



**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, July 15, 2024  
**MINUTES**

**Attendees:**

Robin Mitchell, Board President, Chairperson  
Sandra Swan, Board Treasurer  
Derrick Rende, Board At-Large Officer  
3 Association Member, In Person  
Additional 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 6:20 PM by Chairperson, Robin Mitchell.

**2. Determination of Quorum**

Quorum determined.

3 out of 5 Board of Directors required. 3 out of 5 present.

**3. Proof of Notice of Meeting**

Notice provided via email and posted.

**4. Approval of Agenda**

Agenda approved.

**5. Approval of Minutes**

Regular Meeting – 6/17/2024

*Motion by Robin Mitchell:* To approve the minutes from 6/17/24.

*Seconded by Derrick Rende.*

*Carried (Approved):* Unanimous.

**6. HOA Reports**

a. Officers

i. President’s Report

Elevated boardwalk outside 77 GCD is complete, complies with ADA requirements, preserves roots, waterlines. • Refrain from a lot of furniture and debris out that is not taken on trash day, often left over weekend unpicked up, helps with curb appeal. • Put landscape, palm frawns into bin, costly expense for maintenance team. • HOA rules and regulations changing, leaning on management to assist in changes. • Home inspection process is stepping up on by management, especially during home listing process. • Sent email to Rogel, HOA attorney, to determine access onto properties; Golf course access, recommends liaison with Pro Shop, Pro Shop said no access, may need to discuss with Mr. Smith, fences are in bad shape. • Thomas prepared two (2) analyses in draft form. • Multiple security guards out sick, situation. • Close to

finalizing CAC management contract agreement; Sandra, Thomas, Robin noticed approving contract.

ii. Treasurer's Report

Finance Committee did not meet due to holiday and travel schedule, to discuss reserve account and fix bank account. • June financial statements looking good. • July net income = \$51,132 (+) after due, YTD = \$178,523. • New FL rules, contracts must be posted on website, determining what contracts we have in place. • To look into pool service and tree trimming contracts and bills are high; bunch of invoices came in from June/July tree trimming, up approx. 18% from last year; approx. \$19K to be deducted, net income financials do not include; May want to go out to bid; May compare on an annualized budget and bill. • No July meeting anticipated, will take place right before August meeting, likely August 8<sup>th</sup>. • Dot Palm increases fee by 30%, due to new requirement to remove palm fronds. • Special assessments, 2 people past due on second lift and 2 people on over 90-day past due; Happy with Management work on assessments. •

iii. Secretary Report – Presented by President in Secretary Absence

Governing documents, recordings, permitted access, time limitations, maintenance, easements, and inspections analysis (draft form) prepared by Secretary; Many gray areas; Legal counsel may be able to clarify. • Legal Counsel response – Rules do not typically need to be recorded; View from common areas or neighbors; Discussion about access; Everyone is in learning curve; Rules themselves cannot create rights which is not allowed in the Declaration or Statute; If Documents create right or restriction, rules cannot conflict with this. • Need lawyer to interpret and guide. • Secretary asks if handbook supersede declaration; Lawyer response is no. • In 2018 all governing documents, including handbook, guidelines, etc., need to be recorded; Lawyer clarified not the case. • Purpose of analysis is a review as a guideline how to proceed. • To be presented by Secretary at next meeting.

New FL Statute Laws analysis from Becker video. • Website must have more information and have secure access; Access to be created to allow all owners special credentials. • Sections on new Board of Directors requirements, ARC review, Parking, Landscaping. • New ARC denials of HOA will need to be in body of the letter.

iv. At Large Officer Report

In agreement with new CAC agreement.

b. Committees

i. Landscape and Maintenance Committee Report

Sidewalk in front of 77 GCD bridge is complete; Great solution. • Golf Course path repair is underway. • Irrigation project is underway. • Merganser garden is underway; Shrubs purchased and flagged ready; Attractive low maintenance and low water plants, Plants will be part of certified plants right for FL Keys. • Drive entrance plants to be reviewed down the line. • Spoonbill Powderpuff tree; To begin with sidewalk work around with blocks, mostly already existing materials; To support tree.

• Guard shack front on the list, with low shrubs in bare spots. • Schefflera at 142 GCD, the 'umbrella tree' growing into fence; Owner not willing to maintain; Tree is pretty unstable with wind due to really heavy crown; Tree will not last long; When

falls will take out fence, FCAA repair work recently done, streetlamp and likely cars. • Enclosure painting and gravel in front project underway. • Street trees to be under review for some trees to be replaced with more suitable young street trees. • Coconut tree return on investment (ROI); Vice President includes this in discussion; Committee prepped guide for coconut tree replacements.

ii. Parking and Security Committee Report

No meeting in July due to travel and holiday. • Stickers updated went really well, only less than handful appear to remain old; Cars with covers on them, great to see; Security says is very helpful to see when they drive-by. • Towing, finalizing options, Anchor is better option; To finalize tow company sign requirements; Must have a contract to get vehicles removed; Need to provide authorized caller. • Updating parking regulations and rules. • Concern about consistency about gate entrance and access. • Spoonbill guest parking lot at HOA building has no sign road is one-way; Management to proceed with sign to stop cars from going wrong way from guest parking lot. • Spoonbill and Kestral used to be other direction of travel, changed one-way direction one year, resulting in some slow updates on mapping systems and with long term snowbirds.

iii. Architecture Review Committee (ARC) Report

Reminder to homeowners to put in ARC request, put in as much info as possible so committee has all necessary items to review and please attend meeting to assist in discussing request; Had to table couple requests waiting for additional information. • CAC inspections occur 90 days after if no update prior about completed work; Management to provide updates at each ARC meeting. • Construction agreement and design agreement forms drafted; CAC to complete form and send to homeowner; Forms are located at end of Design Guidelines already, proposes modification to formatting and add owner signature line; Must clarify who signs forms (HOA, ARC, Board members currently on form; May be overkill), Timeline of when condition(s) of approval provided in writing and when document to be signed, perhaps by chairperson and owner. • May need contractors to provide liability insurance and license. • Will not police for permits; Owner is responsible for damages and liabilities of contractors; Recommends clarification on insurance requirements for all work. • Recommends modifying form for additional details if owner using a contractor for work; Chair to provide further revisions for Board consideration. • Meetings going smoothly, all committee informed and came prepared.

c. Management

Driveway between #1 green and #2 tee box on Golf Club Drive; Concrete broken and just floating; Chipped up and under repair; To repair, lay gray rocks due to Golf Course restrictions, to be down on August 27<sup>th</sup> time when course does other work, and will pour concrete on sidewalk; Damage may have been caused by golf carts or heavy equipment; Interdevelopment Agreement lays out HOA requirements for easement and maintenance. • Entrance lights are out; Under repair. • Security guards, total of 9 employed; Guards out due to medical reasons and vacation; Trying to figure out scheduling, need to hire additional guard(s); Ad for job went out, two responses so far, may not fit what is HOA needs including ability to communicate effectively with and about HOA needs; Must review budget to hire additional guards, unable to man the work what needs to be done with current guards, especially when guards are out sick or and/or on vacation; May review altering shift times with possible



additional overtime to offset need to man guard duties, may result in solution with functioning gate and reduced guards onsite during night. • To clarify need for gate arms being up. • Dot Palm work pretty much complete with trimming coconut palms. • Golf course requires fences be maintained but does not allow Golf Club access to make repairs to maintain fences;

## 7. Unfinished Business

### a. Violation, Fining and Hearing Committee

Committee Membership:

Email blast sent out to community, resulting in 2 volunteers: Katee Martineau (Spoonbill; owner-occupied) & Mark Ives (Merganser; owner-occupied); Goal is 3 voting members and 1 alternate; Must put full press out again.

*Motion by Robin Michell:* To appoint Katee Martineau and Mark Ives as 2 of the needed committee members.

*Seconded by Derek Rende.*

*Carried (Approved):* Unanimous.

President thanks the 2 volunteers for stepping up to help get things moving forward.

### b. Home Inspections – Management access to side & rear yards

Must clarify from legal if have a right to access; Must go back to documents to confirm if allowed and review with legal; How do other HOAs do it, where is the legal right located and in what documents; If not in documents, may need to be amended to allow, otherwise cannot be done. • New law allows view from common area, neighbor properties and from Golf Course; Perhaps to get on Golf Course, then CAC does not require access onto owner property; Perhaps revise CAC contract to play golf and perform inspections from golf course while playing golf, since Golf Course only allows paying customers onsite.

## 8. New Business

### a. Ratify Monthly Right of First Refusal: 30 Kingfisher Lane & 218 Golf Club Drive

*Motion by Robin Mitchell:* To ratify right of first refusal for 30 Kingfisher Lane and 218 Golf Club Drive.

*Seconded by Derek Rende.*

*Carried (Approved):* Unanimous.

Treasurer had to leave, quorum ends for meeting.

218 GCD buyers signed onto estoppel order.

### b. Real Estate Report

Posted online; On par with last year.

### c. 10-Year Plan for HOA

Tabled.

### d. Return on Investment for HOA Purposes

Tabled.

### e. TV's on rear verandas @ consideration for neighbors

Concerned neighbors about loud TV noise on back porches in Butterfly Garden. • Historically: Originally categorical “No”; Began to creep in and rules modified to allow with conditions; Notices to Owners with loud TVs have resulted in no action by Owners; Need documented trail of actions notifying Owners about issue. • May contact HOA lawyer about something like a cease-and-desist letter about inability to resolve loud TV noise issues; Additionally, to enforce fines or actions by HOA, need to fill Fining Committee. • Management to draft letter to send immediately to show discussion is ongoing and that Board is concerned and to include quantifiable data of number of times contacted, etc.; Attorney to draft cease-and-desist letter. • Neighbor’s Ring camera is capturing noise issue, be used as data of issues.

**9. Member Input**

Neighbor outdoor craftsman noise issue - May require to clarify and delineate what is and is not allowed to prevent issue being repeated.

18 Whistling Duck is under consideration from City for variance for 0-ft lot line; Plans received by Management, variance request is not clear; Neighbors provide comments for or against variance approval, to be under consideration by city Planning Board.

**10. Adjournment.**

*Motion by Robin Mitchell:* To adjourn meeting.

*Seconded by Derek Rende.*

*Carried (Approved):* Unanimous.

Meeting adjourned at 8:47 PM.