

Minutes of the DKCB dba DKPOA Annual Meeting 1/27/19

Dave Williamson called the meeting to order at 1:15 pm

Dave W gave a brief overview of DKPOA plans for 2019 and asked that everyone please look over the minutes of 2018 that were distributed.

Motion to approve the agenda and the minutes, First by Van Waddill, Second Richard Sherman

All in Favor.

Dave W shared a power point of the 19 new DKPOA members that have joined us to date in 2019.

Dave W then introduced the board and briefly focused on the credentials of our latest board member, John Wolfe who is replacing Brian Lancaster.

2019 Board includes Dave Williamson, President, Ron Oestreicher, Treasurer, Chris Waddill, Secretary, Ellen Tanis, Betsy Lefler, John Wolfe, Barbara McKinney, John Schwarz

There were no nominations from the floor for any additional new Board members.

After complimenting the Board, Dave W. called for a motion to ratify the Board, First Erik Zeller, Second Charles Morris.

Motion carried.

Dave W. then introduced Jo Ann Orr and complimented her financial work for DKPOA, DKCB, Club Duck Key and the Canal Fund Raising Committee. She was presented with a gift certificate.

Brian Lancaster was also recognized for his many years of service to DKCB/DKPOA .

Dave W. introduced the members of the Canal Maintenance Dredging Fund Raising Committee

John Schwarz, Chris Waddill, Lois Grayden, Cathy Eschmann and Laurie Oestreicher.

John Wolfe then reviewed both the Vision and Mission statement of our organization and emphasized the importance of community involvement for the continued success of our objectives.

President's report on progress in 2018

Planting of trees had to be delayed because of Ira but ultimately 118 trees were planted on empty lots. Dave W pointed out that in order to plant these trees, a lot of interaction with the county took place and individual letters of approval were obtained from each home owner. He complimented the Oestreichers for the tedious process of staking out the location of the trees and shared that Cesar (Oceanica Tree Service) planted and maintains the trees.

Another highlight of 2018 was the island wide clean up that took place on March 17th. Cesar helped (at no charge) with the cleanup

Also the permits were obtained to do the canal dredging project and a contractor was selected who gave us a very reasonable price and a good timeline. Attempts to obtain these permits in 2014 were first denied (in 2014) and finally obtained in 2018.

John Wolfe pointed out that the island to our north was denied a permit on its canals and that it has been several decades since a dredging permit has been approved in the keys.

Numerous interactions and meeting with the county took places on issues related to illegal rentals, county owned lots, hazards from private lots that are not maintained and other Duck Key issues.

Also we are providing landscape maintenance of the gardens, lift stations , providing buckets to new residents, giving the county input on the plans for the new bridges and giving our members ID's to obtain local discounts.

Question was raised on illegal rental which was deferred until the Commissioner Rice was here.

Another question was asked about the cleanup of county owned lots ,and the challenge of rotting vegetation which is a fire and rodent hazard. Question need to be raised with the county officials but the main challenge is their lack of adequate numbers of personal

Comment was made that we can all help on cleanup as we see debris around the island

Dave W thanked Ellen and her assistants for distributing the welcome buckets as it acquaints new residents with the various organizations on the island.

Dave W also shared that Bob Barnes was doing spalling work on the finials and other areas on the bridges that require repair.

He also cautioned that people need to have their discount cards available at the time of service at Hawk's Cay and other places. (the discount list was presented)

Ron O then shared the data on the number of properties on Duck Key (662 total) which includes 456 homes and 206 lots of which 99 of those lots are owned by the county

DKPOA had 216 members in 2018 total and to date in 2019, we already have 165 paid members including the 19 new members.

We still have 50% of the people that live on Duck Key who are not members of DKPOA.

Ron O then presented the survey results collected as of today. For DKPOA, people want continued beautification efforts, enforcement of maintenance codes on unimproved lots, enforcements of illegal rentals and the establishment of a bridge committee to liason with the county . Ron indicated that the contact number for enforcement concerns will be shared on a later slide.

Question, when will they start on the bridge replacement? Deferred to Commissioner Rice

Also deferred was a question on the issue of boat trailers on vacant lots on Duck Key.

Question, What counts as developed lot----Answer- when it has a residential house on it.

Treasurer's Report-Ron O- 59,286 in Total Revenue (includes dues plus additional gifts) for 2018

Total Expenses for the same year-----84,320 – The vast majority of these funds were spent on beautification

2018 year end cash assets- 47,703

We held revenue over from 2017 because of Irma and the lack of ability to do plantings

Also we have more revenue taken in as dues were requested for 2019 at the end of 2018 instead of sending out dues request (for 2019) in January of 2019

Motion was made to accept the report of the treasurer, First by Roger Marriott ,Second by Sylvia Hernandez

Motion passed

2019 Goals for DKPOA and DKCB-Barbara M.

Beautification

---Cleanup Day scheduled for March 2nd—please sign up to help. We will be joined by the county to help in this effort

Will be planting more palm trees

Will continue to work with the county to press for cleanup of county lots as well as address ways of having the county help us push owners of unimproved lots to remove waste to avoid rotting vegetation and rats and other undesirable mammals and non mammals (iguanas, etc)

Can we work with the county on a plan to park RV's, boat trailers, etc on county owned lots ?

DREDGING

Need to raise the additional 55,000 and finalize the contractor's permit so that we can execute the dredging project ASAP

Other key work, with the county on the Bridge replacement project, develop a plan to repair the south and east breakwaters, and consider additional community projects based on the needs of our citizens.

To accomplish these goals we need more volunteer involvement, more funding , willingness of citizens to help with various committees or serve on the Board and finally to take the initiative to report problems to Code Compliance Complaint at <https://www.monroecounty-fl.gov/forms.aspx?FID=74>

Reminder, we will need a committee to work on the breakwall project , the obtaining of permits for the canal dredging literally took hundreds of hours

2019 DKPOA Beautification Budget

Based on a 20% increase in revenue which would be raised if we had 260 members

Revenue projected---60,560

Expenses-----60,525 which includes the purchase of more trees plus maintenance of current trees and gardens plus communication and Welcome packages

DKPOA maintains a cash reserve of 25,000

Question about county lots- They do not generate revenue?

Motion to approve the Beautification Budget, First, Dale Ratza , second, Kevin White

Motion approved.

Thanks to Ernest and April Valdez for providing trees at a reasonable price and to Cesar from Oceanica for planting and maintaining the trees.

Duck Key Canal Maintenance Dredging Project- Chris

The five areas that have been permitted for dredging were detailed on the map included in the power point with the largest area being the west entrance to the canal along West Seaview Drive Circle

Tom Merryman of LPS Utilities was selected as our contractor based on his knowledge of Duck Key and its canals as well as his attractive terms. The website of LPS utilities was identified as a excellent site to review his projects.

Cost of the dredging is 150,000 and the cost of the mitigating damage to sea grass , imposed by the Army Corp of Engineers , will be 157,000.

John Wolfe explained that there has been a moratorium on dredging based on a decision made by the state in the 1970's that the Florida Keys falls under a comprehensive county plan that allows decisions of this nature to be governed by both the county and the state. The state of Florida designated the Keys as an area of state concern .

Ron O then presented a video that demonstrated what would occur during the dredging process.

Dave W then introduced Tom Merryman to the audience for any questions. Dave also commented that he had inspected one of the sites that Tom was working on and was complimentary on how clean the streets were in spite of tons of fill being removed.

Tom explained that the fine imposed on this project would be used to plant sea grass in other locations.

He was asked how deep will dredging take place, answer was five feet at mean low tide

Tom commented on his long association with Duck Key and that he had moved permanently to the island last year. He was very complimentary to those involved in obtaining the permits and shared that the fill will be taken to the Marathon Golf Club. He anticipated that 200-300 tons would be removed from the island and no, he was not being paid for the fill.

Question: These trucks, filled with debris will be heavy. Tom replied that he was well aware of the limitations and has adjusted his plans accordingly. He

Question , How long will the the canals remain at the proper depth , Answer, that depends on nature but he advised that like the tree planting project that the Army corp permits should be kept open and that means they will be open for two years and then the permit can be extended for a additional year.

2019 DKCB Dredging Project Funding- Chris

To date a grand total of 297,812 has been raised from 55 generous donors and 112,850 of this total has been raised from December 1 2018 to Jan 24 . Thanks to all donors and for the generous amount raised.

Chris pointed out that the five boards located near the entrance to the club showed who had contributed and at what level.

Money was expended to obtain the permits and 67,102 dollars of additional contributions were needed to finish the project.

Two checks were contributed at the meeting and one was handed to Chris by Tom Merryman from Charlie Morse. She recognized Charlie as well as Jim Boback who also contributed more funds. (he had already donated)

We then presented on power points, the 55 donors and the levels they donated at.

We now have canal maintenance brochures that were located on chairs around the room and we encourage people to both use these brochures to consider making a donation and to share these brochures with others who were not in attendance

Ron observed that John Schwarz took tremendous responsibility as starting the project 4 plus years ago and continues to drive the effort.

Dave W then introduced Dave Rice, our county commissioner who made some general comments. He emphasized that Monroe county was declared an area of critical concern 30 plus years ago. He told us that as part of this mandate, our development is based on the number of people who can live here is based on estimates on how many people can evacuate the Keys in a 24 hour period. He said that there was an upcoming meeting on Rogo to further discuss the data that was used to determine the 24 hour evacuation period that now effects 6,000 undeveloped parcels of property. He reminded us that this law was put into place a long time ago and there is a possibility that it will be re-evaluated. Also there will be a 2020 census of the number of people that are here on a permanent basis that could affect the upcoming challenge of insufficient permits available for all of the privately owned parcels.

Dave R commented on the his "drive around" of Duck Key before the meeting and that he felt that it looked pretty good , particularly compared to other locations in Monroe county. Other canals in the county took a lot more debris and there is a lot more cleanup that needs to be done in canals and other properties.

Question was raised about the weight of county trucks used on our bridges which is now limited

Answer was that truck size was being monitored for county vehicles used on the island

David Rice then introduced the team of county Administrators that had accompanied him to our meeting. (referred to them as his senior team)

Bob Schillinger, Attorney

Cynthia McPherson, Code Compliance

Charles Pattison, Executive director, Monroe County Land Authority

Kevin Wilson, Assistant County Administrator/Public Works Division Director

Roman Gastesi, County Administrator

Christine Hurley, Assistant County Administrator/Public Works

Additional comments by David Rice

There is lots of debris in canals, however the county is in the final phase of cleanup that can be done with federal and state money- there is more that they would like to do if approved.

Reinforced that the county was trying to reduce their financial liability by buying up lots as the state ruling on the 2023 permits could not be declined by the county.

He pointed out that one lawsuit in 2000 with a private landowner had cost the county 5.9 million dollars.

The issue of affordable housing – everyone wants it, just not in their back yard. And pointed out that A. F. puts more permits per acre of land. The one exception in our area is that Conch Key has agreed to allow affordable housing .

Roman Gastesi

Discussed the impact of Hurricane Irma---so far has cost the county 42 million dollars and to date the county has received 7 million from FEMA and 5 million back from insurance companies.

This has forced the county to borrow 30 million to cover the multiple costs. For example, 2 and ½ yards of debris (which would normally be 12 and ½ years of debris) was removed after Irma.

He shared that 500 canals were impacted heavily by Irma and 172 canals have been cleaned up. One bright light is that the Florida Department of Agriculture granted the county money to help cleanup 172 of the canals that were the worst affected.

We now have a new air strip at the Key West airport

On Feb 5th, a five year business plan will be worked on by the BOCC, inputs was collected by many face to face meetings plus thousands of facebook responses.

Dave R. then proceeded to the question and answer period and indicated that he would be calling on his administrators for most of the answers.

Question, Sylvia H-what are the alternatives to mitigate the 2023 lawsuits.

David R –Raise taxes (not a popular alternative) Perhaps there are different ways to plan use of these lots that is not residential such as private lots for boat storage, other forms of community use, likely not a solution for lots on Duck Key.

Trying to acquire as many lots as possible, but hard especially if owners have had the lots for a long time.

Work with residents who own a lot adjacent to them who will agree not to build on it but use it for nonresidential purposes.

Question Dave W—use of conservation lots for trailers, etc

Answer was that there was not much flexibility with conservation lots but more possibilities with density lots. One option might be a situation where there could be some flipping of use permits.

Another possibility may be slowing down of the Rogo laws which could be based on the 2020 census data.

Dave R—another idea- could the association buy lots but laws would have to be changed.

Question Last year, Could county residents use adjacent lots for various purposes

Answer, not conservation lots, prohibited for anything but conservation.

The Commission must define what constitutes another use—currently not defined. If this is accomplished the lots would be open to all bids.

Question- what can be done with lots/houses that are not being maintained and have code violations.

Answer, Code officers are working on identifying these situations, particularly unsafe structures. Cynthia M. described how you can go online to start a case to get code officers to come out and start a claim. Several lots and homes in Duck Key are on their radar.

This online site allows you to search properties by status to see the status of the complaint, the case number, dates and details and inspection results.

Question Rick Sherman—any possibility of the Marathon Airport reopening

Dave R indicated that the BOCC is looking at this but he is not optimistic. Some airlines have expressed interest but they want a revenue promise of a certain amount.

Another question on lot buyouts—again the answer was can a buyout program meet the standards of the Fla Keys Protection Act. Both the law and enforcement would be challenging.

Question—How many people are working on concerns related to vacation rentals. Answer: One full time staff and two assistants.

Question Can more be hired? Commission has added two additional positions but for all code enforcement, not just vacation rentals. It was explained that most of the work was done by researching rental sites and focus on false advertising. Fines based on how you advertise and the highest fine allowed is 15,000 dollars. Typically they are studying 20-25 cases per month.

Also lawyers on the staff get involved when there are criminal and financial implications to a case. If a property is renting, taxes may be higher for the owner.

Question about conservation lots, some that originally were cleaned up but are now a mess again.

Answer-Give them the location and they will pursue.

What about lots where large trees are down? A little more complex when trees are being looked at but the county will look at and access if they have a address.

Ron O. Thanked the BOCC for the help with tree planting and the canal project.

Dave W. asked for some discussion from the panel about the breakwater issues.

Dave R – his recollection was that a state organization constructed the breakwater in 1998. Not sure who actually did the work but indicated that the work was never finished and that he would check and see if any state help could be given to this project.

Motion for adjournment was made Sylvia H, , First, Van Waddill, Second

Motion passed.

Minutes were recorded by Chris Waddill, Secretary