

Property Owners of
The Reserve, Inc.

An Organization
Representing
Member Residents of
PGA Village

MARCH 2007

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PORI NEWS

LETTER FROM THE PRESIDENT

Dear Members,

Do you ever remember hearing Paul Harvey say “and now for the rest of the story”?

Although by now, most of you know PORI reached a settlement agreement with the County and Kolter on January 17, 2007, most of you do not know the “behind the scene” actions that took place.

Your PORI executive board with the assistance of Dr. Mark Edwards and Wynn Jones was in constant dialogue with County representatives and attorneys and Developer representatives. As late as January 16, we did not have a settlement. Finally that day after several phone calls between Kolter’s John Csapo and myself, I received a phone call from Commissioner Doug Coward with “an offer we couldn’t refuse.” My husband and I had just arrived in Gainesville for an appointment when the Commissioner called. As he read the proposed turnover offer, I had him re-read the dates to make sure I had heard correctly. Instead of spending the night as planned, my husband and I drove back home immediately after his appointment. Thank God for cell phones. The PORI board was called into an emergency meeting for Wednesday, January 17, both of the PORI attorneys were contacted and consulted, documents were emailed and faxed, and a meeting was set for Tuesday evening. Once we arrived back home, Dr. Mark and I, with input from

the rest of the team reviewed all of the documents line by line. There were still a number of problems that had not been settled and areas that needed to be clarified.

Wednesday morning, Bob Hansen and I met with John Csapo to listen to his turnover proposal. We suggested several adjustments to his letter; we wanted the election for the new board in March.

We did not succeed in moving the election to March but it will be in July/August. We reviewed all of the outstanding issues. We immediately decided that it would be best for PORI attorneys, County attorneys, and Kolter attorneys to meet as soon as possible, in an attempt to settle the final issues. Everyone agreed to meet at the County law offices at 4:30 PM.

The PORI Board then met, reviewing all of the outstanding issues and how to make the turnover offer part of the Settlement agreement. With draft 18 fresh off the printer, everyone rushed to the County offices for the 4:30 meeting. The PORI Board consulted with their attorneys. The initial position was there could not be a settlement that evening. County attorney Dan McIntyre asked that we at least go over the concerns. From 4:30 until 6:00 when the County Commission meeting was to begin, we negotiated wording and issues. Kolter rep. John Csapo told Kolter’s attorney to adjust the wording we requested and we worked out any conflicts. It was time to go into the Commission chambers but we agreed to

...most of you do not know the “behind the scene” actions that took place.

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TOWN MEETING

Jane Bachelor

The New Year Resurrects a Long-Standing Meeting Format

The “Old Fashioned” Town Meeting

During colonial times in early America, town business was conducted at a Town Meeting. At this gathering, all the town's needs and problems were discussed.

Thus, with the dawning of 2007, the PORI Board resurrected this long-forgotten community gathering arrangement with our first Town Meeting, held in early February in the Wannamaker Room at the PGA Golf Clubhouse. The forum was candid, interactive and purposefully unstructured to encourage

those in attendance to ask questions regarding any subject of interest. This format allowed for lively discussion and was an opportunity to clarify false or unclear information ‘floating’ throughout the neighborhood.

We had an enthusiastic turnout for our first Town Meeting and, because of the exciting response, are in the process of scheduling a second Town Meeting for April, 2007. Be sure to watch for the “PORI Blast” telling you the date, time and place for this upcoming Town Meeting. And, we look forward to seeing all of our PORI members at each of our Community Communications meetings in the coming year.

COMMISSIONER APPOINTS

DR. BOBBIE CONTI

COMMISSIONER COWARD APPOINTS DR. BOBBIE CONTI TO THE COUNTY SUSTAINABILITY ADVISORY COMMITTEE

County Resolution No. 06-325 authorized the creation of the *Sustainability Advisory AD HOC Committee*. The **BOCC** recognizes the importance of ‘Sustainable’ practices and the need to review and update the St. Lucie County Policies, Comprehensive Plan and the Land Development Code to enable such policies to be fully utilized by developers and St. Lucie County employees.

The purpose of the committee is to advise the **BOCC** on matters relating to codes and regulations that currently preclude ‘Sustainable Practices.’

The committee will consist of fourteen members, appointed from such groups as : FPL, Ft. Pierce Utilities Authority, Port St. Lucie Utilities, Treasure Coast Builders Association, St. Lucie County Conservation Alliance, IFAS, City of Port St. Lucie Council, City of Ft. Pierce City Commission, St Lucie County Board of County Commissioners. Commissioner Doug Coward appointed Dr. Bobbie Conti, to this Committee.

Members! Members!

What is PORI all about? Neighbors helping neighbors.

So much has been accomplished; however we continue to need everyone's support to complete our goals for turnover and to have a cohesive, friendly community.

We encourage each neighborhood association to include PORI information in Welcome Packages for new residents and/or visit your neighbors to discuss PORI's accomplishments for PGA Village/ Reserve. Encourage your neighbors and friends to join PORI. A membership form can be downloaded from our website www.pori.info and mailed along with a check for \$50.00 to:

PORI
Post Office Box 880074
Port St. Lucie, FL 34988-0074

Judy Stoll

SECURITY COMMITTEE REPORT

By Warren J. Sonne

The 2006-2007 "Season" has been a great one at PGA Village so far. We've seen lots of familiar faces on the golf courses, restaurants, Mets games, and of course on our roads. Increased traffic means an increase in accidents and near misses. Just this week I had a near miss myself. Coming from the Stop Sign on Champions Way, crossing Commerce Center Parkway at the back of the Hilton I was nearly run into by a pick-up truck traveling west on Commerce. When I first saw him he was passing the Learning Center, leaving plenty of time for me to cross, right? Wrong. He was doing at least 70 MPH and was on me in no time at all. I made it across and continued to the next stop sign at Reserve Blvd., where I made a right to go over the bridge. This same pick-up truck drove to the traffic circle, made two rights, and was now coming up behind me on Reserve at an excessive rate of speed. Imagine the nerve of me for getting in his way twice! He swerved onto the grassy shoulder on the right side of the road and passed me going at least

60 MPH. Too bad there was a Mets Game going on. The Sheriff's vehicle was at the Exit Light from South Bound I-95. A big smile came over my face.

This person was more than likely a contractor working at Verano, yet the point holds true for all of us. What's the hurry? Is there a reason that my life was in jeopardy twice within a few minutes? Yesterday, at the same intersection I observed an accident between a new Jeep Cherokee and a truck pulling a tractor. The Sheriff was taking the report, and the people were walking around outside the vehicles, shaking their heads. At least there were no ambulances. Commerce Center Parkway appears to be destined to become a major thoroughfare, and traffic engineers from local government have been considering what to do. While they ponder, please be careful.

The PGA Traffic Circle was the location of at least 8 accidents in 2007. What's the lesson to be learned? Please drive slowly and carefully.

What can you do to help improve security and safety at PGA Village:

IN CASE OF EMERGENCY
CALL 911 FIRST
THEN CALL WACKENHUT
489-5798

TRAFFIC/PARKING COMPLAINTS
WITHIN PGA VILLAGE
CALL WACKENHUT 489-5798

KEEP YOUR GARAGE DOORS
CLOSED WHEN NOT IN USE

LOCK YOUR DOORS AND WINDOWS
& SET YOUR ALARMS

KEEP AN EYE OUT FOR YOUR
NEIGHBORS

REPORT SUSPICIOUS PEOPLE
AND VEHICLES
CALL 911 FIRST
THEN CALL WACKENHUT
489-5798

TRAFFIC FLOW FROM PGA TRAFFIC CIRCLE TO PEACOCK

By Dick Cota

One thing, on which all the residents of this community will agree, is the need to improve the traffic flow across I 95 via St. Lucie West Boulevard. Peak hour traffic across the present two lane bridge is horrendous, and will only worsen as the impact is felt of new communities and commercial activity planned west of us along with the proposed Mainstreet Village.

According to the DRI, as modified by Resolution 04-081, Kolter is required to widen the road from PGA circle to Peacock to 6-lanes when certain peak hour requirements are exceeded. This requirement includes the construction of a 6-lane bridge across I 95.

One mile south of the bridge in question,

the City is planning to construct a 6-lane interchange connecting I 95 to the new Crosstown Parkway, currently under construction. Current schedules call for the completion of this interchange by June of 2009. Concurrently the developer will connect to the Crosstown Parkway from Commerce Center Parkway south of the Verano Circle. The Crosstown Parkway will then continue west to Range Line Road.

In light of this plan, the developer has requested that the City of Port St. Lucie consider reducing the I 95/St. Lucie West Blvd. bridge requirement to 4-lanes under the assumption that the Crosstown Parkway will alleviate some

traffic from St. Lucie West Boulevard. The City requested the developer provide traffic studies to prove that 4-lanes are sufficient. These studies are complete, but have not been reviewed by the City.

PORI intends to obtain these traffic studies and hire an independent consultant to review them if necessary. Until further review, PORI will take no position on 4 vs. 6 lanes. Our interest is insuring our residents have the roadways they need to move traffic around and through our community adequately and, importantly, safely.

Hats Off to You!

PLEASE JOIN THE PORI BOARD FOR AN EVENING OF THANKS!!

WHERE: THE LEGACY GOLF AND TENNIS CLUB
9000 Clubhouse Drive
WHEN: SUNDAY, APRIL 15, 2007
LIBATIONS 5-6PM (CASH BAR)
BUFFET DINNER 6PM

\$20 PER PERSON (tax and tip included)

SEATING LIMITED TO THE FIRST 150 INDIVIDUAL PAID RESERVATIONS

MAKE CHECK PAYABLE TO: PROPERTY OWNERS OF THE RESERVE (PORI) BEFORE APRIL 1, 2007

MAIL TO: JANET DEERING 9629 Fairwood Court, Port Saint Lucie, Fl. 34986

Walk Defensively

By Jane Bachelor

Daylight savings time began several weeks early this year (and will last longer than in past years), and with the time change comes darkness longer in the mornings when many residents are power walking or jogging for good health before going to work or starting their recreational day of golf.

Because we are a neighborhood of limited-to-no sidewalks, bike paths and special lanes for recreational walking, jogging and bike riding, residents need to be extremely careful

Wear white or light-colored clothing, preferably with reflective materials on your shirt and shoes

Walk, jog facing traffic

Bike with traffic

Be aware of your surroundings and on-coming traffic—even if it means turning down or turning off your iPod or other ‘tunes’ device

Look both ways before crossing a street

Avoid crossing a street diagonally at a corner, where on-coming cars turning in your direction might not see

when out exercising before dawn and after dusk has settled in. We would hate for your health walk to turn into a hospital visit!

Observe these common “Rules of the Road” for your safety.

Following a few rules of caution around the neighborhood will help you arrive home safely from your morning’s, afternoon’s or evening’s jogging, walking or biking experience for good health and long life.

Compliance Committee

By Bob Simons

This Committee is part of the Traffic Safety & Rule Enforcement Program put in place by the Developer in July, 2004. Members include Lang’s local manager, Wackenhut’s supervisor and 5 residents. It meets monthly to review traffic and other citations issued during the preceding 30 days. Traffic violations receive warning notices for the first two incidents and a two-week transponder suspension for the third offense (during a running 12 month period). Fines may be



imposed for non-traffic violations such as parking boats, trailers or commercial vehicles on the property. Individuals receiving citations may appear and comment at the Committee meetings.

The March meeting was postponed pending Kolter’s appointment or reinstatement of resident representatives as promised at their POA Annual meeting. Similarly, we await their action to strengthen penalties for gross traffic violations and verbal or physical abuse of our security officers.

Update on Glades Power Park

FPL Ultra Supercritical Coal Plant *By Dr. Bobbi Conti*

In a double lawsuits filed in the past week, Conservancy of South Florida and Earthjustice groups charged that Tampa-based Lykes Brothers and FPL cut a deal with Glades County officials to illegally rezone 400,000 acres of Lykes land to allow the FPL to build a power plant at the edge of the Everglades.

The Lykes land, covering 90 percent of Glades County, had been zoned agriculture. The rezoning, quietly approved by Glades officials last year, inserted the letter "P" into line number 1,745 of a 2,100-line table in its land-use ordinance, according to the suit. That small alteration changed the uses permitted in agricultural areas to include power plants.

According to county officials, this change was supposed to help Lykes develop a 3,500-home community called Muse Village in another part of the county, not hide Florida Power & Light's plans for a new coal-fired plant near Lake Okeechobee. Lykes officials said they told the county to add

language to allow utilities on agricultural land" to provide power for Muse. FPL declined to comment connecting the proposed coal fired plant to this initiative.

Originally, FPL intended to build it in St. Lucie County. Through grass roots education and a strategic plan initiated through PORI, tremendous controversy was stirred. In November 2005, St. Lucie commissioners said no because of research identifying long term health issues, pollution of air and water, and concerns with possible violations of the County's Comprehensive Plan and zoning.

Then in February 2006, FPL began talking to Glades County officials about building a 1,960-megawatt plant. In September, FPL announced it would build the plant on about 5,000 acres of Lykes-owned farmland 5 miles northwest of Moore Haven. This places it within 70 miles of Everglades National Park and 40 miles

north of Big Cypress National Preserve.

Last week the Sierra Club, Florida Wildlife Federation and other environmental groups filed papers with the Public Service Commission to oppose the plant, citing concerns about the impact of pollution on the already imperiled Everglades.

These suits seek to stop Glades County from being able to use the new zoning for the FPL plant. There will be an Administrative hearing, the dates which have not been announced.

Your action in writing letters or emails to Governor Crist, Senator Ken Pruitt, U.S. Representative Tim Mahoney opposing this 'Ultra supercritical coal-fired plant' will certainly be appreciated by all, who rely on quality health, air and water for generations to come. Just by changing light bulbs in our homes to the fluorescent spiral lamps will help our community to conserve energy, necessary for sustainability into the future.

PRESIDENTS LETTER (CONTINUED FROM PAGE 1)

a delay of the meeting in an attempt to finalize the settlement. The Kolter attorney and County attorneys reduced each of the changes to writing, and then reconvened with the PORI board. We went over each and every change, reached agreement, and went to the Commission chambers with a recommendation from PORI, Kolter, and the County staff that the agreement be accepted. Thus a wonderful ending to almost two years of diligent research and efforts.

However, the proof is in the details!!!! When the final draft was received by PORI we discovered a number of changes in the wording. We were not going to allow that to happen AGAIN. PORI board members forwarded all the "changes" they had discovered to me and I met with Dan McIntyre. He con-

tacted Kolter's attorney and we were able to correct the problem. The agreement was signed on February 19, 2007 and sent to the judge.

The County consent agenda on March 13 included three items impacting the Reserve/PGA Village. The first was the conservation easement on the Red Cockaded Woodpecker land, which was part of the settlement agreement. The second was a letter from the County to the PGA Property Owners Association (the Master) indicating that they would not force the master association to enforce the upland habitat restrictions on private lots, which was part of the settlement agreement. The third was the conservation easements on the PGA Golf Courses, to the County, which included the City of PSL having third party en-

forcement ability. When we read that item, an immediate alert was sent to the Commissioners and County attorney objecting to the City having any jurisdiction over land in the County. The County attorney and Commissioners concurred and that condition was removed from the document. Finally... everything was in place.

There was an incredible amount of work that went into this entire process. A special thanks to everyone involved, especially, Dr. Mark Edwards. And now you know "the rest of the story."

Pamela Hammer, President
Property Owners of the Reserve, Inc.

Homeowner Associations vs. Advocacy Membership Organizations: Unique Differences

Dr. Bobbie Conti

As residents move into this community from different states, the need for a better understanding of the differences in governance of planned residential communities in the State of Florida and in the PGA Village/Reserve is apparent. We have both property owner associations and an advocacy membership organization (PORI).

PROPERTY OWNER ASSOCIATIONS

As a resident of PGA Village/Reserve, one automatically becomes a member of the local community POA and the Master POA. You pay a monthly fee to both, without choice. Your choice was made when you decided that this community was where you wished to live, work, and play.

In your local neighborhood, of which there are approximately thirty within PGA Village/Reserve, your POA has monthly board meetings which are public and open for your attendance and participation. There are from three to five Directors, elected by the residents of the local POA. There is plenty of opportunity for one to be involved, if one so chooses.

Special laws governing homeowner associations in Florida were first enacted in 1992. Special statutory provisions have been expanded and refined in the years 1995, 1997, 2004, and 2006. Special statutory provisions relating to mandatory homeowner associations were assigned to a separate chapter of the Florida Statutes-Chapter 720 in 2000.

Homeowner associations are “created to preserve the concept of planned residential living, and the officers and directors are charged with the responsibility of insuring its success. These responsibilities can be significant and their implementation is governed by formal procedures....” (Dunbar, P. & Dudley, C. p.ix)

Enforcing the covenants and restrictions is a major component of the work for the leadership of the homeowner associations. They must balance the rights of the individual owners with the goals set by the community.

What is so significant about mandatory homeowner associations is that the elected boards must carry out their respective duties within the confines of the governing documents, parliamentary procedure, and the applicable Florida State laws. Membership is mandatory for all residents by law.

“The purpose of this article is to bring greater understanding to our members as to the significance of these two immensely different organizations, and provide an explanation worthy of dialogue among others.”

It is highly recommended, for individuals serving on any of the homeowners associations boards, to have in hand a copy of *The Law of Florida Homeowners Associations*, by Peter M. Dunbar, Esq. & Charles F. Dudley, Esq., sixth edition, 2005. This is a paperback and can be obtained in local book stores or Amazon.com.

ADVOCACY MEMBERSHIP ORGANIZATION, i. e. PORI Property Owners of the Reserve, Inc.

PORI was started approximately thirteen years ago, by a group of residents interested in protecting the community as it changed developers and was on the brink of greatly enlarging and potentially changing in character.

Advocacy organizations typically originate at the grassroots by interested citizens who define a need to organize around a purpose, so as to be heard and recognized. Often these organizations take on a life of their own; short term or long term. Their issues vary, depending on the interests of the members, for purposes of remaining in an advocacy role for the represented group locally, regionally, etc.

Unlike mandatory homeowner’s organizations, an advocacy membership group is not governed by state statute. They are governed by Bylaws, developed by the originating group, and can be changed upon the will of the elected governing board.

These organizations develop their own infrastructure, (number of members on the board, committee structure, official positions, etc.) that may vary from time to time; depending on the needs of what the organization determines are priorities. They operate in real time; meaning that if a problem or issue arises today, they can support or oppose it today or tomorrow. Depending on the

human and material resources available, such an organization can be working on multiple complex issues at one time on behalf of their membership constituency and are free to choose what they will address and how it will be done. The boundaries of focus usually remain flexible, which is quite different from a homeowner association governing a designated community of homeowners.

Membership is the source of financial support for all activities undertaken. The reputation of such an advocacy organization is as good as its’ record of achievement and conduct in carrying out the specified course of action and slate of priorities.

Continued on Page 7

Settlement Agreement

Horace Webb / Pamela Hammer

The agreement recently signed between the Board of County Commissioners and Kolter does more than eliminate micro-siting on private residential lots, create permanent conservation easements for the Red Cockaded Woodpecker land, and provide for recreation areas for our children. The agreement also requires Kolter to turn over the Master Association POA to the owners of PGA Village/Reserve on or before December 31, 2007.

Turnover is a significant provision of the agreement because it means the operation of PGA Village/Reserve will soon be governed and managed by the owners.

As a first step in the process of turnover, Kolter has agreed to work with the presidents of the various Homeowner Associations within the Village to create an orderly process for the election of a new Board of Directors. This election must be conducted within the framework of the Florida Law

that governs Homeowner Associations. The meeting with the association presidents should be scheduled before the end of March.



Once the election of the new Board of Directors takes place in July/August the new Board will begin the process of hiring a forensic accountant to review all financial matters, an engineer to evaluate roads, storm drains, buildings, etc. and an attorney to assist with the final details of "Turnover." Turnover negotiations DO NOT end on December 31, 2007. This process could take up to three years, but the owners will be in control of the Master Association Board and the budget.

We are about to embark on an exciting new era as owners of PGA Village/Reserve. But with this excitement comes the thought of the responsibility of running a major business, which has an important goal: And that is to maintain the quality of life all of us expected as we made our decisions to purchase in PGA Village/Reserve.

Homeowner Associations vs. Advocacy Membership Organizations: Unique Differences *(continued)*

PORI has achieved excellent standing in the community and in the County of St. Lucie relative to the advocacy activities by its leadership and members. PORI is credited with numerous accomplishments; blocked a planned connector road from Verona to Champions Way, forcing Kolter to build Village Parkway, obtained the Glades Sewer Plant settlement with the City of Port St. Lucie including concessions from the city on noise, operations, staffing, lighting, odor and water

quality, secured agreement that the City of PSL would not annex PGA Village/Reserve in the future which maintained the taxes at the County level, lead the opposition to the proposed FPL Super Critical Coal fired plant preventing its construction in St. Lucie County, filed for mediation to obtain 2002-2004 financial records of the Master Association, was a lead partner in the development of the Kolter settlement agreement relative to the DRI which achieved turnover for the community in

2008, etc.

The future of PORI rests with the demand for its existence, as it differs immensely in its mission from that of the Master Property Owner's Association (POA). As with any new organization starting, it will take time for the owner controlled POA to get organized, have the new Board of Directors determine their integrated roles and carry out the business of PGA Village/The Reserve on behalf of the residents.

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