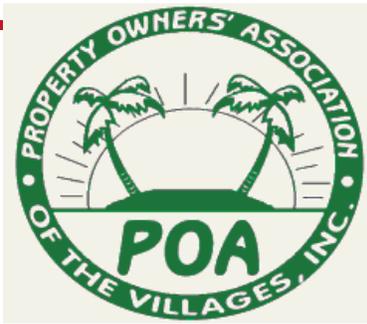


# THE



Issue 40.02



# BULLETIN

February 2014

**Free Copy**

Champions of Residents' Rights Since 1975

The POA Website – [www.poa4us.org](http://www.poa4us.org)

## 2012-2013 Golf Cart Related Fatalities And Serious Injuries In The Villages

**THERE HAVE BEEN AT LEAST TWELVE GOLF CART RELATED FATALITIES in The Villages in the last SIX YEARS.**

The POA has made an effort to identify golf cart related accidents in The Villages which have resulted in death or serious injuries. Neither the Florida Highway Patrol nor local law enforcement departments keep statistics on golf cart related crashes. Therefore, the POA is trying to make residents aware of the potential dangers that can face both golf cart drivers and passengers, be they on the golf cart trails or the roadways shared with automobiles and trucks.

Each month, starting with the February 2012 Bulletin (you can find all of them on the [poa4us.org](http://poa4us.org) web page - click on "archived bulletins"), we have included a listing of all of the accidents (with as much description as we had available) that we were aware of, and identified that almost all of them involved either someone falling out of a cart, or being ejected from the cart onto the pavement. **OUR MESSAGE IS THAT WE BELIEVE YOU MIGHT BE SAFER IF YOU USE A SEAT BELT.** but the usage of seat belts in golf carts is not required by Florida Statutes so it is your choice.

In the last two years we have had:

- Two known FATALITIES, both of whom were golf cart passengers who fell out of or off of a moving golf cart.
- Twenty-two golf cart occupants who were **EJECTED FROM** their golf cart that had to be **'trauma alerted'** to Shands, Orlando Regional or Ocala Regional Trauma Centers because of the severity of their injuries. (We have no knowledge as to whether any of these life threatening injuries resulted in an eventual fatality).

*(Continued on page 2)*

**Tuesday, February 18, 2014**

**POA GENERAL MEMBERSHIP MEETING**  
Third Tuesday of the Month – 7:00 PM  
Laurel Manor Recreation Center

**"Sinkhole and Golf Cart Insurance Things You Need to Know"**

**Presented by Diane Digristina**  
**AAA Insurance**

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

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

**YOUR LAWSUIT SETTLEMENT DOLLARS AT WORK**



The improvements include new walking paths, enhanced landscaping, a new restroom facility and additional golf cart parking. The Grand Opening was scheduled for Thursday, January 23, 2014, at 2:00 p.m. ENJOY!!!!

**PARADISE PARK PROJECT**

## Owens Corning Defective Shingles Update

In the **July** POA Bulletin we advised you of The Villages Home Warranty Department (TVHWD) update on this issue. It stated it provided Owens Corning (OC) with a comprehensive listing of properties that have Owens Corning Oakridge shingles.

However, it was not until **December 13<sup>th</sup>** that there was a face-to-face meeting between OC and Villages representatives. According to the OC representatives the meeting was requested so as to reassure Villagers it is honoring their commitment to quality. (**Truly, actions would speak louder than words.**)

Unfortunately, it took OC over six months to even make this statement. Meanwhile numerous residents have been left hanging as to

*(Continued on page 2)*

## Golf Cart Related

(Continued from page 1)

- **One** golf cart occupant who **fell out of** the golf cart that had to be **‘trauma alerted’** to Ocala
- **Twenty** golf cart occupants who were **EJECTED FROM** their golf cart who had injuries serious enough that they were transported by ambulance to a nearby hospital.
- **Twenty-three** golf cart occupants who **fell out of** a golf cart who had injuries serious enough that they were transported by ambulance to a nearby hospital.

### **NONE OF THEM WERE WEARING A SEAT BELT!**

One golf cart occupant who was using a seat belt advised us “...My left leg was pinned between the road and the golf cart causing compound fractures and abrasions to my lower left leg. I was transported to LMC for treatment and surgery. **I am of the opinion that had I not been wearing a seat-belt, it is likely I would not have survived the crash.**”

The POA has taken on the challenge of collecting information on golf cart incidents in The Villages and we are working with law enforcement, but we also need your help. We are asking any resident who is involved in or actually comes upon the scene of a golf cart crash (no second hand reports, please) where there appears to be ejections, injuries or fatalities to email us (poa4us@hotmail.com) or send us at POA ATTN Golf Carts, P.O. Box 386, Oxford, FL 34484, the following information: the date, approximate time and location of the golf cart crash or ejection, i.e., street address, trail location, or intersection.

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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We can then contact the appropriate law enforcement office and get a report.

It is our intention to continue to provide monthly reports in the Bulletin as well as to retain a data base that would be put on our website. Thank you in advance for assisting us in this project.

**STAY ALERT!!!---STAY ALIVE!!!** □

## Shingles Update

(Continued from page 1)

whether they are going to need new shingles, who is paying for the shingles, and who is paying for the roofing installation. Some have been denied replacement without explanation, while their neighbors have received new roofs, etc. There would probably be a lot less angst amongst the residents if TVHWD had sent a letter to each address that they sent to Owens Corning, and actually advised Villages residents that they had been notified by OC that there were some defective shingles and that they might have been used on their roof – and provide them with an IMMEDIATE action plan for these roofs to be evaluated.

At the December, 2013, meeting, OC representatives stated they would be back in touch with Warranty officials when they determined what process they will use in the inspection and correction of the “isolated” (their word, not the POA’s) granule shingle issues.

This, if you recall, was the same message they gave TVHWD last May... (“OC personnel will return to The Villages in June to conduct onsite evaluations of several residences to gather additional information. Their visit will enable them to define parameters which

(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. □

### Grocery Shopping & Delivery Service

**Give us your shopping list and leave the rest to us!**

Other Services Available Include:

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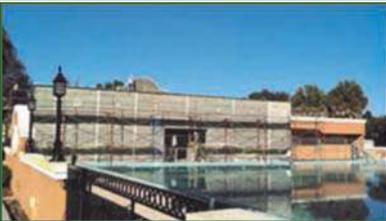
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# Lightning Rods and New Roofs

If your home is being re-roofed AND you have a lighting protection system (LPS), commonly called lightning rods, you need to contact your LPS installer. The LPS installer should remove and reinstall the lightning system as this is not typically within the expertise of a roofing contractor. It is also recommended that you discuss reimbursement for this expense with Owens Corning. □

**YOUR LAWSUIT SETTLEMENT DOLLARS AT WORK**



A major renovation of the La Hacienda Sports Pool Facility is under way, including enhancements to the landscaping and parking areas, targeted for completion in April.

**LA HACIENDA SPORTS POOL RENOVATION PROJECT**

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## POA HAS YOUR BACK DO YOU HAVE OURS?

**We still have concerns in The Villages** – the eventual outcome of the ongoing IRS investigation; the need for the creation of a resident elected Amenity Authority Committee for the Sumter Landing Community Development District residents; oversight of the a/c underground refrigerant line failure warranty; and Owens Corning treatment of the residents with defective shingles, to name a few. The more members the POA has, the better able it will be to help manage good results for residents if there are problems. We are supporting you. We urge you to support us.

We put a Bulletin on almost every drive-way in The Villages every month at a cost of

\$105,000 per year. We believe it is important that all residents have all of the information about happenings and events in The Villages as they make decisions on various issues. The POA has no ties or obligations to the Developer which might compromise the POA position or its advocacy of Residents' Rights.

We are making every effort to research the issues and advise you of any pertinent information which may not have been included in the various Villages media outlets. If you believe we are providing a service and you read the Bulletin, we urge you to become a POA member. (Membership form and information below – annual membership year is from January 1 through December 31.) □

## MAKE AN INVESTMENT IN YOUR FUTURE

### POA 2014 Membership – New / Renewal and Contribution Form

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

New       Renewal       Number of People in Household

**PLEASE PRINT!**

NAME(S)(1) \_\_\_\_\_  
(SAME LAST NAME)

NAME(S)(2) \_\_\_\_\_  
(DIFFERENT LAST NAME)

ADDRESS \_\_\_\_\_

VILLAGE \_\_\_\_\_ VILLAGES ID# \_\_\_\_\_

CITY/STATE/ZIP CODE \_\_\_\_\_

PHONE \_\_\_\_\_

EMAIL \_\_\_\_\_

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

**1. MEMBERSHIP NEW/RENEWAL:** Please enroll my POA membership for 2014 at the Annual Rate of \$10 per household. A check payable to POA is enclosed. Memberships are for Households and run annually from Jan 1st to Dec 31st. (check the box that applies)

I will include a **stamped, self-addressed envelope** with this form and my check. Please mail my Membership Card to me At the address above.

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

**2. ADDITIONAL CONTRIBUTION:**

Please accept my additional contribution to the POA in the following amount: \$ \_\_\_\_\_

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

**THANK YOU FOR YOUR CONTINUING FINANCIAL SUPPORT.**

Dues Paid Date \_\_\_\_\_ (Office Use Only)

# Shingles Update

(Continued from page 2)

will be used to communicate directly with any homeowner whose OC shingle meets certain criteria and should be evaluated further...”) If this defect was truly limited/isolated, there is absolutely no excuse for the delays and unnecessary worries it is causing many of The Villages seniors who are concerned that through no fault of their own, they might have to come up with money for a new roof.

We had hoped that TVHWD would take an aggressive stance with OC and demand that they solve the problems they created and stop dragging their feet. However, in the January 1, 2014, Daily Sun they placed an announcement stating that TVHWD along with the VHA had collaborated with OC and come up with an **ACCEPTABLE** resolution. (“Effective immediately, for any homeowner at The Villages, whose Oakridge shingles were installed between January 1, 2007, and December 31, 2010, that experienced granule loss which caused performance issues, Owens Corning will review and replace materials it determines are affected”.)

This is another instance where we think the VHA has sold the residents short, just like their decision to agree to a five year going for-

ward **ONLY** warranty on underground refrigerant lines, which was shortly thereafter, presumably at the reasonable urging of the POA, extended by the Developer to a ten year – going forward and backward warranty.

If you are a resident who bought a new home – supposedly made with **quality materials** according to all of The Villages publications, and six years later you find out you have defective shingles and are told OC will provide replacement shingles, but you will have to come up with thousands of dollars to have the defective shingles removed and the new shingles installed – **WOULD YOU CONSIDER THIS COLLABORATION AN ACCEPTABLE RESOLUTION?????** Maybe for OC, but certainly **NOT** for the residents, who have been put into this situation.

We hope that the Developer reviews this situation. After all, he is the one who continues to use Owens Corning shingles in spite of the fact that they are on record throughout the State of Florida to be producing some less than quality shingles which have been used in a number of developments. We would think that the Developer would have the leverage to insist that OC make good on both materials and labor where there are defective shingles or discontinue purchasing OC shingles for the remainder of his build out. Additionally, if he

cannot leverage them to do this then he should step up and pay for the labor and any other costs which resulted from not only the defective shingles, but **MORE PARTICULARLY, the failure of his Home Warranty Department to notify residents whom it knew might have defective shingles of this possibility.** Further, in the Friendliest Hometown, it should have followed up and assisted each resident in filing a claim with OC so that all would be within the 5 year window which would require OC to pay for materials and labor. □

**YOUR LAWSUIT SETTLEMENT DOLLARS AT WORK**



The complete interior renovation of the Southside Recreation Center, as well as improvements to the pool and parking Areas, should be finished in February.

**Southside Recreation Center Renovation Project**

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**PROMISE PLAN**

## AAC Meeting Summary January 8, 2013

### Old Business Topics Included:

- The Committee reviewed the staff report regarding aquatic chair lifts. There are only two (Hilltop and Calumet Grove) in the VCCDD service area, while there are 17 in the SLCCDD service area. The AAC directed staff to install an aquatic chair lift at the Tierra Del Sol pool as requested by a resident.
- Staff reported that gate connectivity installation is underway. The backbone has been installed and it is estimated that each of the 32 gates will require one week for installation. Cameras will be installed as the gate connectivity is completed.
- With regard to the El Santiago Restaurant building, the AAC had expected to consider whether to accept a retrofit plan or a demolition and new construction plan to convert the former restaurant into a recreation center. Instead, it was presented with information from staff and one committee member regarding a local business team that is interested in reopening the site as a full service restaurant, either by purchasing the building shell, leasing the shell or entering into a lease/purchase arrange-

ment. On a 3 to 2 vote, the AAC directed staff to proceed with preparing a Scope of Services to issue an RFP in order to obtain additional input into the possibilities for reopening the site as a restaurant, which has been overwhelmingly requested by residents. Committee members Bell and Chairman Wilcox made it clear that they had no interest in considering the option of the facility reopening as a restaurant under any arrangement (see related story on page 8).

### • Capital Projects Update:

Paradise Park Area “A” – project has been completed and the Grand Opening was held on January 23<sup>rd</sup>.

Paradise Park Area “B” – design plans were to be submitted to the Town of Lady Lake in late January.

Knudson Score Booth/Storage – bid was issued the week of January 13<sup>th</sup>.

Chula Vista Recreation Center – the bid was awarded to Signature Enterprises, Inc. for \$379,422.

La Hacienda Sports Pool Restrooms – construction is underway with project completion estimated as March 28, 2014.

Silver Lake Center – the bid was awarded to Signature Enterprises, Inc. for \$362,519

with project completion scheduled for May 23, 2014.

Southside Pool – construction is substantially complete and should be open to residents on February 10, 2014.

Tierra Del Sol Recreation Center – the AAC approved the project scope and Architectural/Engineering proposal for the demolition of the existing Tierra Del Sol recreation facility and construction of a new facility.

Lindsey Lane facility – bid process is expected to be completed by the end of January 2014.

Saddlebrook Pavilion – expectation is that the award of bid will be presented at the February AAC meeting.

### New Business:

- The Committee approved the fiscal year 2014/2015 Budget calendar. The first meeting on the Budget will be immediately following the April 9, 2014, regular AAC meeting.

Please go to the [districtgov.org](http://districtgov.org) website for the official Minutes, Agendas and Meeting Schedule.

**NEXT AAC MEETING - WEDNESDAY, FEBRUARY 12th, 9AM at the SAVANNAH CENTER.** □

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## Is Your Golf Cart Really Insured?

**Scenario # 1** - It started with a simple mistake. I don’t know how it happened to me. Perhaps I had too many things on my mind, perhaps my mind was wandering, or perhaps I’m just getting a little bit older. However, while I was driving my golf cart recently in The Villages, I made a left turn and somehow struck another golf cart. The driver of the other golf cart was ejected from her cart after she tried to avoid the crash. She apparently suffered significant injuries and required hospitalization and maybe a surgery. That was two weeks ago. Since I received a citation for the crash from Florida Highway Patrol, I know it is probably my responsibility.

I was hoping this would all go away, but then I got that letter from that law firm. You know that law firm you always see on television every night when you are watching your shows. It is the same law firm that has billboards up and down Hwy 441. They even advertise on taxi cabs and city buses in big cities. The letter requested my insurance information regarding this golf cart crash.

You know, I heard from a friend of a friend on the Pickleball court that if I had homeowner’s insurance coverage my golf cart is covered. I know I have a policy of homeowners insurance on my house, so I figured my golf cart was covered. You know what they say about Pickleball -- if you hear it on the Pickleball court, it must be true.

In response to that scary letter from We Advertise Heavily Law Firm, LLC, I pulled out my homeowner’s insurance policy from Sunny Floridian Insurance Company and read it. I contacted my agent, described the golf cart incident, and told him it was an accident. Now, We Advertise Heavily Law Firm, LLC, wants my insurance information and even sent a financial disclosure requesting my personal assets in case there is no insurance coverage.

The young man at the insurance agency reviewed my insurance coverages and determined I only have Property Damage Liability and Collision Coverage for my golf cart. The

young man reported that the damage to the other person’s golf cart would be covered, but their medical bills and any related pain and suffering damages would not be covered. Are you kidding me? How could this be? Who is responsible for providing adequate insurance coverage for this incident? Will they try to take my investments, my life savings?

**Scenario # 2** - Another commonplace scenario also occurs with some frequency. I made a left turn, I caused a crash, there was a momentary lapse. Certainly an accident, maybe my mind wandered, maybe my reflexes aren’t as good as they used to be, perhaps that other golf cart was driving erratically. At any rate, the other driver was ejected when he tried to avoid the crash and tipped over his golf cart. Certainly a reasonable driver would not tip over their golf cart, would they? However, here I sit with a citation from Florida Highway Patrol for the crash, as well as a letter from We Advertise Heavily Law Firm, LLC. Haven’t I seen them on the television late at night? Now they are sending me a letter demanding my insurance information and sending me a financial affidavit to list my personal assets in the event I do not have insurance. So I pulled out that homeowner’s insurance policy from the filing cabinet where I stuck it five years ago when I moved to The Villages. It turns out this particular Sunny Floridian Insurance Company policy was written through my local agent. So I met with my agent, described the crash, and told the young lady why I needed the insurance information. When I described the letter from We Advertise Heavily Law Firm, LLC., the young lady took my policy, reviewed my coverages, and asked me a simple question:

“What golf cart?”

I said, “you know, the 2005 Easy Go golf cart that I purchased six (6) months after I moved here.”

The lady from the Sunny Floridian Insurance Company again reviewed the policy and said we did not know you had a 2005 Easy Go golf cart. Your golf cart does not appear as an insured vehicle on our insurance policy declarations page. Therefore, you may not be

insured for damages that result from your driving a vehicle which is not listed as an insured vehicle under the policy. And I thought to myself, how can this be? I bought insurance! This is not possible!

So there are two common scenarios. The insurance company in scenario # 1 will only cover what it sold you. In that scenario, you didn’t buy coverages to protect you in the event you inflicted damages upon someone else as the result of a golf cart incident -- called Bodily Injury Liability Coverage. Golf cart incidents happen with regularity in The Villages where 60,000 plus golf carts are interacting with pedestrians, other golf carts, and automobiles and trucks every day. The sheer magnitude of that traffic along with the humans involved creates mistakes that result in crashes. Crashes sometimes become more serious when people are ejected from golf carts resulting in serious injuries. Serious injuries in 2014 translate into significant hospital bills. Therefore, it is crucial to purchase adequate coverage for your golf cart. In scenario #1 and scenario #2 it is The Village resident’s job or the golf cart owner’s job to make sure that the golf cart is insured properly. And arguably the **insurance agent’s job**.

**Disclaimer:** This is an excerpt from an article written by Tim Babiarz, who practices Personal Injury and Insurance Law in The Villages and the Tri-County area. For specific legal issues applied to a given set of facts, always contact competent legal counsel.

**NOTE:** Our guest speaker on February 18th from **AAA Insurance** will provide you with information on what coverages you need to have your assets fully protected. □

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# Golf Cart Crashes

Recent reports (**ONLY THOSE THAT INVOLVED EJECTION, FALLING OUT OF THE GOLF CART, AND/OR INJURIES are provided**) that we have received from Village residents, Public Safety, and area law enforcement. (Note: we cannot guarantee that the information we receive is completely accurate about all the details.)

## USE OF SEAT BELTS MIGHT KEEP YOU IN YOUR CART

**Monday, November 18<sup>th</sup> – 7:20 AM.** - In response to your efforts to document golf cart crashes, I have one to add to your statistics. I was headed east on Hillsborough Trail and was blinded by the sun. I collided with a landscape trailer parked 1/2 in the golf car trail, and 1/2 on the sidewalk. The right front of the golf car made contact with the left rear of the trailer, and my left leg was pinned between the road and the golf cart causing compound fractures and abrasions to my lower left leg. I was transported to LMC for treatment and surgery. **I am of the opinion that had I not been wearing a seat-belt, it is likely I would not have survived the crash.**

**Thursday, December 12<sup>th</sup> - 12:01 PM** – A golf cart was southbound on Canal Street approaching the traffic gate just north of Bonita Boulevard. The driver advised the sun was directly in his eyes and he did not see that the gate was not opening. He advised that he slammed on the brakes and swerved which caused the golf cart to tip over on him **as he fell out.** He was transported to The Villages Hospital for evaluation of head and neck injuries.

**Saturday, December 14<sup>th</sup> – 12:05 PM** – Golf cart #1 was on the golf cart path that crosses Canal Street heading eastbound. The driver of #1 advised that as he crossed Canal Street his golf cart was struck by golf cart #2 which was travelling northbound on Canal Street on the golf cart path. **The passenger in #1 was ejected** and sustained injury to his left hand but declined medical treatment. **The driver of #2 was ejected** and complained of back pain and had to be transported.

**Sunday, January 5<sup>th</sup> – 2:30 pm** – Golf cart was traveling southbound on Morse Boulevard and came to a complete stop waiting to turn onto San Juan Drive. An oncoming vehicle motioned the driver to turn and as he did he saw a golf cart crossing San Juan Drive. He stated he stopped immediately and observed the other golf cart veer and turn up

on two wheels **causing the driver to fall out onto the pavement.** The driver was taken to The Villages Hospital with neck pain. □

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## El Santiago Club AAC Lukewarm on Last Minute Plea to Save Restaurant

The AAC hastily bought the gutted shell of the El Santiago Restaurant building from the Developer back in July 2013, for \$350,000, without paying any attention to the inspection report it paid for or to the assumptions in the appraisals it paid for (see the article on page 9 of the August 2013 POA Bulletin).

Since then, it had been trying to figure out how to use it as a recreation facility. Every time it asked residents what they wanted, the answer that came back is WE WANT A RESTAURANT. Residents have been repeatedly told that no one wants to operate the facility as a restaurant, so it will be turned into a recreation center. Area residents never asked for a new rec center. In a staff survey, the residents said they would be satisfied with an expansion to the existing recreation center that would provide a larger meeting room with interior restrooms and a kitchen. Clearly this could be accomplished for a lot less money than the purchase and retrofitting of the restaurant building.

At the January 8, 2014, AAC meeting, Committee members expected to discuss and

decide if they would proceed with the current layout for recreation facilities in the restaurant shell or demolish the shell and construct the new recreation center from scratch. Instead, staff reported that Committee member Rich Lambrecht had brokered a meeting that had taken place the previous afternoon between staff and a local business couple who have an interest in re-establishing the El Santiago Club restaurant. Their interest could result in one of several possibilities such as purchase of the building shell, leasing the shell or a lease/purchase arrangement. In any of these scenarios, the AAC would not have to spend any money to retrofit the shell for a restaurant.

While exploring any of these options would provide the only chance to restore the restaurant at the El Santiago Club which residents have so strongly requested, two AAC board members, Chairman John Wilcox (CDD3 representative) and CDD1 representative Carl Bell made it clear they were not interested in obtaining any new information. They want to proceed with the recreation center proposal.

Specifically, **Mr. Bell told the CDD1 Board at their regular monthly CDD1 meeting on January 10, 2014, referring to the possible leasing of the restaurant shell to an interested party, that “... we are now - with that leasing, in my opinion, in conflict with or in competition with the Developer and**

**therefore I voted ‘no’ to proceed down those trails because I don’t want to be in competition with the Developer ...”.**

Fortunately for residents there were three AAC members (Ann Forrester, Jo Weber and Rich Lambrecht) who were willing to take the next step and by a 3 to 2 vote they directed staff to proceed with the preparation of a Scope of Services to issue an RFP so that the existing El Santiago restaurant building would be operated as a restaurant. It is expected that this process could take two months to get to the RFP. At that point it would be issued and the AAC would wait to see what the response was from any interested party. Then it would be up to the AAC to decide if they wanted to accept any offer that might be received.

Given the less than enthusiastic reception the expressed interest in reviving the El Santiago Club restaurant got from the AAC and staff, a savvy business man would have to think twice before proceeding with a venture that involves such a significant commitment on the part of the business owners. As it turns out, the desperate efforts of residents, as evidenced by their submission of petitions (almost 1,000 signatures) and their attendance at AAC meetings pleading for restoration of the restaurant, were for naught. On January 21, 2014, Ms. Tutt forwarded a memo from VCCDD attorney Lewis Stone that pointed out that one of the paragraphs in the restaurant’s contract for purchase and sale, clearly stated that use of the property would be limited “to only uses permitted for a Community Development District under Chapter 190, ...”. So, there never was a possibility of saving the El Santiago club as a full service restaurant once it was purchased by the AAC/VCCDD. **Why wasn’t this made known to residents back in July, 2013, at the time of the sale?** □



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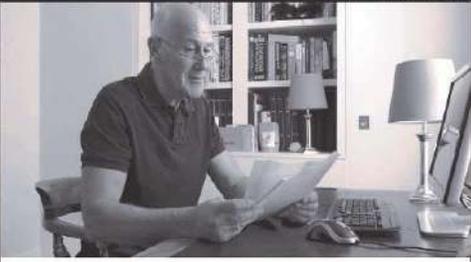
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## Recreation Trail Striping

At their December 2013, meeting, the AAC agreed to pay for the striping of the Buena Vista (north of CR466) and El Camino Real trails, including perpetual maintenance of the striping. Since each CDD owns their section of these recreation trails, they would each have to enter into an Interlocal Agreement with the AAC if they wanted this striping and maintenance to be provided. At their regular board meetings on January 10, 2014, CDDs 1-4 discussed the offer and the result was that CDD2 turned it down, CDD4 accepted it and CDDs 1 and 3 accepted it on a case by case basis. For those of you who get your daily news of the area from Villages-News.com, you already know this result. For those of you who get your information from the Daily Sun, their headline was rather misleading - “CDDs 1-3 reject striping of multimodal trails.”

Here’s why the AAC offered to pay for the striping and maintenance. As part of the

class action law suit, the plaintiffs had to “justify” the requested damages estimate (the approximately \$40M). Within the list of “alleged” damages was the contention that VLS marketing and other sales documents assured new residents that “... recreational and fitness trails ... (were) all covered by our current monthly amenities fee ...”, yet the maintenance expense was actually coming out of numbered district maintenance assessments.

Effectively residents were paying twice for any trail maintenance expenses. Per Elaine Dreidame’s affidavit that is part of the class action lawsuit court record, within the portion of the \$40M total that was to be paid off over annual installments from 2008 through 2020 were “Funds for annual maintenance and for renewal and replacement reserve funds for the recreation trails and tunnels.” It should be made clear that the AAC has total discretion as to how to spend the settlement proceeds, so even though an amount might have been “justified” based on recreation trail expenses, the AAC need not spend it on recreation trails. Even still, the AAC received the money and

the numbered CDDs 1-4 are still legally obligated to pay for trail maintenance expenses. Hence the “voluntary” offer of the AAC to refurbish the trails back in 2009-10 and the current offer to pay for the striping.

**But why striping?** Yes, we have residents who drive their carts too fast for conditions, some who don’t pay attention when they are behind the wheel and still others whose eyesight is not what it used to be, especially after dark. Despite the efforts of the District governments and local media, including this paper, much of this behavior has not changed. Residents will continue to drive too fast and drift into the center of the trails and pedestrians will continue to walk three abreast. Should we just throw up our hands and give up and accept that nothing can be done or should we keep chipping away at improvements?

Years ago the districts reacted to resident requests for a center stripe on the concrete trails we had previously. Many residents made a special point of acknowledging the benefits derived. The only negative seemed to be that

*(Continued on page 11)*



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# Recreation Trail Striping

(Continued from page 10)

the reflective properties of the paint didn't last. After refurbished in 2009, many residents asked when the striping would be put back. The decision was wait and see if it's needed.

Well, we think it is needed and many residents have told us it's time to do it. It won't slow people down or force them to pay attention, but it just might help some number of residents, especially those driving after dark to better see the trail going around curves and in areas where trees make it hard for street lighting to penetrate. It will make it obvious

(Continued on page 12)

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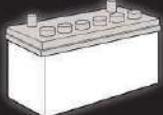
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# Trail Striping

(Continued from page 11)

to all golf cart operators, bicyclists and pedestrians if they are not where they should be.

No we can’t legislate proper behavior, but we can do as much as possible to provide the best conditions. Presence of striping on the trail can’t hurt – it certainly didn’t last time it was used – and it just might be of some help.

The cost for the entire Buena Vista and El Camino Real trails was estimated to be less than \$6,000 and the new paints are supposed to last perhaps four years with significantly better reflective qualities.

Why not give it a chance? □

# Criminal Activity in The Villages

Over time, the POA had observed that the coverage of criminal activity that occurs in The Villages appeared to be covered in a ‘hit and miss’ fashion in The Daily Sun, thus leaving residents with no real knowledge of how prevalent certain types of criminal activity might be. You may recall that in the December Bulletin we advised that “...we have commenced working with the Sumter County Sheriff’s office to be able to publish any criminal activity impacting Villages residents that occurs in The Villages portion of the County.” We noted that our information would not be as timely as the Daily Sun’s would be because we are only published monthly, but it would at least provide an awareness of things that are going on around us that we believe residents are entitled to know.

We followed up with a meeting with Lt. Wolfe and Major Brannen from the Sumter County Sheriff’s Office. They arranged for us to speak with Lt. Haworth who is now working with us in collecting the info we are requesting. We advised that we were not interested in domestic assaults, DWI’s, or incidents such as the robbery of a drug store clerk – we

wanted to disclose those criminal activities which have occurred within The Villages that impacted one or more residents, such as home burglaries, car thefts, golf cart thefts, etc.

We believe that it is important that residents not fall into a false sense of security. We have noted that a number of recent incidents appear to have occurred because the resident did things that they would likely not do if they lived in a typical municipal neighborhood, such as leaving your garage door open and unattended; leaving your keys in the car in the driveway or on the street; leaving your wallet in an unlocked car, or golf cart, to name a few. We are hopeful that better awareness of criminal activities around us will result in our residents being more diligent in protecting their properties and watching out for their neighbors.

That being said, we are pleased to acknowledge that the Daily Sun has shown TREMENDOUS improvement in its coverage of criminal activities since mid December and hope that they will continue to do so.

“Pertinent” Criminal Activities in The Villages portion of Sumter County that have occurred since the beginning of November are as follows: The Sumter County Sheriff’s Office

(Continued on page 14)

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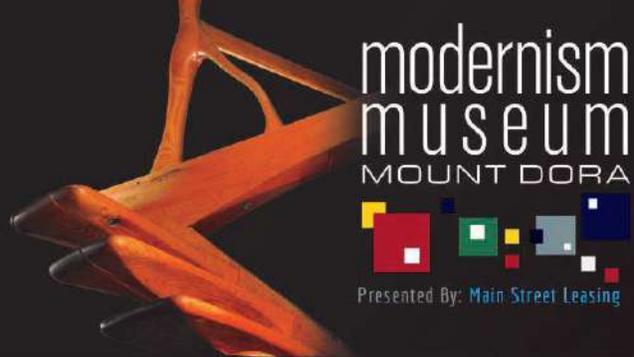
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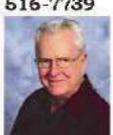
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## Criminal Activity

*(Continued from page 12)*

is investigating nine burglaries which have taken place between November 3<sup>rd</sup> and January 15<sup>th</sup> in The Villages. Of the nine burglaries, five included forced entry by kicking in the front door, two gained entry through forcing open a sliding glass door, one cut the lanai screen and stole items from the lanai, and the final burglary was to an automobile, according to the Sumter County Sheriff’s Office.

**A BIG CONGRATULATIONS to the Sumter County Detectives** who were able to apprehend two suspects who they believe are responsible for at least one of these burglaries.

Lt. Haworth has advised that if you see someone suspicious in your neighborhood, call your Local Law Enforcement Office and report it. (Sumter County Main Number – 352-569-1600; Lake County – 352-343-2101; Marion County – 352-732-8181, Town of Lady Lake – 352-751-1565. (At a recent POA presentation Lt. Wolfe suggested that we program these numbers into our cell phones.)

**If you see something that looks like a crime that is either about to be or is being committed, call 911.** □

## To Bridge Or Not To Bridge

Back on December 12, 2013, the Project Wide Advisory Committee (PWAC) met to discuss traffic at the Colony Blvd golf cart crossing in front of the Colony Cottage.

After months of discussion of various options, and with Community Watch directing traffic (at approximately \$200 per day) in the meantime, the PWAC decided that it would go along with the recommendation of the District’s engineering firm, Kimley-Horn and proceed with construction of a golf cart bridge over Colony Blvd. The PWAC was told that the bridge option had an estimated cost of \$400,000 and it decided that it was willing to build it even if the Developer did not contribute. It directed staff to move forward and even cancelled the January 6, 2014, scheduled meeting.

A week later, on Dec 19<sup>th</sup>, the PWAC members were notified by District Manager Janet Tutt that she had met with the Developer and “while VLS is still interested in participation with PWAC to resolve its safety concerns on Colony Boulevard, they are not supportive of the bridge proposal due to a number of con-

cerns and potential issues.” The email went on to explain the VLS concerns with the cost estimate (more likely to be \$1,000,000+) and concerns over adequate space being available and geotechnical issues. In net, VLS indicated its support of a traffic signal or roundabout for a number of reasons (primarily time). As a result of this input from the Developer, the PWAC put the January 6, 2014, meeting back on their calendars.

At the January 6<sup>th</sup> meeting, Ms. Tutt began by chastising local media for their coverage of this issue to date. Specifically she did not like the media report that the PWAC was an “advisory” group and their advice could be ignored by the SLCCD. While this is clearly true, MS. Tutt wanted everyone to know that “seldom, if ever” did a board of any type not follow the direction recommended by its advisory board. She also took issue with another local media article that headlined the Developer’s unwillingness to help pay for the golf cart bridge. She reiterated that the Developer was willing to contribute \$100,000 to a Colony Blvd traffic solution, but was not supportive of the bridge proposal.

Once this introduction was completed the PWAC began discussions as to what course of action it should pursue. The bridge proposal

*(Continued on page 15)*

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## To Bridge or Not?

(Continued from page 14)

was quickly scrapped. Some seemed to favor closing down Colony Blvd to automotive traffic east of the recreation center. This option did not receive much board support after Ms. Tutt cautioned them that closing the roadway would expose the PWA CDDs to the significant expense likely, to re-engineer the ingress and egress to the shopping center from CR 466A. A motion to close the road failed.

After discussing how STOP signs were likely to be ignored, the PWAC, voted 4 to 1, to install a traffic signal at the location. Ron Ruggeri the CDD7 representative (the intersection is located in CDD7) was the lone "nay" vote. It was stated that 90% of the engineering work required for the signal has been completed making it possible to move quickly. The total signal cost is estimated to be approximately \$250,000.

While this may not be the best long term solution, all participants agreed that it would

allow time for build out in the area to take place – the commercial district plus CDDs 9, 10 and the new CDD 11 in Fruitland Park – and settle the traffic patterns. This may result in the need for a different solution. It is hoped that since the original engineering design for the area could not handle the traffic and that additional VLS development, especially 2000+ homes in The Villages of Fruitland

Park, have increased the congestion, that the Developer will participate in the final solution. □

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## Upcoming Events!

Check out these upcoming Events in Mount Dora!  
Tickets and more info at [www.MountDoraEvents.com](http://www.MountDoraEvents.com)

### Do You Remember? A Valentine Concert

Friday, Feb. 14 at 7 pm  
Saturday, Feb. 15 at 3 pm [\$19]

### Mickey Carroll "Old Dogs" CD Release Concert

Saturday, Mar. 8 at 7 pm [\$20]

### Tony Monaco presents "A New York State of Mind" Billy Joel tribute

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### Assisted Living - The Musical!

*Sex, Drugs & Gettin' Old*  
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Watch the quick video line up of monthly events "Around the Lake" for a chance to WIN a \$500 getaway to Mount Dora, Fla. at [www.WhatToDoInMtDora.com](http://www.WhatToDoInMtDora.com).



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LETTERS Letter to the Editor: Street Signs

Whom do I contact to have a street sign turned to reflect the proper streets. When anyone tries to find Buttercup Way it appears that it is Pinellas, the way the street signs are facing. Buttercup Way is only visible if one comes into Pinellas from 466A, making it extremely difficult for deliveries. K. Stringfield

Editor’s Note: We contacted Janet Tutt, District Manager, and received the following information: As to the street signs, it depends on where they are. They are the responsibility of the County or Town in which they are located, except for Marion County where all but Buena Vista Boulevard are the responsibility of District 4. The other exception is that all villa street signs are the responsibility of the CDD in which they are located.

You would need to contact the Sumter County Road and Bridge Department at 352-569-6700 as they maintain the infrastructure within the County rights of way, and list one of their responsibilities as: “Fabrication of new roadway signs as well as repairing and replacing old or damaged roadway signs.” □

Letter to the Editor: Amenity Fee Variance

In response to your January Q&A, please be advised that, according to The Villages' Amenity office, the amenity fee paid by individuals who purchase pre-owned homes is set each year. We bought our home in 2006 and the office stated that "in 2006 the base rate of the amenity fee was \$130". Why this is significant is my next door neighbor, who is the only owner of his home, pays \$15 a month less than I do. So according to the office, this is the reason for the difference, even though our properties were turned over by the Developer around the same time.

Could you please confirm that this information is correct? If so, it may be a good idea

(Continued on page 17)

FirstBank advertisement with logo, 'Every homeowner who is at least 62 years of age should know about Reverse Mortgage loans!', and contact information for Crissy, NMLS# 447937.

AAA advertisement for 'One Package Policy for your Home & Auto' featuring a car image, 'Average savings \$975\*', and contact info for AAA at The Villages.

## Amenity Fees

(Continued from page 16)

to include this information for those of us who have purchased pre-owned homes. Thank you for your continued monitoring of all important issues.

Fred & Peg Harrop

**Editor's Note:** The question that was raised at the Forum was in regard to how amenity fee increases each year are determined - not how an amenity fee amount is initially established. To summarize, when a home is purchased, whether new or as a resale, the purchaser's initial monthly amenity fee will be whatever the rate is on that day that the Developer is charging for the purchase of a new home. The question we addressed in the Forum was when and how the annual amenity fee increases occurred. It was established a number of years ago that the date for increases would remain the month of sale, which is defined as the date of the Contract for Purchase of the Homesite. So a purchaser of a resale home will likely have their amenity fee increased during their first year of ownership, and thereafter during that same month each year. We then noted that the amenity fee can be raised or lowered no more than the annual CPI. □

Letter to the Editor:

## Health Care Center Insurance

Editor, your response (Jan 2014) to the woman who was denied access to The Villages Health Centers because she is on Medicare and has a retiree policy with Humana, appears to be in error. My wife and I are retirees with policies from (Cigna and Empire of NY) our previous employers AND are on Medicare AND have been accepted at The Villages Health Care Center which is considered an "in network provider". So where's the problem? Ralph Trondle

**Editor's Note:** Thank you for taking the time to contact us. The problem was that the woman you referred to wanted to use a Medicare ADVANTAGE plan that was offered by an insurer other than United Health Care.

Info from The Villages Health Care Centers website – Accepted Insurance. "If you are eligible for Medicare, we want you to know that the only Medicare Advantage plans The Villages Health participates in are those offered by UnitedHealthcare®. UnitedHealthcare® Insurance Company is the same Medicare insurance provider that many Villagers already rely on for AARP® Medicare Plans.

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Letter to the Editor:

# Villa Parking

I read with interest the latest Bulletin. Generally, I find that your articles are accurate and worthwhile reading. However, I would like to point out what appears to be incorrect information concerning Villa Parking.

In the past, we have been told by Compliance that the excess parking is for the use of guests, not owners. Before I begin parking my extra vehicles in those spaces I would like to know specifically how you arrived at your information. I rechecked my Covenants and Restrictions posted on the District’s website, and Article V, Section 20, still reads:

“Temporary parking depicted on the plat for the Subdivision is not for Owner’s use but is for the use of Owner’s invitees and guests.”

This appears to be in conflict with information in your article. Bob Miller

**Editor’s Note:** Last year we confirmed the information in the article with Diane Tucker who oversees the Community Stan-

dards Department and she acknowledged that it was correct. We contacted her this year with your situation and received the following response: “...He is correct that his Covenants state that the guest parking is for invitees and guests of the owners. Owners cannot park in the guest parking. As I indicated on the phone, not all restrictions and plats read this way, but this is one instance where it specially states owners cannot park there.” The POA then requested and received a revised statement on villa parking restrictions which reads as follows: “The districts’ policy regarding villa parking is to review each complaint or concern on a case by case basis due to the diversity of the deed restrictions as adopted by district rule. It is sometimes even necessary to pull the applicable plat to determine what constitutes a violation. All violations are determined on a case by case basis. If a resident has a question, concern or would like to report a possible parking violation, I recommend that they contact the Community Standards office or Diane Tucker at 352-751-3912 for assistance.” □

December Forum:

# Questions & Answers

1) What about dividing lines on the trails south of CR466? **A)** Trails south of CR466 are under the purview of the Project Wide Advisory Committee (PWAC), made up of a representative from each of the District Boards. Notify your District supervisors that you want center striping on the recreation trails to assist with visibility. Regardless, if you have your plastic windshield in the up position, it is often difficult to see the pathway.

2) I was told I had to sign a Villages recreation waiver to participate. Is this legal? **A)** This question was raised several years ago and the AAC Attorney said that it would be illegal to require residents to sign the waiver in order to be eligible to participate in amenity activities. However, he advised that there are some clubs wherein the Club insists that you sign a waiver, for example, the Woodshop Club requires that you must sign The Villages waiver and this is legal. □



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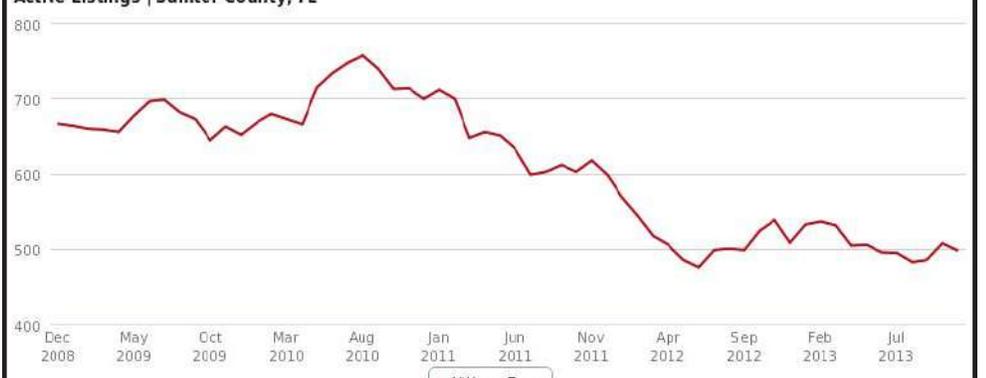


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## Our Gardening Column:

**A Sure Sign of Spring**by Anne Lambrecht, Master Gardener  
[annegarden@embarqmail.com](mailto:annegarden@embarqmail.com)

One of the first trees to bloom here in north central Florida is the Eastern Redbud (*Cercis canadensis*). You'll see splashes of its pretty pink color here and there in the woods as well as in some yards. I wish I had one.

The Redbud is a small to medium deciduous tree native to eastern North America from New Jersey south to (lucky us) northern Florida. It's a member of the bean and pea family. Redbud sometimes has multiple trunks and its branches form a spreading, flattened or rounded crown. The thin bark is gray and becomes scaly on older trees. Stems are slender, dark reddish brown to black and zigzag.

Redbud's showy flowers are pea-like and rosy pink with a purplish tinge. Flowers develop before the leaves in spring, emerging in clusters along the branches. Redbud is "ramiflorous", bearing flowers and fruits on bare branches. This is a rare trait in trees that grow in temperate climates. These magenta flowers are pollinated by bees with long tongues such as blueberry bees and carpenter bees. By mid-summer the flowers are re-

placed by bean-like seed pods (legumes) that persist through the winter. Redbud flowers and young legumes are edible.

After the flowers come the typical looking 2 to 3 inch brown pea pods which are flattened and hang in little clusters right off the branches. It might be hard to see them amongst the attractive pale green foliage but they often remain on the branch long after the leaves have fallen. The leaves, by the way, are a gorgeous heart shape. Inside the pea pods are red-brown seeds that are ¼ inch long. The seeds are enjoyed by birds and scattered by wind.

Redbud likes fertile, moist sites along streams and in moist woodlands but has great adaptability for drought once established. It will do fine in moist soils as long as they do not stay soggy. Redbud does well in full sun to light shade. Plant Redbuds in the shade of larger deciduous trees as they seem to do best when they get plenty of sun in the late winter as they are getting ready to bloom, but then they appreciate a little shade during the heat of summer. They do best in Zones 4-9.

Native Americans ate redbud flowers and ate roasted seeds. In some parts of Appalachia, green twigs of the tree are used as seasoning for wild game such as venison and

opossum (oh, I want that recipe!) Because of this, the eastern redbud is sometimes known as spicewood tree.

The Redbud leaves are a larval delight of the Io moth. Their caterpillars are beautiful and spiny and can sting you like the dickens. Some wild and cultivated varieties are:

'Alba' is a white-flowered cultivar, otherwise similar to the species.

'Appalachian Red' has deep red-purple flower buds and bright pink flowers.

'Flame' has double rose-pink flowers. It seldom produces fruit, more erect branching.

'Forest Pansy' is grown for its leaves that retain their deep purple color through most of the growing season. It is less abundant in flower than the species.

(Continued on page 20)

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# A Sure Sign of Spring

(Continued from page 19)

‘Heart of Gold’ has beautifully colored foliage throughout the season.

‘Pink Charm’ – pink flowers

‘Ruby Atkinson’ has true pink flowers that appear smaller than the typical species.

‘Silver Cloud’ – leaves variegated with white.

As my dear readers know, the garden is MY realm, my peace and solace, and the Husband rarely imposes himself there. My work outside is not dilly dallying, as he thinks; every move is completely engineered and always with a plan. I set a goal and try to accomplish it in the time I have outside. Every now and then the Husband will decide there’s a major detail in the yard to be worked on - even if a month away - and commences to interfere, distracting and enlisting my help with insane jobs. We are having our pergola painted in a month and he wants to remove all the vines on it, which interferes with my engineered and peaceful quiet time, ordering me about and affirming my observation to him recently that when it comes to my garden, we don’t work well together. □

# Seniors Vs. Crime

## Reloading Scams

### Leading the Fight Against Scams

Way back in the 1920s, the term "reloading" was coined for a scam in which investment fraud victims were hit for a second time by a con artist. Sad to report that, more than 90 years later, reloading is still around. Technology has evolved, crooks have learned more, and now the same scam hides under various names. It may be called “Reloading”, “Double Dipping”, or “Refund and Recovery” scams. Today the crooks target more than investors. Just about anyone who has previously been scammed is a potential target.

The problem with many scams is that once the mark has been successfully scammed, they become more wary. They are less likely to trust people in the future. A once gullible rube has been educated. However, it does leave them open to being victims of reloading. Reloading involves re-scaming a victim by using what has happened to the victim previously to set them up for a second scam. Usually, this is presented as an attempt to get the victim's money back. In order to get back what they lost, they have to spend more

money!

Often, in telemarketing scams, the victim is put on a 'sucker's list' to let others know that this particular victim is an easy target. Scam artists buy and sell "sucker lists" with the names of people who already have lost money to fraudulent promotions. Reloading scam artists may call you promising to recover the money you lost or the prize or merchandise you never received — for a fee in advance. That’s against the law! Under the Federal Trade Commission’s (FTC) Telemarketing Sales Rule, they cannot ask for — or accept — payment until seven business days after they deliver the money or other item they recovered to you.

In spite of it being illegal, these scammers lie to you when they promise that, for a fee or a donation to a specific charity, they will recover the money you lost, or the prize or product you never received. They use a variety of lies to add credibility to their pitch: some claim to represent companies or government agencies; some say they're holding money for you; and others offer to file necessary complaint paperwork with government agencies on your behalf. Still others claim they can get your name at the top of a list for victim reim-

(Continued on page 21)

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## Reloading Scam

(Continued from page 20)  
bursement.

No matter what lie or cover story they use, the result can be the same for you – MORE MONEY LOST!

How can you avoid becoming a Reloading Scam victim? Seniors Vs Crime offers the following tips:

Don't believe anyone who contacts you offering to recover money, merchandise, or prizes you never received if they say you have to pay a fee in advance. According to the

FTC's Telemarketing Sales Rule, that is against the law.

If someone claims to represent a government agency that will recover your lost money, merchandise, or prizes for a fee or a donation to a charity, report them immediately to the FTC. National, state, and local consumer protection agencies and nonprofit organizations do not charge for their services.

Don't give out your credit card or checking

account numbers to a "recovery service" in an attempt to recover money you have lost or a prize you never received.

Before you use any company to recover either money or a prize, ask what specific services the company provides and the cost of

(Continued on page 22)

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## Reloading Scam

*(Continued from page 21)*

each service. Check out the company with local government law enforcement and consumer agencies such as the Better Business Bureau, the Florida Division of Consumer Services, and Seniors Vs Crime. Find out if others have registered complaints about the business. You can enter the company name into an online search engine to look for complaints.

Be diligent. No one will watch out for your

interests better than **YOU**. If you suspect that you are being targeted by a reloading scam of any sort, contact your nearest Seniors Vs Crime office in The Villages for advice or assistance. There is never a charge for their services. They can be reached at 352-753-7775 in the Marion County Sheriff’s Office in The Villages, at 352-689-4600, Extension 4606 in the Sumter County Sheriff’s Office in The Villages, and at 352-750-1914 at the Wildwood Police Department Annex in Brownwood, next to the Barnstorm Theater in The Villages. Volunteers at all of those offices are ready, willing and anxious to assist you. □

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This program is a continuing benefit for POA members. Show your current year POA membership card to the Discount Partners listed on this page. Visit [www.poa4us.org](http://www.poa4us.org) for details. Please say “thanks” to our Discount Partners for participating in this program.

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*(Continued on page 23)*

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(Continued from page 22)

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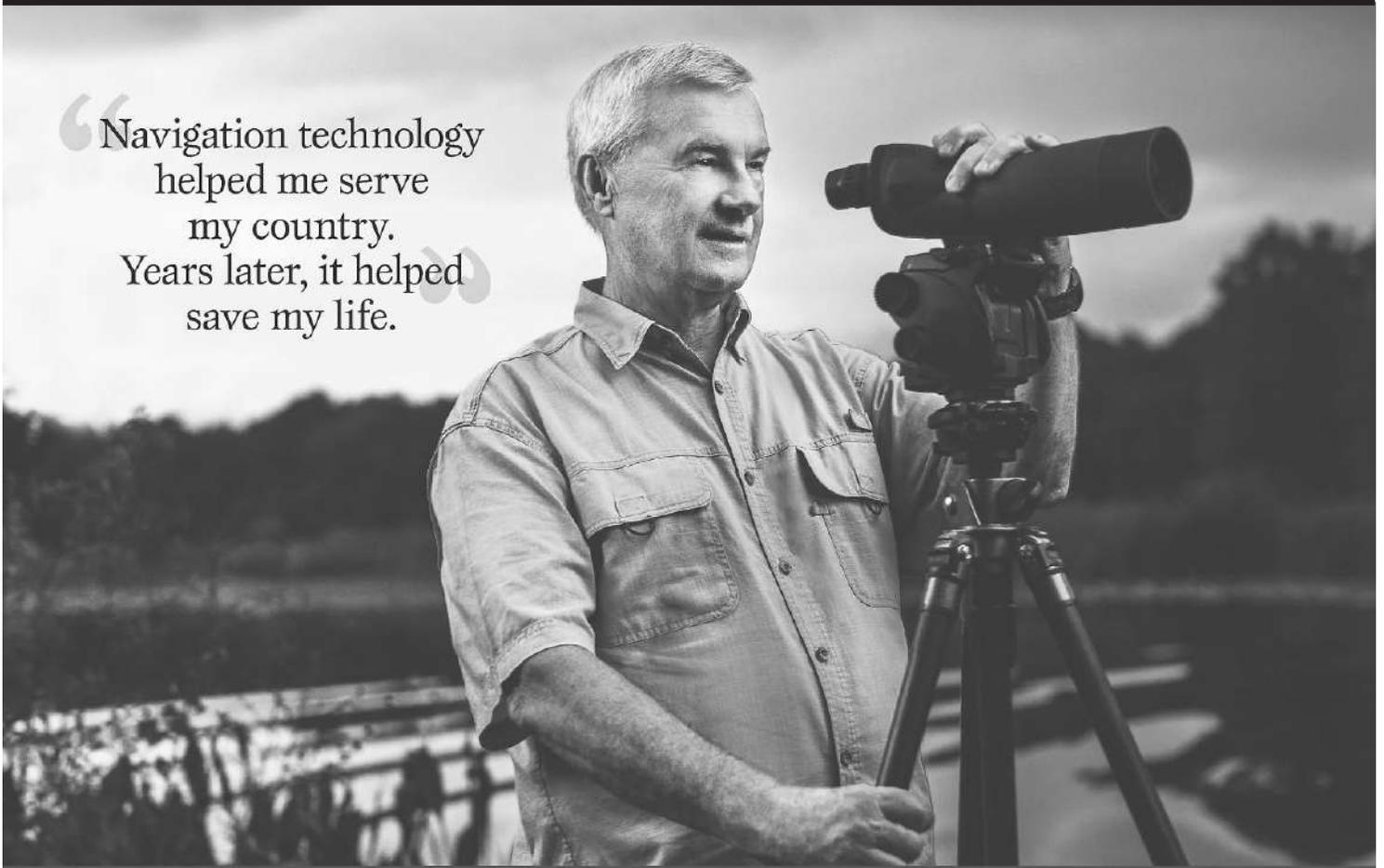
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