



**Key West Golf Club Homeowner's Association, Inc.**  
**Regular Meeting of the Board of Directors**  
74 Golf Club Dr, Key West, FL 33040 and via Zoom  
6:15 PM, Monday, June 17, 2024  
**MINUTES**

**Attendees:**

Robin Mitchell, Board President, Chairperson  
Guy Gross, Board Vice President (attended from 6:31-8:23 PM)  
Sandra Swan, Board Treasurer  
Thomas Siburg, Board Secretary  
Derrick Rende, Board At-Large Officer  
3 Association Member, In Person  
9 Association Members, Via Zoom  
Pat Labrada, Community Association Company ("CAC"), HOA Property Manager  
Laurie McChesney, CAC, Director

**Purpose:** Conduct business as properly brought before the Board of Directors.

**1. Call to Order**

Meeting called to order at 6:19 PM by Chairperson, Robin Mitchell.

**2. Determination of Quorum**

Quorum determined.

3 out of 5 Board of Directors required. 4 out of 5 present. (Guy Gross absent, attended from 6:31-8:23 PM.)

**3. Proof of Notice of Meeting**

Notice provided, verified by Property Manager, Pat Labrada.

**4. Approval of Agenda**

Agenda approved.

**5. Approval of Minutes**

Regular Meeting – 5/20/2024

*Motion by Thomas Siburg:* To approve the minutes from 5/20/24 with a revision to correct the date in the minutes of the April Regular Board of Director Meeting, from 3/15 to 4/15.

*Seconded by Robin Mitchell.*

*Carried (Approved):* Unanimous.

**6. HOA Reports**

a. Officers

i. President's Report

Attending as many committee meetings as able; Committees are all prepared and have good discussions. • Violation, Fining and Hearing Committee enacted by resolution, incorporating previous resolutions and FL law; Resolution on website for review. • Management to catalogue all HOA motions and resolutions, to get on the website. • Instructions for new Internet & TV protocols posted on website, this includes what is needed to do when selling homes; Prepared by Dave Hubbert and Bryce Tyner.

ii. At-Large Officer Report

Thanks Sandra Swan for preparing financial reports. • Thanks Dave Hubbert and Bryce Tyner for preparing Internet and TV protocols.

iii. Treasurer's Report

Wants to make financial reports consistent, to compare historical spending and trends. • Audit completed successfully; Tax return ready to be signed and submitted. • Financial Committee worked to make sure everyone on Finance Committee understands how to read report. • Reconciled spending on lift station. • Prepared recommendations for Board consideration. • Profit & Loss YTD = \$120,361; Excluding Lift Station Expenses & Special Assessment, Profit & Loss YTD = \$139,666; Largely due to AT&T saving deal, will only be part of 1<sup>st</sup> year of deal. • Other savings come from budgeted more for: Lift station (working smoothly, needs less maintenance); Legal representation; and Landscaping tree trimming maintenance. • Two main accounts: Operating Funds – used for regular operations; Reserves – monies put aside for emergencies and repairs. •

Committee Recommendations:

- #1 Replenish reserves by \$29,302.68 from Lift Station spending – actual spending was: \$379,302.68; approved spending was \$350,000.
- #2 Move an additional \$65K-\$100K from operating to reserves.
- #3 Review finances to find savings to prevent an increase to the 2025 monthly assessments.

*Motion by Robin Mitchell:* To move \$29,303 from operating to reserves.

*Seconded by Sandra Swan.*

Discussion – Recommendation #1: Without additional transfers to reserves, regular monthly transfers results in approx. \$395K by year end; This total is somewhat low for emergencies, average over past 4 years was \$567,301. • Planned maintenance should be examined to ensure; Many items are a repair-as-we-go, such as sidewalks; Finance Committee majority recommends postponing Roadway-Asphalt repair work; Roadway work should not be done during “in-season”. • May be obligated to replenish reserves the \$29K, spending exceeded approved cap of \$350K for Lift Station. • No State minimum for reserve accounts currently exists, however, cannot go negative at any point; Best practice is 10% of budget. • Interest in an “Infrastructure Study” by an engineer, different from a “Reserve Study”, to look ongoing, short-term, and long-term infrastructure needs of the HOA; Would need to determine where funding for an infrastructure study comes from; Reserve study does not include ongoing infrastructure work, such as sidewalk repairs; Infrastructure study may be more holistic. • Concern over what HOA may lose by transferring over more monies to reserve.

*Carried (Approved):* Unanimous.

Discussion – Recommendation #2: HOA is currently ahead of budget by over \$100K, theoretically this should be \$0. • Some planned maintenance items are yet to be paid, such as tree trimming. • More money can be transferred in future after seeing other financial obligations play out.

Discussion – Recommendation #3: Current projections have monthly assessments go up by \$10 for 2025. • Board confirms wants Committee to go deep in reviewing budget to identify opportunities for savings.

b. Committees

i. Architecture Review Committee (ARC) Report

Ongoing homeowner requests, many are in-kind maintenance work. •

Committee recommendation:

#1 ARC approval be required for all city permits for work outside homes in the KWGCHOA.

Discussion – Recommendation #1: ARC chair called city building department, city currently does not verify ARC approval. • City website states a threshold of work valued at \$1,000 or more requires a permit. • City municipal code Sec. 122-542(a) requires KWGCHOA written approval for accessory structures, however not for all types of work. • Board Secretary, Thomas, has a professional relationship with City Chief Building Official (CBO); ARC Chair, Katee, and Board Secretary, Thomas, to work together to discuss with City CBO.

ii. Landscape & Maintenance Committee Report

Tree overpass in front of 77 GCD is a fantastic model; Composite boardwalk constructed over roots of mature tree to replace broken sidewalk. • Coconut removal deadline has past (June 1st, per HOA Handbook); Notice for removal to come right after July 1<sup>st</sup>, be used as model to get back on schedule. • Must discuss funding to figure out recommended projects. • HOA has a lot of old mature trees, no young trees planted to fill space as mature trees need to be removed; Should review replacement of trees while maintaining tree canopies; Budget includes extra funds for tree trimming projects. • Pest control contract to be provided by Management to be reviewed by Committee. • Irrigation continued concern; Management to provide Committee with actual bills with meter information. • Preparing list of volunteers to assist in landscaping. • Maintenance and repair of common landscaping, must discuss with hired employees to make sure that planted materials by volunteers not removed; Current practice does not include replacing removed landscaping, but just removing and moving on. • Neighbor concern raised by resident on Merganser Lane about dead plants; Some plants are in wrong place and without proper irrigation. • Deferred maintenance may not be recommended for large projects, such as roadway asphalt project; Tree roots are breaking sidewalks and parts of asphalt paving, these are liabilities; Bridge is a model to resolve sidewalk liability; Management to put together list of areas where sidewalks are bad.

Committee Recommendation:

#1 Construct walkaround of the 36 Spoonbill tree.

Discussion – Tree at 36 Spoonbill is a rare native powderpuff tree; Canopy extends from trunk that is almost exclusively in common area of property; Trunk is a hazard, extending over sidewalk at head-level; Trunk painted white to help call attention. • Sidewalk makes an “L” shape at corner, tree trunk is near corner of “L”; Walkaround proposes diagonal connection to avoid corner and tree trunk. • Management proposes to move home fence to create a squared off section around tree trunk to be accessible by homeowner; Concern about HOA giving up common property for private use of a homeowner. • Suggestion raised to put down cement diagonally across “L”, tear up existing concrete and add new fence diagonally across “L”. • New suggestion, review option to put temporary pavers diagonally across “L”, maintain existing concrete and put planter box on top of existing concrete; This option is removable, if/when tree ever comes down. • Member asked

to consider agreement where homeowner deeds area of tree over to HOA so HOA can own this area; Board did not support deed ownership transfer idea.

iii. Parking & Security Committee Report

Todd, from Management very helpful with transponder and decal updates; Decal updates are progressing well. • Onsite derelict scooters down from 5-6 to 2-4 now; Many removed by owner giving ownership to employee personnel. •

Committee Recommendations:

- #1 Contract with Anchor Towing for towing services. With contract no costs to tow vehicles or scooters and provides additional options and services, will require towing signage onsite, whereas Arnold's may require cost to tow some items, such as derelict scooters.
- #2 Paint "KWGC Resident" on asphalt in resident-only parking spaces.
- #3 Update the bumper curb wording of the HOA leased overflow parking at the Golf Course.

*Motion by Robin Mitchell:* To contract with Anchor towing.

*Seconded by Sandra Swan.*

Discussion – Recommendation #1: Need to clarify the sign requirements, such as whether a sign is required within a specific distance of the ability to tow; May determine how many signs are required. • Anchors does not limit the number of people who can be authorized to tow vehicles; Committee recommends all Security, Management, and Board be authorized; List of authorized personnel must be updated on at least a yearly-basis. • If given authority, Security could monitor vehicles to determine if threshold in number of violations is reached to then call for vehicle towing. • Management desires to negotiate offer with Arnolds for comparable as Anchor; Board requests Management call to negotiate.

*(Motion dies; unvoted.)*

Discussion – Recommendation #2: Committee had proposed each letter be 12"; Comparing to lettering throughout Key West, may be able to be 8" to 10". • May need a test area. • Goal is to clarify for visitors and guests where resident-only parking spaces are; Perhaps "Guest" or "Visitor" parking areas be painted, fewer of these spaces to paint. • Test area may be needed to see examples without overdoing. • Member asks why not make sure Security issue tickets; Committee responds that Guards do not have support of Board or Management and tickets have no consequences. • Markers will be a more direct line, so there is no confusion about a direct violation; Trying to lay groundwork now for when violations can be held accountable. • Clarify manhours needed paint; Would need to be part of ongoing long-term paving cycle to then repaint; Committee to research.

Discussion – Recommendation #1, additional: Anchor towing offers free patrolling if so desired. • To patrol, may need to have a sign at guardhouse to alert all vehicle owners. • Painting of pavement for resident-only parking may not be necessary if patrolling is allowed; Education required about what vehicles would be in violation. • Must have rules in place to clarify violating vehicles. • Mixed feelings about patrolling; Some think alleviates burden on management; Others want vehicles determined for towing to be in-house; Sunset Apartments on College Rd have patrolling agreement; Must determine process to confirm towing if kept in-

house. • Must review towing company recommended language to confirm legality purposes.

Discussion – Recommendation #3: Specific language to be painted is in lease agreement contract. • Member, Dave Hubbert, has copy of actual contract; To send to Board and Committee for review.

Discussion Summary – 1) Update the rules. • 2) Talk with Anchor Towing and with Arnolds Towing to see if they come up with a counter proposal. • 3) Hold off on painting. • 4) Investigate correct signage language for front gate, may have size requirements. • 5) Talk with Golf Course Pro Shop about bumper curbs.

*Motion by Derrek Rende:* To proceed with Anchor Towing, exclusively, and give leeway for up to 15 towing signs, as may be required depending on signage language.  
*Seconded by Thomas Siburg.*

Discussion – Research already accomplished by Committee; No point in renegotiating with Arnolds.

*Carried (Approved):* Unanimous.

c. Management

Lift Station – Electrician had to come out; Wires were hot, tripped breaker; Determined this by Management tracking levels, numbers showed unchanged over 2-day period. • Board requests confirmation why appropriate wire gauging was not determined from get-go; To contact and negotiate with electricians, Check Electric.

Solid Waste – Key West Resort Utilities will take out solids, if not containing a lot of junk (i.e., wipes). • Previously concerned about having to pay to haul solids to further up in mainland Florida with changing processing procedures from former company in Miami-Dade County.

77 GCD Bridge – Looks nice. • Had to increase length to 30-ft long, due to cracked concrete and ADA accessibility requirements. • Cost came to about \$2,500-3,000. • May be able to be adopted as model for other parts in community.

Sidewalks – Reviewing other potential problem sidewalks. • Passage way for golf carts by maintenance shack may need to be addressed.

Coconut Removal – Dot Palm is to come out after 7/01.

Exercise Workout Room – Thanks Bryce Tyner for hooking up exercise machines with new TV programming.

Front Gate – Visitor/Guest gate entrance busted since Saturday (6/15); Metal fatigue. • Patchwork held up for 6 months; Need replacement.

**7. Unfinished Business** – No items discussed as unfinished business.

**8. New Business**

a. Ratify Monthly Right of First Refusal: 34 Spoonbill Way, 117 Golf Club Drive

*Motion by Robin Mitchell:* To ratify monthly right of first refusal for 34 Spoonbill Way and 117 Golf Club Drive.

*Seconded by Thomas Siburg.*

*Carried (Approved):* Unanimous.

b. Violation, Fining and Hearing Committee

Committee enacted by resolution of the Board of Directors. • Board must establish committee members; Board Secretary, Thomas, will draft summary of committee and request for



- interested members. • Committee membership includes 3 voting members and 1 alternate member.
- c. Landscape & Maintenance Committee Recommendations: See 6.b.ii. above.
  - d. Parking & Security Committee Recommendations: See 6.b.iii. above.
  - e. Architecture Review Committee Recommendation: See 6.b.i. above.
  - f. Finance Committee Recommendations: See 6.a.iii. above.
  - g. Home Inspections – Management access side & rear yards  
Some homeowners concerned about management accessing side and rear yards; May be trespassing. • Common practice to inspect all outdoor parts of home for compliance. • Governing documents understood to allow for side and rear yard inspection; Governing documents may not clearly allow this; Must better research governing documents to confirm. • Notice may be needed in order to inspect. • If Inspector (i.e., Management) falls or hurts themselves while inspecting, the homeowner is liable; Such liability protection is often part of standard homeowner’s insurance policy; May need to better understand liability and legal requirements. • FL is changing HOA laws, must stay on top of new and upcoming laws.
  - h. Real Estate Report – Posted onto website.
  - i. 10-Year Plan for HOA  
To better vision for 10-year plan, must need to know priorities of homeowners. • Secretary, Thomas, proposes to draft up questions to identify homeowner priorities as part of future planning.
  - j. Return on Investment for HOA Purposes – Postponed.
- 9. Member Input**  
Clarify process for Assessment delinquencies to be levied liens – A multi-step process, with attorneys and homeowners. • Is not an option, such as a fine or suspension; It is an obligatory requirement; Does not go to the Violation, Fining and Hearing Committee; Goes straight to collections. • 60-Days delinquent – Lawyer drafts letter, sent out by Association. • 90-Days delinquent – Exclusively with lawyer, often negotiates payment plan. • If becomes a lien, Association does not contact homeowner, all contact is through legal representative.
- 10. Adjournment.**  
*Motion by Robin Mitchell:* To adjourn meeting.  
*Seconded by Sandra Swan.*  
*Carried (Approved):* Unanimous.  
Meeting adjourned at 8:57 PM.