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## *FKCA 2nd Annual FKCA Poker Run Postponed*

*At this time the Board of Directors has elected to postpone the FKCA 2nd Annual Poker Run until the spring. With the poker run being a member supported/driven event, the Board feels with today's economic times it would be in the interest of our members to postpone the event.*



## Welcome New Members

BC Enterprise, Inc.  
A1A Butch Blast, Inc.

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FKCA Members,

Your FKCA Board Members would like to clarify the various recent newspaper articles that have mentioned a \$ 50.00 registration fee for contractors that operate within the City of Marathon.

The FKCA Board first met with City of Marathon officials on July 1<sup>st</sup> in response to an e-mail sent out on June 22<sup>nd</sup> from a City official seeking input from contractors. In our meeting we discussed solutions for unlicensed contracting and easy identification of licensed contractors once they are registered utilizing a \$ 5.00 sticker for the first company vehicle and then \$ 1.00 per sticker for each additional vehicle, which we "agreed" would be a good idea. We also discussed an \$ 11.00 permit fee on all permits issued in addition to the current \$ 65.00 application fee, which would help fund code enforcement and add to the funds provided by the vehicle sticker fees. We talked about tracking owner/builder contractors, increasing fines for not carrying insurance and not having a license number posted on vehicles which is required by the State, work closer with the Monroe County Sheriff's department in dealing with unlicensed contractors and get input by using a magistrate in lieu of a code board.

Our main topic was the City's desire to charge a \$ 50.00 fee to register each contractor with the City of Marathon so they could have a better tracking system. All of the FKCA Board Members "disagreed" with a registration fee because the funds would not go to code enforcement. FKCA has "never" supported the \$ 50.00 fee because it would only impact contractors and not homeowners or anyone else. State licensed contractors are exempt from municipality registration fees so the City would not generate funding from the State contractors. The City officials asked FKCA Board Members for more ideas on how to support code enforcement and we agreed to further discussions and meetings.

July 19<sup>th</sup> the FKCA sent an e-mail asking for another meeting to occur on July 21<sup>st</sup> for further discussions from our July 1<sup>st</sup> meeting which included an attachment of the notes from that meeting.

July 21<sup>st</sup> FKCA met again with city officials and opened the meeting with acknowledgement that we would "move away" from any \$ 50.00 registration fee and support other ways of funding code enforcement. Our notes from that meeting included a shortfall of funds for code enforcement. The meeting included several ways of collecting funds for code enforcement of which "none" of those included a \$ 50.00 fee for contractors.

August 11<sup>th</sup> FKCA sent another e-mail requesting a meeting on August 19<sup>th</sup> to finalize their proposal to council before their next budget meeting. The City responded with an e-mail stating that all of our ideas ultimately lie with the City Council and was not generally well received when presented to them.

August 21<sup>st</sup> the city's article was published in the Keynoter "City Looks for Budget Savings" stating that contractors were in support of the \$ 50 fee. That is when the FKCA had to respond with a letter stating we were "Not" in agreement with the \$ 50.00 registration fee for contractors. FKCA has "never" supported the \$ 50.00 registration fee.

The FKCA will be responding to the recent articles in the newspapers clarifying the impression that we "flip-flopped" on the \$ 50 registration fee.

If you have any questions, comments or concerns please feel free to email us at [admin@floridakeyscontractorsassoc.com](mailto:admin@floridakeyscontractorsassoc.com).

FKCA Board of Directors

# City of Marathon Surcharge

## DCA/DBPR 3% Surcharge...

This is to inform our contractors of a new tax that began Friday, October 1st, 2010.

The radon tax has been eliminated. In its place we are required by the State to charge a double 1.5% surcharge for DCA (F.S. 553.721) and for DBPR (F.S. 468.631). This will be applied to each trade permit with a minimum of \$2 (x2 = \$4).

Please call if you need further explanation because the double agency surcharge amounts to a 3% surcharge and this will be based on the FBC permit cost only. Meaning that administrative type fees not directly associated with FBC will not be surcharged.

**Ron Wampler**  
**Building Official**  
**City of Marathon**  
**305-743-0033**  
[official@ci.marathon.fl.us](mailto:official@ci.marathon.fl.us)

## HELPFUL CONTACTS:

Monroe County Code Enforcement; Ronda Norman, Director; [Norman-Ronda@MonroeCounty-FL.Gov](mailto:Norman-Ronda@MonroeCounty-FL.Gov)  
City of Marathon Code Compliance; Cynthia McPherson, Code Supervisor; [mcphersonc@ci.marathon.fl.us](mailto:mcphersonc@ci.marathon.fl.us)  
Department of Business and Professional Regulation (DBPR); Bill Tejada; [Guillermo.tejada@dbpr.state.fl.us](mailto:Guillermo.tejada@dbpr.state.fl.us)  
Division of Worker's Compensation, John Kulha, Compliance Investigator; [john.kulha@myfloridacfo.com](mailto:john.kulha@myfloridacfo.com)

### Army Corps Regulatory Program:

USACE Home Page: [www.saj.usace.army.mil](http://www.saj.usace.army.mil)

Permit Listing: [www.saj.usace.army.mil/regulatory/permitting\\_gp.htm](http://www.saj.usace.army.mil/regulatory/permitting_gp.htm)

### Code Compliance Information

Upper Keys Office: 305-453-8806

Upper Keys Sr. Inspector: Allen White, 305-453-8809

Middle Keys Office: Vilma Peacock, 305-289-2810

Director: Ronda Norman, 305-289-2520

Lower Keys Office: Sylvia Atwell, 305-292-4495

Lynn Tsouchios: 305-289-2528




Workplace and safety tips brought to you  
by the insurance specialists at  
T.R. Jones & Co./A Beecher Carlson Company.

### DID YOU KNOW?

According to the Bureau of Labor Statistics, workers older than 55 are half as likely to get hurt on the job as younger employees, but once injured, the claims are significantly more costly and lengthy. Consider educating experienced employees on how to avoid the most common risks for older workers, which are trips, falls, fractures, sprains and exposure injuries, like hearing loss.



## Weather is a New Source of Worry

Whether we like it or not, climate change is a very real threat to businesses today. According to the National Underwriter, lawsuits dealing with climate change could develop more quickly and be more costly than the asbestos-related claim explosion. Class action lawsuits against companies who allegedly contribute to large-scale climate change could emerge in the near future, which would be detrimental to both large and small companies.

But that is not the only worry weather will bring in the coming years. Because of climate change, natural disasters are not only becoming more prominent, but more serious and costly as well.

Recent examples of devastating natural disasters for businesses include the California wildfires, which are expected to get worse in the coming weeks with more hot weather, and increasingly more

frequent tropical storms in the southeast.

You never know when a natural disaster will strike, but the key is being ready for when it does. Follow the lead of Charlotte-based businesses, who have improved their disaster response plans after being devastated by Hurricane Hugo. Plan ahead before disaster hurts your business by:

- Setting up agreements with partner companies. Agree to aid each other in the event of an emergency.
- Contact your local government and encourage them to use high-tech systems for managing and supervising disaster relief, making sure everyone gets the help they need.

## Fight Fraudulent Claims with... Facebook?

Social networking sites are becoming increasingly more popular, and the fastest-growing demographic of users is people over age 35. At the same time, fraudulent workers' compensation claims are on the rise due to the state of the economy. But what does one have to do with the other?

Employers are finally getting some help identifying which workers' compensation claims are bogus, and it's from an unlikely source. Popular social networking sites like Facebook® are becoming sources of evidence to deny claims.

Oftentimes, employees who file a fraudulent claim brag about their success on their personal profiles. Or, more subtly, they post pictures and micro-blog about participating in strenuous activity that they claimed not to be able to do at work. Since the Internet provides specific dates of postings, social networking sites are one new way for employers to look into suspicious claims, especially because many users believe the information posted is completely private.

While not all claims in a turbulent economy are false, it may be a good idea to explore social networking for its potential advantages. It might surprise you how much information people readily give!

*Facebook® is a registered trademark of Facebook, Inc.*

# Safety First: October

*Safe employees, productive employers*



playing it safe

Safety and health tips for your work, home and life—brought to you by the Insurance and Safety Associates.

## Identity Theft

*Tips for staying one step ahead*

According to the U.S. Federal Trade Commission (FTC), identity theft is the fastest growing crime in America today.

Identity thieves stoop to stealing your personal belongings such as your wallet, purse, or laptop, picking through your mail or garbage for financial or credit card statements, hacking into your computer, or staging telephone and e-mail scams to get your personal information. Once your personal information is obtained, identity thieves use your good credit to apply for loans in your name. Recent victims spend an average of \$1,500 and 175 hours to recover from identity theft.

### Personal Items

Carry only what you need in your wallet or purse and keep an itemized list of those items on paper. In the event of a mishap, you'll know who should be notified and the phone numbers to call to cancel the accounts.

### Personal Information

Give out on a "need-to-know" basis only, and only to legitimate businesses. Omit your Social Security number and driver's license number on your bank checks. If required to use your Social Security number as an account number, request an alternate

protection software or use a firewall program. Before you dispose of your old computer, delete personal information by using a "wipe" utility program to "clean" all the information off your hard drive.

### Stay Up-to-Date

It can take months to learn that someone has applied for credit in your name. To stay up-to-date on your credit history, review your credit record at least once a year.



**Playing It Safe Newsletter**

**Your Safety at Work:**

**Control your anger before it controls you**

Do not let your anger get the best of you. Anger is a powerful emotion that can lead to poor decision-making and even violence. Here are some tips to help you control your anger:

1. Take a deep breath and count to ten.
2. Step away from the situation for a moment.
3. Think about the consequences of your actions.
4. Talk to a supervisor or manager for guidance.
5. Practice stress-management techniques.
6. Do not let your anger get the best of you.

**Control your anger before it controls you**

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5. Practice stress-management techniques.
6. Do not let your anger get the best of you.

### Crime and violence in the workplace are a real concern for businesses and their employees.

To help you promote awareness of preventing crime and violence in conjunction with the National Crime Prevention Council's National Crime Prevention Month, check out the following documents available from your Beecher Carlson Client Portal template library:

- Identity Theft: Tips for Staying One Step Ahead (payroll staffer)
- Safety Matters: Preventing Workplace Violence
- Employee Newsletter – Violence on the Job and Fire Escape Safety
- Control Your Anger Before it Controls You (payroll staffer)
- Playing It Safe: Identity Theft
- Employee Newsletter: Sexual Harassment and Office Safety

Contact us today at 305-247-5121 to learn more about preventing crime and violence at your organization, from both internal and external sources.

# Sombrero Beach Cleanup



**Saturday  
October 9<sup>th</sup>  
9 a.m.**

**Join the Ocean Conservancy's  
Beach Cleanup Day!**

**Meet at the First Gate to  
Sombrero Beach Park**

## ***FLORIDA KEYS ECOWEEK 2010***

***EcoWeek starts Keys wide on Oct. 31-with HallowGreen parties. The weeklong keys wide event runs to November 7th in the Upper Keys, the Middle Keys and the Lower Keys/Key West. There will be plenty to see and do through out the green week! For more information go to <http://ecoweekfloridakeys.com>***

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**U. S. Small Business Administration Business Recovery Center** is open in Monroe County to help small businesses and most private non-profit organizations affected by the Deepwater BP Oil Spill. Location and hours of operation are: Florida Keys Community College, 5901 College Road, Building A, Room 127, Key West, FL 33040. Open: Monday-Friday, 8 a.m. to 5 p.m., until further notice.



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 Members should contact Keys Insurance Services  
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**Keys Insurance Services**

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**MARK YOUR CALENDAR FOR THESE UPCOMING MEETINGS OF THE BOCC, COUNTY PLANNING COMMISSION, CEB, BOAF AND MEETINGS FOR THE CITY OF MARATHON, CITY OF KEY COLONY BEACH AND ISLAMORADA, VILLAGE OF ISLANDS**  
**OCTOBER & NOVEMBER 2010**

<b>DATE</b>	<b>TIME</b>	<b>TYPE OF MEETING</b>	<b>LOCATION</b>
10/6 (Wed)	10:00am	MC Planning Commission Meeting	Marathon Gov. Center (2798 O/S Hwy, 2 <sup>nd</sup> Floor)
10/7 (Thu)	2:00pm	Village Council Budget Workshop Islamorada, Village of Islands	Founders Park CC (87000 O/S Hwy)
<b>10/11 (Mon)</b>	<b>ALL COUNTY &amp; CITY OFFICES CLOSED FOR COLUMBUS DAY</b>		
10/12 (Tue)	10:00am	Marathon City Council Meeting Staff Agenda Briefing Workshop	Marathon Fire Station #14 (8900 O/S Hwy)
10/12 (Tue)	9:30am	CEB	Marathon Gov. Center
10/12 (Tue)	5:30pm	Marathon City Council Meeting	Marathon Gov. Center (2798 O/S Hwy, 2 <sup>nd</sup> Floor)
10/14 (Thu)	9:30am	KCB City Commission Meeting	City Hall Key Colony Beach
10/18 (Mon)	5:30pm	Marathon City Planning Commission Meeting	Marathon Fire Station #14 (8900 O/S Hwy)
10/19 (Tue)	10:00am	MC Planning Commission Meeting	Marathon Gov. Center (2798 O/S Hwy, 2 <sup>nd</sup> Floor)
10/19 (Tue)	1:30pm	Village Code Compliance Hearing Islamorada, Village of Islands	Admin/Public Safety HQ, 3 <sup>rd</sup> Floor (86800 O/S Hwy)
10/20 (Wed)	9:30am	KCB Planning & Zoning	City Hall Key Colony Beach
10/20-10/21 (Wed/Thu)	9:00am	BOCC	Harvey Gov Center (1200 Truman Avenue)
10/21 (Thu)	5:30pm	Village Regular Council Meeting Islamorada, Village of Islands	Founders Park CC (87000 O/S Hwy)
10/26 (Tue)	10:00am	Marathon City Council Meeting Staff Agenda Briefing Workshop	Marathon Fire Station #14 (8900 O/S Hwy)
10/26 (Tue)	5:30pm	Marathon City Council Meeting	Marathon Gov. Center (2798 O/S Hwy, 2 <sup>nd</sup> Floor)
10/28 (Thu)	9:30am	KCB City Commission Meeting	City Hall Key Colony Beach
11/3 (Wed)	10:00am	MC Planning Commission Meeting	Marathon Gov. Center (2798 O/S Hwy, 2 <sup>nd</sup> Floor)
11/9 (Tue)	9:30am	KCB City Commission Meeting	City Hall Key Colony Beach

(cont'd on p. 11)

<b>DATE</b>	<b>TIME</b>	<b>TYPE OF MEETING</b>	<b>LOCATION</b>
11/9 (Tue)	9:30am	CEB	Marathon Gov. Center (2798 O/S Hwy, 2 <sup>nd</sup> Floor)
11/9 (Tue)	10:00am	Marathon City Council Meeting Staff Agenda Briefing Workshop	Marathon Fire Station #14 (8900 O/S Hwy)
11/9 (Tue)	5:30pm	Marathon City Council Meeting	Marathon Gov. Center (2798 O/S Hwy, 2 <sup>nd</sup> Floor)
11/10 (Wed)	9:30am	KCB Code Enforcement Board	City Hall Key Colony Beach
11/10 (Wed)	6:00pm	Marathon City Code Board Meeting	Marathon Fire Station #14 (8900 O/S Hwy)
<b>11/11 (Mon)</b>	<b>ALL COUNTY &amp; CITY OFFICES CLOSED FOR VETERAN'S DAY</b>		
11/15 (Mon)	5:30pm	Marathon City Planning Commission Meeting	Marathon Fire Station #14 (8900 O/S Hwy)
11/16 (Tue)	10:00am	MC Planning Commission Meeting	Marathon Gov. Center (2798 O/S Hwy, 2 <sup>nd</sup> Floor)
11/17-11/18 (Wed/Thu)	9:00am	BOCC	Murray E Nelson Govt Ctr (102050 O/S Hwy, MMI02)
11/17 (Wed)	9:30am	KCB Planning & Zoning	City Hall Key Colony Beach
11/23 (Thu)	9:30am	KCB City Commission Meeting	City Hall Key Colony Beach
11/23 (Tue)	10:00am	Marathon City Council Meeting Staff Agenda Briefing Workshop	Marathon Fire Station #14 (8900 O/S Hwy)
11/23 (Tue)	5:30pm	Marathon City Council Meeting	Marathon Gov. Center (2798 O/S Hwy, 2 <sup>nd</sup> Floor)
<b>11/25-11/24 (Thu/Fri)</b>	<b>ALL COUNTY &amp; CITY OFFICES CLOSED FOR THANKSGIVING</b>		

# CEB Meeting September 14, 2010

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 Sept 14, 2010, meeting are as follows:

Bruce T. Kjos, Harris/Kjos Construction, Inc., CEI0070107, MCC 6-202(11)a, Work without benefit of a permit, case dismissed.

Diana Sotto, Discount Rock and Sand, Inc., CEI0030169, MCC6-77.1 Certificate of competency and advertising and MCC6-202(5) Violation of workers compensation laws, found In Violation on both counts. Fined \$1000 plus \$100 administrative fee, total \$1100, to be paid within 30 days.

Diana Sotto, Discount Rock and Sand, Inc., CEI0050119, MCC6-234(a), No certificate of competency and advertising. Found In Violation, fined \$250.00 plus \$25.00 administrative fee for a total of \$275.00, to be paid within 30 days.

Gary P. Burchfield, Gary the Carpenter Construction, Inc., CEI0040065, MCC6-202(11)a, Work without benefit of a permit. Found Not in Violation.

Scott McCauley, CEI0060037, MCC6-234(a), No certificate of competency and advertising. Appeal Denied. Fined \$250 plus \$25 administrative fee for total fine of \$275.00 to be paid within 30 days.

Steven Krieger, CE09090160, MCC6-202(9), To knowingly combine or conspire with an uncertified or unregistered person. Request made to hear this case before Mr Noack's case was denied, this case will be heard after Mr Noack's.

Wolfgang Noack, Reliance Property Management, Inc., CE09090121, MCC6-202(1), Working outside scope of license. Case was continued until Oct 12 meeting since evidence was not presented in a timely manner.

Yorlandy Gonzalez, Always Winter A/C & Refrigeration, LLC., CEI0070118, MCC6-202(11)a, Work without benefit of a permit, Found In Violation, Permit pulling privileges suspended for six months. A separate motion to allow Respondent to pull the permit that is already in the system for Cindy Dolberry was passed.

Yorlandy Gonzalez, Always Winter A/C & Refrigeration, LLC., CEI0070120, MCC6-234(a), No certificate of competency and advertising. Found Not in Violation, but was issued a warning.

Roger F. Schilf, Coastal Docks, LLC, CEI0060166, MCC6-202(11)a, Work without benefit of a permit, found In Violation, no further action to be taken.

Kenneth H. Brown, CE09030013, MCC6-234(a), No certificate of competency and advertising and MCC6-77, Certificate of competency required, case was continued.

Victor Harris, Victor's Roofing Company, Inc. of the Florida Keys, CE09070126, MCC6-202(11)a Work without benefit of a permit, CE09090168, MCC6-202(11)a Work without benefit of a permit, and CEI0050083, MCC6-202(11)a Work without benefit of a permit. Mr Harris is out of the State, case continued until October 12 meeting.

Craig F. & Marguerite E. Smith vs Solon Bacas of Toby Pools, Inc., case revisited. Mr Baca's permit pulling privileges are suspended until he comes back before the Board and completes the Smith's pool.

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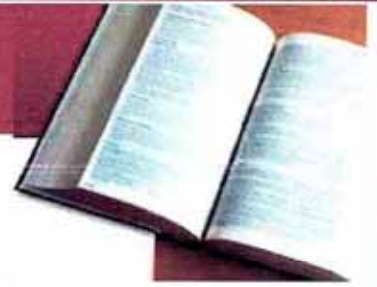
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Email: KIWORRIC@bellsouth.net

## Lien Law Seminars

August 5, 2010 and August 10, 2010

ICPC of Florida presents our 2010 seminars on  
Construction Liens and Bond Claims



This seminar is designed to assist anyone who isn't an expert in lien law matters. A great workshop for beginners or anyone who wants to brush up on the basics.

### Topics Covered

#### Protecting & Perfecting Your Rights to Recovery

- How to prepare & serve Notices to Owner.
- Using the proper forms to protect your rights.
- Where to obtain the information you need.
- Demands for Sworn Statements of Account.
- Consulting your Attorney.
- Lien and bond law time periods.
- Recording a Claim of Lien, what happens next?
- Protecting your payment rights with Lien & Bond Waivers.

### Sponsored By

#### Florida's Improved Construction Practices Committee (ICPC)

The Improved Construction Practices Committee (ICPC) is a group of delegates drawn from the membership ranks of NACM of Florida, Inc. (SACM) and NACM-Tampa. Our primary purpose is to promote good, sound and equitable legislation, as it pertains to the construction and credit industry. ICPC has taken on the task of defeating bills that would significantly weaken the Florida Construction Lien Law and this task is ongoing throughout the entire year. Through the efforts of the ICPC and our lobbyist, numerous improvements are made to our state laws. The results produce substantial savings for us all in the protection of our companies' assets. The funding for this effort is provided by voluntary contributions of NACM members along with contributions from the two NACM offices.

### Seminar Locations

~~August 5, 2010~~ 8:30 am - 12:30 pm  
Holiday Inn Ft. Lauderdale Airport  
2905 Sheridan Street  
Hollywood, FL 33029

August 10, 2010 8:30 am - 12:30 pm  
Dubsdread Country Club  
549 W Par Street  
Orlando, FL 32804

### Seminar Registration

Registration can be done online at [www.sacm.us.com/registration/](http://www.sacm.us.com/registration/)

Member Rate: \$99.00

Non-Member Rate \$115.00

prices include continental breakfast.

#### For additional information contact:

Southeastern Association of Credit Management  
6290 Edgewater Drive  
Orlando, Florida 32810

or contact Miles McDonnell @ 407-299-7491 X 107

### Attorney Spotlight

[Robert B. Worman](#) is an attorney and Florida Supreme Court Certified Circuit Mediator whose offices are located in Orlando, Florida. Mr. Worman limits his practice to the representation of businesses and individuals employed in construction activities throughout Central Florida. Mr. Worman's practice includes representing clients engaged in all aspects of the construction process including banks, developers, general contractors, subcontractors, materialmen, building material manufacturers and manufacturer's representatives, architects and engineers.

### Attorney Spotlight

[Scott Steven Sheffler](#)  
Mr. Sheffler focuses his practice on representation of businesses involved in a wide range of industries and on issues including business litigation, commercial collection, business strategy and contract negotiation. Additionally, Mr. Sheffler represents clients in the construction industry throughout Florida on issues involving Florida's Construction Lien law, payment bond claims and varied construction related matters.

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## MEMBERSHIP APPLICATION

Application for Membership is hereby made for a

Business Name: \_\_\_\_\_ C.C.#: \_\_\_\_\_

Mailing Address: \_\_\_\_\_

Physical Address: \_\_\_\_\_

Business Telephone: \_\_\_\_\_ Fax: \_\_\_\_\_ Cell: \_\_\_\_\_

Type of Business: \_\_\_\_\_

Applicant or Representative: \_\_\_\_\_

Email: \_\_\_\_\_

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

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

Date: \_\_\_\_\_ Signed: \_\_\_\_\_

Applicant sponsored by: \_\_\_\_\_

**FOR OFFICIAL USE ONLY**

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

this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_.

Membership dues in the amount of \$\_\_\_\_\_ received.

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**Florida Keys Contractors  
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For information, please contact the FKCA at:

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