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VOLUME 2 ISSUE 9

SEPTEMBER, 2008

Next General Meeting

The Florida Keys Contractors Association will hold its next General Meeting Tuesday, October 7, 2008 at 12:00 noon, at Sombrero Country Club in Marathon.

Come out and meet Robert Kirby, Enforcement Section, U.S. Army, Corps of Engineers. He will discuss the Enforcement program's general goals of 1) assuring compliance with the Department of the Army's permits and 2) desire to maintain a level playing field for all in the Keys. They are doing some things differently in Monroe related to minor permits, that he will touch on.

We are inviting Ronda Norman, Director of Code Enforcement for Monroe County, to speak on Code Enforcement issues and the new special Code Enforcement Officer.

Also, meet our State Representative, Ron Saunders who will update us on new issues with the State.

There will be a soup, salad, sandwich buffet available for purchase. If you have any questions, please do not hesitate to call 743-9409.



Don't forget the
Boat Poker Run
New Date:
Saturday, Sept 27.



**MARK YOUR CALENDAR FOR THESE UPCOMING MEETINGS
OF THE BOCC, BOCC WORKSHOP, COUNTY PLANNING COMMISSION, CEB, BOAF AND
MARATHON CITY COUNCIL, CODE BOARD AND PLANNING COMMISSION**

SEPTEMBER/OCTOBER 2008

DATE	TIME	TYPE OF MEETING	LOCATION
9/9 (Tue)	5:30pm	Marathon City Council Meeting	Marathon Gov. Center (2798 O/S Hwy, 2 nd Floor)
9/10 (Wed)	10am	Planning Commission Meeting	Marathon Gov. Center (2798 O/S Hwy, 2 nd Floor)
9/10 (Wed)	6:00pm	City of Marathon Code Board Meeting	Marathon Fire Station #14 (8900 O/S Hwy)
9/15(Mon)	5:30pm	City of Marathon Planning Commission Meeting	Marathon Fire Station #14 (8900 O/S Hwy)
9/17-9/18 (Wed/Thu)	9am	BOCC	Harvey Gov Center (1200 Truman Ave, KW)
9/17 (Wed)	7pm	BOAF	Marathon Gov. Center (2798 O/S Hwy, 2 nd Floor)
9/23 (Tue)	5:30pm	Marathon City Council Meeting	Marathon Gov. Center (2798 O/S Hwy, 2 nd Floor)
9/24 (Wed)	10am	Planning Commission Meeting	Marathon Gov. Center (2798 O/S Hwy, 2 nd Floor)
9/30 (Tue)	9:30am	CEB	Marathon Gov. Center (2798 O/S Hwy, 2 nd Floor)
10/1 (Wed)	10am	BOCC Workshop Meeting Tradewinds Shopping Center	Key Largo Library (101485 OS Hwy, MM 101)
10/8 (Wed)	10am	Planning Commission Meeting	Marathon Gov. Center (2798 O/S Hwy, 2 nd Floor)
10/8 (Wed)	6:00pm	City of Marathon Code Board Meeting	Marathon Fire Station #14 (8900 O/S Hwy)
10/14 (Tue)	5:30pm	Marathon City Council Meeting	Marathon Gov. Center (2798 O/S Hwy, 2 nd Floor)
10/15 (Wed)	7pm	BOAF	Sugarloaf Fire Station
10/15-10/16 (Wed/Thu)	9am	BOCC	Harvey Gov Center (1200 Truman Ave, KW)

Calendar continued on p. 3

SEPTEMBER/OCTOBER 2008 (cont'd)

DATE	TIME	TYPE OF MEETING	LOCATION
10/20 (Mon)	5:30pm	City of Marathon Planning Commission Meeting	Marathon Sheriff's Hanger (10100 O/S Hwy, 2 nd Floor)
10/22 (Wed)	10am	Planning Commission Meeting	Marathon Gov. Center (2798 O/S Hwy, 2 nd Floor)
10/28 (Tue)	5:30pm	Marathon City Council Meeting	Marathon Gov. Center (2798 O/S Hwy, 2 nd Floor)



**FKCA FIRST ANNUAL BOAT POKER RUN
NEW DATE!!
COME BY LAND OR SEA**



The Florida Keys Contractors Association will be hosting our First Annual Boat Poker Run on Saturday, September 27, 2008. The fund-raising event will be held in the beautiful waters off Marathon.

- Registration and Starting Line is at Frosty's Restaurant & Sunset Tiki Bar in Marathon from 10:30 am to 11:30 am. You can go by land or sea
- One Poker Hand for \$30 or 3 Poker Hands for \$50
- There will be 5 to 7 Poker Ports to get your Poker Hand
- Rules and guidelines will be given out at registration along with a list of ports.
- Cash Prizes, 50/50 drawing and specials offered at each stop
- Cash Prizes will be awarded for 1st through 3rd place.
- The day will conclude with the Poker Run Party at 3:30 pm, with free food and a cash bar.

Plan on a great day on the water with other members, family and friends of the FKCA!

For additional information, please contact:

Chris Gratton, Chairman
Boat Poker Run Committee
481-1582



Contractor's Examining Board Hearing July 29, 2008

The Contractors Examining Board is the construction related disciplinary board that handles code enforcement charges brought against contractors and individuals in Monroe County. The actions that the Board took at their July 29th, 2008 meeting are as follows:

Hellberg, Thomas Richard, Greenwise Construction & Roofing, LLC, CE08050036, MCC 6-66(8)(b), To knowing combine or conspire with an uncertified or unregistered person, found In Violation, No further action to be taken.

Muguerza, Martin, Palisades Construction Co., Inc, CE08050023, MCC 6-66(8)(b), To knowing combine or conspire with an uncertified or unregistered person, Found In Violation, No further action to be taken.

Miguel, Valerio, CE08050022, MCC 6-57(a), Advertising without a valid certificate of competency, Appeal Denied, fine of \$500 stands and must be paid within 30 days.

Domiano, Thomas, Arbor Tech Tree and Landscape, Inc.,

CE08030110, MCC 6-25, Unlicensed contracting, found In Violation, fined \$1000 plus \$100 administrative cost fee, must be paid within 30 days of hearing or license is to be suspended until fine is paid.

Domiano, Thomas, Arbor Tech Tree & Landscape, Inc., CE08030111, MCC 6-57(a), Advertising without a valid certificate of competency, found In Violation, Fined \$1000 plus \$100 administrative cost fee. Fine to be paid within 30 days of hearing or license is to be suspended until fine is paid.

Kulp, Robert A., CE06120178, MCC 6-25, Unlicensed contracting, Appeal granted.

Petterson, David Mike, CE06120181, MCC 6-25, Unlicensed contracting, Appeal granted.

Nance, Robert Ray, Mid-State Aluminum, LLC., CE08040195, MCC 6-66(10)(a), Work without benefit of permit, Found In Violation, No Further Action recommended.

ATTENTION CONTRACTORS AND OWNER/BUILDERS

You can request an inspection by E-MAIL.

Middle & Lower Keys:

lowerkeysinspections@monroecounty-fl.gov

Upper Keys:

upperkeysinspections@monroecounty-fl.gov

Your request should include the permit number, the address, type of inspection needed, and the contact person's name and phone #.

(Owner/Builders must be on site for inspection.)

.....As always, approved plans must be posted with House # and permit card visible from the street

.....No inspection appointments can be set up

**.....Inspection requests must be received by phone or email prior to 7:00 a.m. for inspections that day.
Requests received after 7 a.m. will be scheduled the following day**

This service brought to you by your Monroe County Building Department and is the new preferred method for requesting inspections.

Commentary: ACOE and DEP Permit Time — Unacceptable

The best part of living in the Florida Keys is being between the ocean and the Gulf of Mexico, with its backcountry islands to explore. A boat is a must. Having that boat behind your home is sweet. For this you need a seawall, either a Bulkhead or retaining wall, and a set of davits or a boat a lift allows easy maintenance.

To build a seawall the first step is to get professional drawings and submit these along with a permit application to the Army Corps of Engineers, ACOE.

So who is the ACOE:

The U.S. Army Corps of Engineers regulatory program is one of the oldest in the Federal Government. Initially, it served a fairly simple, straightforward purpose: to protect and maintain the navigable capacity of the nation's waters. Time, changing public needs, evolving policy, case law, and new statutory mandates have changed the complexion of the program, adding to its breadth, complexity, and authority.

The Corps has been involved in regulating activities by others in navigable waterways through the granting of permits since passage of the Rivers & Harbors Act of 1899. At first, this program was meant to prevent obstructions to navigation, although an early 20th century law gave us regulatory authority over the dumping of trash and sewage. Passage of the Clean Water Act in 1972 greatly broadened this role by giving the Corps authority over dredging and filling in the "waters of the United States," including many wetlands. So, what do we do?

Florida is known throughout the world for its sub-tropical environment, beaches, waterways and numerous wetlands. The state has a vast system of wetlands indicative of its geologic history as a submerged island system.

Areas such as the Everglades, Lake Okeechobee and the St. Johns River drainage basin have been designated as areas of national importance. Our coastal beaches draw millions of visitors each year. Maintaining these environments while allowing for construction to accommodate the many people who move to this region each year is a complex task. The Jacksonville Regulatory Division has 14 Branch offices located throughout the state and Puerto Rico with over 100 staff members when fully staffed. This allows the Regulatory Division to evaluate thousands of permit actions each year.

For the people living in the Florida Keys our permit application gets sent to Miami. No longer is there an office located in the Keys. This process, I'll admit, is lengthy and a reasonable time frame of 90 or 120 days would be acceptable for a simple retaining wall, maybe a little more time for a more complicated application with bulkhead, fill or dredging for a large marina.

I had applied for a simple retaining wall with davits on a canal in what ACOE calls a "Traditional Navigable Waterway that flows

into Florida Bay". This is not a big or complicated project being built, just a 40' long by 8' wide retaining wall on 150' wide canal lot, a few augured holes for the wall and davits, and remove approximately 11 cubic yards of fill that we put there when we built the home.

We were prepared for a large lump sum cash payout for mitigation on either the buttonwood hedge we put in a while ago that needs to come out or the manatee that we might see swimming up and down the canal in the winter, or for whatever reason ACOE sees fit to charge you mitigation fees. Surprisingly, there was no mitigation fee after hearing rumors of numbers like tens of thousands of dollars being collected.

Stated before, professionally engineered drawings and a permit application were filled out and sent to ACOE. The time frame we were told for such a project was a mouth-dropping 18 months. So what does ACOE have to do to approve such a small project? The Department of Protection (DEP) I am told has their review period, but still..... a year and a half?!

So who is DEP?

"The Department of Environmental Protection protects, conserves and manages Florida's natural resources and enforces the State's environmental laws".

Finally the wait is over and the manila folder had arrived in my mail box. We had almost forgotten we applied for a seawall/davit permit and it took a moment to realize just what we were looking at.

Stamped on the plans we got back is "Received Sept 29, 2005 DEP Marathon". ACOE had an office in Marathon at the time we submitted. It took until November 21, 2006 for the Miami field office of the ACOE to receive it although another stamp by the Miami Regulatory Office of the ACOE is dated 2005 with no month....go figure! That's 14 month to get from one location of the same governmental agency to another location. This is still not the end of this. We finally received our approved ACOE permit with it stamped (are you ready for this!) July 02, 2008. Count it out; it is 2 months shy of 3 years to get approval from two Governmental agencies!

This is unacceptable. I have never been in the seawall or dock business but cannot imagine trying to be in a business that takes 3 years to get a permit for something that small, with no environmental impact or mitigation. We the people need to let our official know how out of whack things have gotten.

And oh, by the way, we still need a local Monroe County permit before we can start working on our sea wall.

David W. Tuttle

DAVID MULLINS

4/24/1950 – 8/23/2008



On August 23, 2008 the Florida Keys Contractors Association lost one of our own, Sunrise Construction's David Mullins. He gave into his strong battle against cancer. Dave's character, dignity and integrity will surely be missed by all who knew him. Our thoughts and prayers are with his family and friends. His loving wife Lorie asks that in Dave's memory, in lieu of flowers that donations are given to the Keys Center for Girls at FKCC, 5901 College Road, Key West, FL 33050.

A celebration of the life of David Mullins was held at Castaway Restaurant in Marathon on Sunday, August 31, 2008.



!!!! More Award Winning Construction!!!!

Thank You to Special Code Enforcement Officer

The Florida Keys Contractors Association would like to thank the Special Code Enforcement Officer, Lynn Tscouchlos, for the outstanding job she is doing checking jobsites for illegal and unlicensed workers in Monroe County. She has held this position for approximately 7 weeks and in that time she has handed out 43 citations. Great job, Lynn!

We would also like to thank Ronda Norman and Drew Trivette for their help in this matter. Without their support and the support of Monroe County Commissioners, we could not have accomplished this. Thanks again to all for a job well done.

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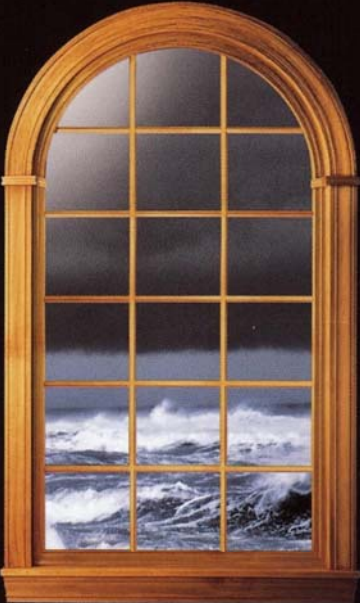
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½ page ad - \$47.92 per month

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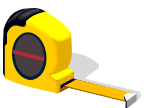
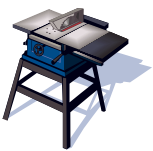
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MEMBERSHIP APPLICATION



P ... () Corporation
I Application for Membership is hereby made for a ... () Partnership
e ... () Individual
a Business Name: _____ c.c.# _____
Corporation, Partnership or Individual
e Business Address: _____
Street or P.O. Box City State Zip Code
P Business Telephone: _____ Fax: _____ Home: _____
r Cell/Mobile: _____ E-mail: _____
i
n
t Applicant: _____ Contact/Representative: _____

P
r
i
n
t

Membership Dues: Dues for Membership Application are ...\$300.00

Application is hereby made for membership in the Florida Keys Contractor's Association, Inc. If approved, applicant will abide by the Association's Charter and Bylaws, will support its objectives and pay all established dues and assessments.

Date: _____ Signed: _____

Applicant sponsored by: _____

For Association use only

The above application is hereby approved by the Board of Directors for membership.

Membership dues in the amount of \$ _____ received.

Date: _____ Florida Keys Contractor's Association, Inc.

By: _____
Name & Title

Florida Keys Contractor's Association

For information, please contact the FKCA at:

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