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# PORI NEWS

## 2005 – The PGA Village Year in Review

Residents who are not PORI members may have missed some major events in 2005. Here's how the **two thousand plus PGA Village residents who are PORI members** made a major contribution to your quality of life, and investment in PGA Village.

We started 2005 still mired in the aftermath of hurricanes Francis and Jeanne. The March departure of President Jim Lamar reminded us of PORI's three major achievements under his leadership:

- Stopping the connector roads that would have brought an additional 60,000 vehicles a day into PGA from outside the Village.
- Sewer plant litigation that insured technology to eliminate odors, noise, offensive lighting, and provided for on-site employees.
- Secured the city's commitment *never to annex our community*.

2005 brought its own unique challenges. The powerful FP&L utility was planning to construct a coal-fired plant less than ten miles away. Our committee headed by Dr. Bobbie Conti conducted a massive research project and discovered that a **COAL FIRED** plant would threaten not only our neighborhoods, but also the environment of the whole county and state. PORI Board member Ben Kirman illustrated the disastrous impact the passage of coal trains would have on all local communities. Our committee received welcomed public support from Kolter's John Csapo and Core Community's Pete Hegener at the crucial County meeting. Dr. Conti's committee conducted Petition drives; sought testimony from experts like our own Ray Crossman; worked closely with other HOAs; and conducted exhausting door to door marketing; all of which produced the desired – almost incredible result: **A UNANIMOUS VOTE BY OUR COUNTY COMMISSIONERS DENYING FP&L'S APPLICATION.**

Resident Deno Marino, a member of PORI's Financial Committee filed with the court to force Kolter to issue State required HOA financial statements which have been delinquent for years.

The PORI Board then turned to its major objective for 2005:

### **TURN-OVER OF THE MASTER ASSOCIATION TO ITS OWNERS**

The belief that the developer was nearing completion of this project was quickly shaken by Kolter's contention that building would continue for several more years, given the amount of undeveloped land they claimed to have available. One of these areas was a sixteen acre wooded tract on Reserve Boulevard, informally known as the "Woodpecker/Gopher Tortoise Preserve". Contending that this land had received protection in perpetuity, PORI formed an Environmental Preservation Committee under the Chairmanship of Dr. Mark Edwards.

In April 2004, Kolter had sought to amend the original Development Order (DO) for the Reserve/PGA Village to show that they "**had preserved**" 490 acres of Upland Habitat (UH) required by the DO, and which Kolter needed to continue further development. Prior to this the DO had read "**will preserve**". An UH Map denoting where the 490 acres were located was to have been attached to this wording change. We never saw that map. The Amendment also stated that the Treasure Coast Regional Planning Council (TCRPC) had seen the UH Map and had signed off on it "**in writing.**" When we requested a copy of the Map upon final

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## DID YOU KNOW?

Due to the efforts of PORI, in four months the end of Champions Way will be permanently closed except for emergency vehicles. Kolter planned to connect us to their project to the



South, Verona, which had the potential for 60,000 vehicles passing the driveways of the owners on Champions Way and Kingsmill every single day.

## OVERSIGHT COMMITTEE FOR THE FP&L COAL FIRED PLANT

After nine months of intense daily volunteer work, the efforts of our five member committee and a subcommittee of four volunteers celebrated an 'outstanding' and very positive outcome!

The Board of County Commissioners, after an intense 'public hearing,' that was nearly twelve hours in length, voted five to zero, to OPPOSE the approval of the FP&L coal plant.

The efforts of the PORI committee focused upon verified scientific and medical research in constructing the legitimate arguments both "for" and "against." The resulting months of research and collaboration with national and state wide experts, supported the culminating decision to 'be in opposition.' This position, in writing, was presented to the PORI board. It was approved as the 'position' for PORI.

The committee expanded its focus to the entire county, focusing upon educating the grass roots, other POA organizations, and meeting individuals face to face while walking many of the sidewalks throughout the county.

Hours of collaboration with national and state level experts, resulted in their presence and testimony at both the

public hearings before the Planning and Zoning Board and the Board of County Commissioners.

Our own community experts were discovered and gave much time and talent to the efforts of the committee. We especially want to thank Ray Crossman and Horace Webb for their critical critique and dialogue provided to us and to the Board of County Commissioners.

The membership of the Property Owners of the Reserve, Inc., could not have had a more gracious group of individuals for this committee. Their hundreds of volunteer hours and commitment should not go unrecognized. Please send thanks to [dmwarns@aol.com](mailto:dmwarns@aol.com) (Doug and Madeline Warns), [Business7007@adelphia.net](mailto:Business7007@adelphia.net) (Ben Kirman), [Billhammerfl@aol.com](mailto:Billhammerfl@aol.com) (Bill Hammer), [joycedevries@bellsouth.net](mailto:joycedevries@bellsouth.net) (Joyce Devries), [pwilliams@Ftpierceeng.com](mailto:pwilliams@Ftpierceeng.com) (Paul Williams) and [bobsdeuce@aol.com](mailto:bobsdeuce@aol.com) (Bob Simon). The spouses of Ben, Bob, and Bill should also receive much applause as should the "worker bees" of the subcommittee; Judy Compagnola, Vicky Haley, and Sue Breslaw.

This committee has been retired with an abundance of gratefulness!

*Dr. Bobbie Conti, Chairperson*

# FINANCIAL REVIEW REPORT

The Financial Review Committee met to discuss questions regarding the financial statements for the years 2002 through 2004 which were received this year. We could not perform a review without the audited 2004 financial statement which was the last financial information PGA's Board released on July 18; as you are aware from the letter you received on June 27, 2005.

From a review of just the financial statements and the budgets, the committee had many concerns. As of this date, we do not yet have answers to all our questions. When this phase of our review is completed you will be made aware of our findings. However, the committee at its meeting did identify three apparent problems that we communicated by my letter of September 12 to the Board of the PGA Village POA. First, the committee requests that the annual budget be reformatted so that each line item on the budget agrees with the line items appearing on the audited annual financial statements. It has been virtually impossible to compare many of the budget line items to the actual amounts shown in the audited financial statements. The developer has addressed some of this concern by providing the 2006 budget in a more complete format by including three additional columns: the first providing the 2004 actual amounts, (even though the audited financial statements vary from this format) the second column provides the budget for the current year, third is the year to date actual amounts received and spent for the current year 2005 and finally the budget for the coming year 2006. This is a good beginning but it still does not address how the final adjustments made by the CPA impact the 2004 financial statements that were prepared at year end. It differs from what was presented with the 2006 budget (Draft IV) which was approved by the PGA Village POA's Board on November 21, 2005. Unfortunately, I was not able to be present at that meeting to address some outstanding concerns, but our Board was available to answer questions from other homeowners. This is a positive precedent that had never been done prior to this meeting. The only item remaining is for the Board to either send a copy of the approved budget to all homeowners or send notice that copies may be picked up free of charge, at a convenient location. This is required by Florida law.

The second item requested from the Master Association Board was to include an additional schedule of budget figures versus actual income and expenses incurred for the year. This schedule would be included with the year end audited financial statements. As homeowners paying for this service we should be able to know how our estimated budget figures compare to the income and expenses actually incurred for the year. This is certainly a simple schedule for the CPA's to prepare especially if the budget is reformatted as we requested in item one.

Finally, the committee suggested that a copy of the audited annual financial report be mailed to each member of the homeowners association just as the Board currently does with its annual budget in November or December of each year. Florida law requires the Board to **either** mail the year end audited financial statements to each homeowner **or** provide a written notice that a copy of the financial report is available upon request at no charge to each member. Why the developer mails the budget to every homeowner every year but does not do the same with the year end financial statements is a mystery. It certainly makes it impossible for the homeowners to know how their money was spent and in the amounts the Board intended in the budget. There was some discussion that the homeowners may not care enough to want to receive this information. If that is the case this committee may be wasting its time.

Mr. Roy Davidson, Chairman of the PGA Village Board has been communicating with us regarding these suggestions and has promised to work with our committee to correct any valid concerns or problems we have. We appreciate his cooperation and look forward to a truly transparent and forthright understanding of not only how our homeowners assessments are being spent but if the revenues collected from us are consistent with the appropriate expenses incurred.

As always, you will continue to be apprised of our progress.

*Deno Marino, Financial Committee*

## 2005—The PGA Village Year in Review (continued from Page 1)

signing of the Resolution in the spring of 2005, we learned that “**the map**” had never been approved by the TCRPC.

The question then arose of the extent to which the developer was in compliance with the original Development Order for our community. In addition to preserving 490 acres of Upland Habitat, the Development Order requires that the developer provide 2 acres for a fire station, and 8 acres of recreation land dedicated to the recreational needs of the children in our community. We believe that the extensive study conducted by Dr. Edwards puts in question that the developer has ignored these issues, has not preserved the 490 acres, and does not have sufficient land upon which to continue building new homes. **When no more houses can be built, the developer must turn over the Home Owners Association to the Owners. That is why the preserved UH land issue is so important.**

PORI believes that the developer should give up the remaining undeveloped residential land and some or all of the undeveloped commercial land as compensation to the residents of PGA Village for the destruction of the required Upland Habitat.

In June, the Committee and PORI Board members met with St Lucie County attorney Dan McIntyre to explain their findings in detail. In July, the PORI Board and Dr. Edward’s committee met with Kolter, County representatives, and the TCRPC to discuss the findings. The County directed Kolter to produce a new UH Map showing where the 490 acres of UH were located, with the clear understanding that they would not be approved for any future development while DO issues were unresolved. This included a building permit for the proposed Island Club for which the developer had **NEVER APPLIED**.

It took Kolter four months to prepare for the next meeting which was scheduled December 1<sup>st</sup>. Upon learning that they would be represented by a Tallahassee law firm, PORI retained the services of a prestigious law firm to guide us through the upcoming meetings.

A few days prior to the December 1<sup>st</sup> meeting, Dr. Edwards was given the new UP Map which was to show the location of the 490 acres. It was not enough to just show the 490 acres, according to the DO these acres require legal preservation protection. This map, however, designated land on the four golf courses as UH with no agreement from the golf course owners to protect it. Kolter also showed UH located on many **homeowners’ property**. We continued to object. We then asked about the unfulfilled requirement of 8 acres of recreation. Kolter countered that the Sub Association pools within the Community met this requirement. We again objected. This meeting was scheduled as a presentation by Kolter, but there was no presentation. Instead it became a negotiating session. It is Kolter that is trying to tie the Upland Habitat issue with the Island Club issue. As we have said repeatedly, the PORI board has NOT taken a position for or against the Island Club. It was Kolter’s attorney who tried to make the meeting an Island Club issue.

We told Kolter and the County that our only desire was to get what we, the homeowners, were promised when the DO was originally issued - nothing more. By the end of the meeting, the County Staff and the TCRPC Staff said they were **NOT** fully satisfied that all the DO requirements had been met, and needed more time to review the new UH Map submission.

Our attorney suggested that if we take no stand on the DRI (Development of Regional Impact) or the DO issue we would not have any leverage to negotiate with Kolter on other important issues. The long overdue Island Club is not part of this issue, nor is PORI in opposition to its construction. PORI believes that the developer should fulfill all of their responsibilities including: **1) Land preservation, 2) Fire Station, 3) 8 acres of recreation areas throughout the community, and 4) Kolter must build the Island Club promised to those who purchased after Kolter took over the community.** The delayed Island Club is simply a casualty of the developer’s failure to convince planning authorities that the requirements of the DRI and the DO have been met.

The County does not need or require consent from PORI or anyone else to approve or disapprove the Island Club. What they do need, and what is required by state Statute is the developer’s compliance with their DO. To date Kolter still has not provided sufficient proof to the County that they have preserved the 490 acres required. Therefore, Kolter will not be on future County agendas until they complete the conditions of their Development Order to the satisfaction of the County Environmental Department the County Attorney, the Treasure Coast Regional Planning Council and the County Commissioners.

Since the December 1<sup>st</sup> meeting, we have had an opportunity to review the new UH Map. It has come to light that another issue involves the PGA and Legacy Golf Courses. Kolter has designated approximately 110 acres of UH on these courses to meet their DO requirement. Much of the UH designated on the Legacy does not exist according to recent site visits. Furthermore, the golf courses were exempt from all covenants and restrictions by the previous Developer in our HOA documents. The Environmental Preservation Committee also found Kolter counting UH land it did not own and they believe that Willow Pines may have been built on preserved land.

This new UH map also designates land on lots in Sabal Creek as being Preserved UH. This means the owners of those properties could not use those acres of their land. In one instance, Kolter is using almost 90% of one homeowner’s lot to meet it’s UH requirement. Many others have 30% & 40% of their lots designated as UH. From our investigation these property owners do not have such restrictions on their deeds. However, Kolter’s position is that they can use these properties and others in our community

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to meet their DO requirements.

**How can Kolter do this you ask? We don't believe they can. We believe we must stop this "shell" game of where are the UH lands now.**

Kolter is trying to divide our community over the Island Club by blaming PORI when their own failures have caused the delays. It is unfortunate that the people who were promised the Island Club are being used as pawns. Kolter simply has to meet the requirements that have been in place since 1989. **Kolter, not PORI, must resolve** the Development Order conditions promptly so the Island Club issues can be resolved and it can go forward. Kolter must be held accountable.

Finally, after nearly 20 years you are on the brink of being able to decide for yourself what is best for **YOUR** community. When the Master Association is turned over to the Owners, many of the concerns impacting your life such as road conditions, security, community appearance, and the budget will finally be under your control.

As you can see, this year has been very interesting, exasperating, and wearisome. Hurricane Wilma created havoc in areas barely recovered from the 2004 storms. Fortunately for us the County took the position that they would pick up the debris in our gated community, thus saving us the cost of the pickup and disposal.

In conclusion, the volunteers on the PORI Board and Committees are dedicated to protecting your community to the best of their ability. We always welcome your input and suggestions. Please don't hesitate to contact us for further information. The PORI Board and its Committee Members would like to wish you **Merry Christmas, Happy Hanukkah, and Happy Holidays and a very HAPPY AND HEALTHY NEW YEAR.**

### Property Owners of the Reserve, Inc. Executive Committee

**Pamela Hammer, Pres    Robert Simons, VP    Dr. Bobbie Conti, Sec    Robert Hansen, Treas**

## SECURITY

From the day they started Wackenhut has made an impression. The long lines at the visitors gates were a testament to the fact that the policy of checking identifications was finally be enforced. Since that day lines have been getting shorter as residents who had not previously used transponders purchased them from Lang, and the process of educating contractors and vendors to use the West gate began. This is not to say that there have not been a few bumps along the way, but the difference between the former and current security companies could not be clearer. More improvements are on the way! Wackenhut's computerized access system is expected to go online in January, and will include among other things: a "call in" number for residents to use to authorize the entry of their guests; video cameras to record the drivers and the license plates; directions to residents homes; special needs/medical, information, etc. The POA has authorized the installation of a two-gate

system for the resident gates that will eliminate the practice of piggy-backing through the gate. Once installed, your transponder will open the first gate arm and you will proceed to the second arm which will not open

*"We urge all of our residents to obey the speed limits within our community"*

until the first arm closes behind your vehicle. Wackenhut will also be using a Smart Cart to display the speed that a vehicle is traveling at to their drivers and will also record the speed on a

computer so that speeding patterns can be recognized and addressed.

We urge all of our residents to obey the speed limits within our community. The difference between traveling 29 mph rather than 55 mph from one end of Reserve Blvd from the West to the East gate is a matter of seconds. Wackenhut vehicles are equipped with radar and the POA has instructed them to enforce the traffic regulations!

Lang management will be sending a questionnaire to each homeowner so that the information can be used to update the gate access system. Please fill it out and return it as quickly as possible.

Thank you .

PORI Security Committee  
*Warren Sonne, Chairperson*

*Warren J. Sonne*

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**REMINDER:**

*PLEASE ABIDE BY THE  
RULES OF THE ROAD.*

**WALKERS SHOULD WALK  
FACING TRAFFIC**



**BIKERS SHOULD RIDE  
WITH TRAFFIC**



**PORI ANNUAL MEMBERSHIP MEETING**

Date: Wednesday, February 22, 2006

Time: Registration will begin at 5:30PM  
Meeting from 6:00PM to 8:00PM

Location: Centennial High School Auditorium  
Right at Home Depot (Cashmere)  
School is located on the left

