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BIG PINE KEY, FL. 33043

PH. [REDACTED]

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Photo by Steve Cason

This message is a sign of the times. Keys residents say they are getting fed up with the DCA and the land use plan.

'We're mad as hell'

Modern-day revolutionaries tell DCA where to go

BY STEVE CASON

When our forefathers got fed up with the oppressive way the British government was ruling their lives 200 years ago, they banded together and revolted.

Now it is happening again.

This time, though, no one's dressing up like Indians and dumping tea into Boston Harbor. But, this time, the oppressive government isn't England. To modern day revolutionaries in the Keys, the oppressive government is the state of Florida, in particular the Department of Community Affairs.

The group of revolutionaries is "Monroe County United," a grass-roots organization of Keys people, who, to borrow a line from the movie "Network," say they are "Mad as hell and aren't going to take it anymore."

They say they are fed up with not being able to do what they want with their private property, and resent a government agency telling them what to do.

"There's too many restrictions and too many demands being made on us," said Marathon resident and Monroe County United

organizer Thea Ramsey. "People can't afford to live here anymore."

The pro-property rights group may well be the fastest growing organization ever formed in Monroe County. It's less than a month old and already members are claiming in excess of a thousand supporters. "It's exploding," said Marathon resident Linda Jensen, secretary-treasurer of the organization's steering committee. "It's definitely a grass-roots organization. We've got everybody from retirees to business owners."

Supporters wear red, white, and blue anti-DCA T-shirts emblazoned with the slogan "We will not be driven from our Keys." Last week, they put their message on a billboard on Big Pine Key. They even have an anthem: "United We Stand," a rousing, anti-DCA ballad written by local musician John Bartus.

And they're just getting started. Two weeks ago they staged their first public protest at a county commission meeting at Key Colony Beach.

The organization's two page statement of purpose maintains "that government — at federal, state and local levels — has greatly exceeded the limits placed upon it by the U.S. and Florida constitutions, and has acted to alienate, and to infringe many of those rights and immunities which, by this nation's founding principles and highest

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laws, inhere in the individual person, and are unalienable."

The statement includes quotes from several of our nation's founders, including Thomas Jefferson, Benjamin Franklin and George Washington.

"We believe that people are increasingly being deprived of their private property by confiscatory laws and regulations, and without due process of law, in violation of the 5th Amendment to the U.S. Constitution," the statement of purpose says.

The statement goes on to say that government has become "excessively intrusive and meddlesome into the private lives and activities of citizens," and that "costs of operating the institutions of government are completely out of control."

The group says it is particularly upset at the way the state Department of Community of Af-

fairs has, in their eyes, bullied Monroe County into drafting a land use plan that many view as a death certificate for the Keys. "How can we possibly submit to something that will be our ruin?" asked Ramsey.

Monroe County United is joining 32 other Florida counties in fighting the DCA's approach to growth management.

"We're really being railroaded by bureaucratic stooges," said Ramsey. "Everybody dictates what they think we should do, but nobody's coming forth with money to pay for it."

Organizers say the state-mandated land use plan will drive up property taxes by taking more property off the tax rolls.

According to the Monroe County Property Appraisers Office, only about 5 percent of Monroe County's 1.1 million acres is taxable property. The bulk of the rest is owned by the state and federal government.

Of the approximately 80,000 parcels listed on Monroe County property tax rolls, more than

17,000 have already been devalued.

"Nobody has answered who will pay," Jensen said.

DCA secretary Bill Sadowski, in an Oct. 24 letter to Monroe County Commissioner Jack London, said the DCA would continue to support land acquisition efforts in the Keys.

In the same letter, Sadowski said the DCA would assist the county in defending the legality of the county's land use plan in the event it was challenged in court, but backed down over the question of financial responsibility if they lost, saying the department was immune from such suits.

Former county commissioner and Key West business man Ed Swift, who helped write the county's first state-mandated land use plan, says DCA has gone from a "helper and facilitator to a dictator of policy and law."

In a letter of support to Monroe County United, Swift wrote that, "The arbitrary opinions of DCA

leadership and staff have consistently, through brow beating, coercion and threatening eminent disaster, perverted our democratic system of government by making their will prevail as law at the local level."

And that is what has Monroe County United hopping mad. "They are violating the Constitution," said Ramsey. "They're not going by the law. They're going by demands. When this goes to court, these people are history."

The group is also opposed to outside interest groups who apparently have the ear of state and local government. Many view the state's restrictive growth management policy as nothing but a poorly disguised attempt to turn the Keys into a playground for the rest of the state. "If you don't live here and don't pay taxes here, don't tell us under what conditions we can live here," Ramsey said.

Monroe County United organizers deny critics' charges that they are a pro-development, anti-environment, special inter-

est group.

"They paint us as the Concrete Coalition and that's just not true," said Jensen. "Nobody wants to trash the environment. We don't want a concrete jungle. We just want to have a balance."

Bob Smith, pastor of the Big Pine United Methodist Church, and a supporter of Monroe County United, said government has lost sight of constitutional liberties. "We have an escalating and very oppressive government," said Smith. "A lot of people in my church have been driven out of their homes. I think we need to return the county to some kind of sensible balance so that people can afford to live here."

Smith said it's not just Monroe County and the state of Florida, but the entire country that's lost its perspective. "A lot of us have seen this coming for a long time," said Smith. "The problem is, when you cut through all the red tape, it's illegal to live down here if you're poor...and that's a very dangerous position to get into."

County, state reach agreement over land plan

Plan passed over singing, suicide threat from public

By Marilyn J. Tarnowski
Citizen Staff Writer

KEY COLONY BEACH — Four hours of heated opposition from county residents to the state's growth management tactics failed to block adoption Friday of a document that says how and when the county must repair its failed comprehensive land plan.

The Monroe County Board of Commissioners voted 3-2 in Key Colony Beach City Hall to rework its land plan using guidelines handed down in a so-called stipulated agreement. The agreement was compiled by the Department of Community Affairs, several interveners, and revised somewhat last week in negotiations between the state and county. Mayor Wilhelmina Harvey and Key West Commissioner Doug Jones, as expected, were outvoted in a move to delay imposing that agenda on the county.

The decision to abide by the DCA's timetable for the next year and a half came in the wake of an emotionally charged public hearing punctuated with anti-DCA banners and T-shirts, American flags, a protest song and a suicide threat.

Jane Reynolds of Big Pine Key, who claimed direct descent from a signer of the Declaration of Independence, said her forefathers would "be ashamed" of what the commissioners contemplated.

Growth management under DCA guidelines, she said, would

create an overwhelming tax burden on existing landowners as undeveloped land is restricted from development, goes into preservation and the tax base to pay for government services shrinks.

"At the point where I cannot live with dignity, I will end my life," Reynolds said. "I plan to commit suicide when I can no longer pay these taxes because 74,000 people (in the Keys) must take care of the whole United States. I live at the poverty level now to pay for food and taxes. When I can no longer do this, I will end my life with dignity."

The shocked silence that followed Reynolds' emotional speech was transformed into an almost hymn-like outpouring as the protesters sang an original anthem, "United We Stand."

Written and recorded by Marathon resident John Bartus, the melody drew about half the auditorium to its feet by the last verse:

"The Constitution says it all. You can't take our land. And you won't drive us from our homes. United we stand."

State Sen. Larry Plummer addressed the commission to advocate increased impact fees on new construction as a way for economic forces to slow growth and pay for aqueducts, bridges, roads and schools.

"Not punitive fees. Not token fees," Plummer said. "Citizens have a right to use their property as it was zoned. But somebody

has to pay for the cost of concurrency," Plummer said, referring to the requirement that adequate roads, waste treatment, schools, and water services be in place or planned for when development occurs.

With adequate impact fees, he said, "you get what you pay for. You haven't taken away anyone's property rights."

Before voting on the DCA document, Upper Keys Commissioner John Stormont reminded the panel the stipulated agreement is merely "guidance for things yet to be worked out."

The document commits the county to using the 25 growth management policies that it wrote and adopted following public hearings last February as the guiding principles for land-plan revisions between now and when the final plan is adopted next fall.

The county has been "under the gun of the DCA," as several speakers phrased it, to vote in the stipulated agreement. Had it failed to do so, the DCA would have initiated a process of administrative hearings in which the county was likely to be found not in compliance with the state's Growth Management Act.

Such a ruling could have led to a recommendation by the DCA that the governor and Cabinet withhold state money earmarked for local roads and other projects.

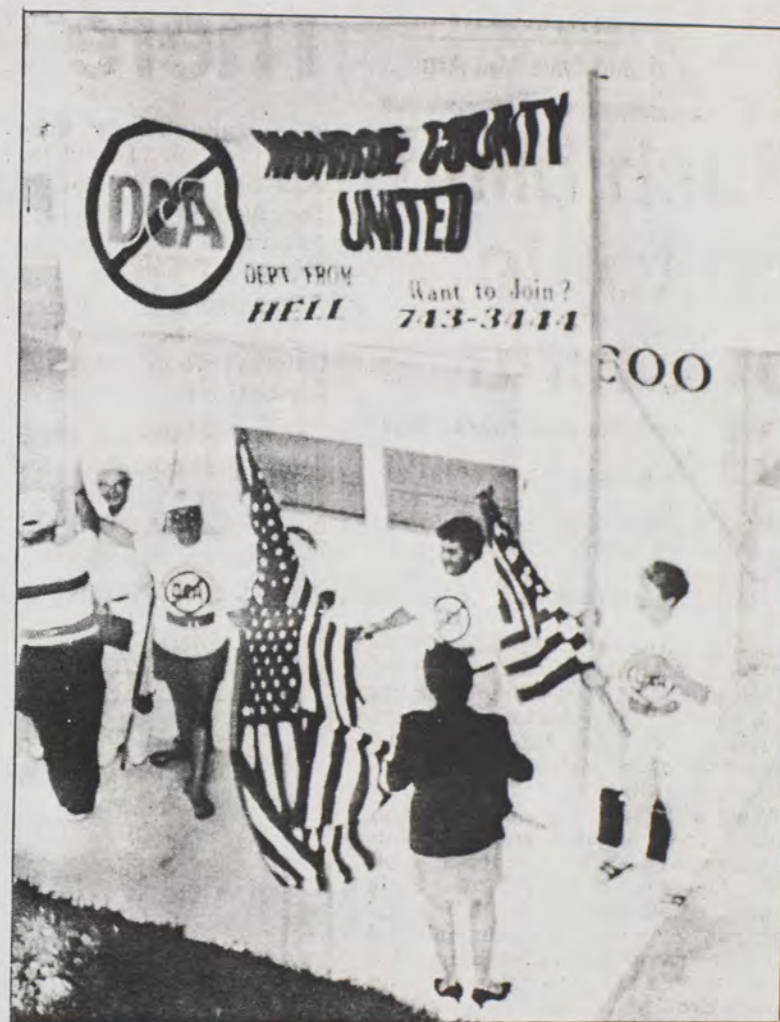


Photo by Marilyn J. Tarnowski

Monroe County residents protest against the state's Department of Community Affairs involvement in the county's land use plan Friday. The county reached an agreement with the state by a 3-2 vote.

Vermont Property Rights News

Citizens for Property Rights, Inc.

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Idaho Sen. Promotes Prop. Rts.

In Washington, D.C. Senator Steve Symms of Idaho introduced The Private Property Rights Act, S.50. If passed, the act would force government agencies to consider the impact of their regulations on private property rights.

Vice President Dan Quayle wrote Sen. Symms the following in support, "The Administration looks forward to working with you to secure prompt passage of this critical legislation."

32 bipartisan sponsors signed on S.50. Senators Leahy and Jeffords were not among them. CPR called Trent Clark, Sen. Symms' contact person for The Private Property Rights Act (1-202-224-6142), to get an update on the bill's status. A vote in the senate is expected this year.

According to Mr. Clark, Sen. Jeffords (1-800-835-5500), U.S. Senate, Washington, D.C. 20510, has shown lukewarm support. Sen. Leahy (1-800-642-3193), U.S. Senate, Washington, D.C. 20510 apparently has expressed strong opposition. CPR

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If You Own Land
Or Ever Hope to
Read This Paper

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Real Vermonter Wins at Hearing

One of the most exciting land rights disputes came up in Snelburne this last winter. Ralph Brior had been on his Spear Street farm for 45 years. During the last years he has suffered vandalism, complaints about farm manure, and accidents caused by speeding drivers. So he decided to buy a farm in a more rural area.

After he located a farm to buy in Georgia, he put the "For Sale" sign up. The trouble came almost immediately. The selectmen declared interim zoning. Interim zoning puts a complete freeze on all development activity, while the town decides what the zoning and development regulations are

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\$511,000 Handout

On April 19, Sen. John McClaughry's amendment to the FY 92 Appropriations Bill to remove the \$511,000 municipal (Act 200) planning grants was voted on by roll call. Twenty-five senators opposed the amendment. The five voting in favor are: McClaughry, Bahre, Howrigan, Ready and Sherman.

The \$511,000 is considered a "freebie" by many towns. It is a handout usually allocated to something a town does not consider important enough to fund out of its own tax revenues. The senators had been written to and many spoken with on this issue by the publisher of CPR News and other members of CPR.

On the day before the above amendment was voted on Sen. John McClaughry presented

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Wetlands According To Feds

Martin S. Harris, Jr. is familiar to and highly respected by many of our members. He is a former farmer and an architect and has spoken out on numerous occasions about how planning laws are institutionalizing an abusive process.

Two articles occurred this last winter in the New England Farmer. They are beautifully concise. The information below is taken from them. The November article was entitled *Wetland Rules, New Regulations*, the December article, *Farmland Wetlands, Farmers Must Become Familiar with New Rules*.

The Army Corps of Engineers (CE) is involved in issuing or denying permits for projects that may effect wetlands. The residents of the Rutland area will recall a recent denial of a permit. The rulebook guiding the CE is the *Federal Manual for Identifying and*

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Rep. Towne Leads Prop. Rts. Battle

by Dennis Carver

Rep. Rahn Towne of Benning is showing us what leadership and character really are. She introduced H.438, the House bill to repeal the obnoxious parts of Act 200, and led the way in lining up support for the bill with legislators and with business, agricultural and civic organizations.

One group that refused to get off the fence was VAST, the Vermont Association of Snow Travellers. More accurately, it was the leaders of VAST who refused to get off the fence.

All of VAST's success and fun has depended almost exclusively from its first day on the kindness and generosity of private property owners.

Now private landowners are under attack on many fronts by both government and tree-huggers alike. By warring the fence on the Act 200 side VAST has let its friends down.

I own a snowmobile. I belong to VAST. I would like to see VAST survive. But VAST and the people of Vermont have to know that the Vermont planning laws are out of control. Rep. Towne did what had to be done. She posted her land against snowmobiles. We hope the members of VAST will stand up and take notice about the unconstitutional restrictions placed on landowners.

Our thanks to Rep. Towne.

Under the Golden Dome

by Beth Brodne

On Wednesday, February 20, 1991, H.79 was taken up on the floor of the House, discussed and passed at its third reading. H.79 is a good little bill, which requires "planning commissions to request in writing and obtain in writing landowners permission before entering upon land to make examinations and surveys." It was sponsored by Rep. Hazel Prindle of Charlotte along with Joan Conant, Ruth Smith and Bill Stowe. H.79 helps protect private property rights and is an additional protection against illegal search and seizure.

During the discussion of this bill one of the representatives from Windham County was heard asking a rhetorical question of his fellow members. It was a statement revealing his own feelings toward our good Vermont people. In front of over 100 witnesses, Rep. David Deen of Windham District 1 asked, "In that over 50% of Vermonters are illiterate, how can you require them to give written permission?"

The residents of Athens, Dummerston, Putney and Westminster should be embarrassed to be represented by such a man!

On Friday, February 22, the secretary of the natural resources agency, Jan Eastman, apparently under the direction of Governor Snelling, went into the House natural Resources Committee to testify on H.441, the Public Trust Doctrine. The following is a selection from

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CALL.

Cash-poor counties frustrated



SUSANVILLE, Calif. (AP) — In the peaceful backwater of the Sierra Nevada, hundreds of miles from California's crowded cities, cash-poor and desperate Lassen County is fed up.

Bludgeoned by Proposition 13, people here and in nearby small, rural counties are tired of state control and are moving closer to either dissolving, hooking onto other states or forming a new state.

"The time is near when these small counties are just going to come apart at the seams," said Jim Chapman, chairman of the Lassen County board of supervisors.

The crux of the dispute is money. Counties in northeast California, near the Nevada border, are angered by state orders that they provide certain services — especially welfare and health care — but don't give them money to pay for them.

Instead, the state gives counties permission to raise taxes to make up the difference, a trade-off they resent.

So far, officials of at least five counties have endorsed drastic steps, fueled by more than just the reality of hard cash.

In 850-mile-long California, the south and north have long been at odds. The north resents the south's swelling political dominance in the state Capitol and its deepening thirst for the north's water.

There is suspicion, too, in the generally conservative rural north, of lifestyles in San Francisco and Hollywood. They see their countryside steadily changed by southerners in search of cheaper housing, cleaner air and less crime.

Lassen County has voted to disobey the state. It has decided to use \$1.5 million in local funds — money that was earmarked to match a state share — for law enforcement and other local government services instead.

That means Lassen's state-local programs will run out of money in April, including health and welfare systems.

Other counties in the region, which is dominated by farms, ranches and logging, are considering similar action.

THE KEYS

The Miami Herald

SECTION
SUNDAY,
OCTOBER 27, 1991

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DAN KEATING / Miami Herald

IN PROTEST: Big Pine Key resident Jane Reynolds with a tarred-and-feathered figure of state DCA.