done a damn thing."

Pat joined the U.S. Army in July, 2002, committing to a three-year term with the 75th Rangers Regiment. He served tours in Iraq during Operation Iraqi Freedom in 2003, and in Afghanistan during Operation Enduring Freedom in 2004.

In the evening of April 22, 2004, Pat's unit was ambushed as it traveled through the rugged, canyon terrain of Eastern Afghanistan. His heroic efforts to provide cover for his fellow soldiers as they escaped from the canyon led to his tragic death.

"I am heartbroken today by the news of Pat Tillman's death," Arizona Senator John McCain said. "The tragic loss of this extraordinary young man will seem a heavy blow to our nation's morale, as it is surely a grievous injury to his loved ones." McCain also stated, "While many of us will be blessed to live a longer life, few of us will ever live a better one."

Pat Tillman's courage and valor have led to posthumous awards of the military's Silver Star and Purple Heart medals, as well as a promotion in rank from Specialist to Corporal.

While the story of Pat's death may have been the most publicized in the War on Terror, sadly, it is merely one of the thousands of tragic stories that deserve recognition.

As Steve White, Navy SEAL and family friend stated, "1976-2004, that one little dash in there represents a lifetime. How do we spend our dash?"

Pat's "dash" was something we should all aspire to.

Pat's family and friends started the Pat Tillman Foundation to carry forward his legacy. The web site of the Pat Tillman Foundation is: www.pattillmanfoundation.org. Go there to learn more about Pat, his life, and the work of his foundation.

And, be proud and thankful that we live in a country where brave soldiers like Pat Tillman walk in the footsteps of Sullivan Ballou to protect the way of life that we all enjoy in the U. S.

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April Fools Revisited:

Giant Sinkhole Swallows Nancy Lopez Restaurant

A giant sinkhole has swallowed most of the Nancy Lopez restaurant. The owner of the facility, the developer of The Villages, estimates that it might cost over \$1 million for the repairs and reconstruction. However, the developer said that since residents are the primary user of the restaurant, residents will have to pay the reconstruction costs. The burden here will fall on residents of CDD #4 since the restaurant is located in that CDD. Unfortunately, this will require a surcharge of \$25.00 per month on the current monthly amenity fee paid by CDD #4 residents. When told that residents would not like something like this, the spokesman for the developer said that if residents didn't like it, they could just move somewhere else. April Fools

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