

Friday, March 23, 2001

TOGETHER IN OUR  
WEBSTORY EDITION  
BREAKING NEWS  
CONTINUOUSLY  
UPDATED

ENTERTAINMENT CALENDAR

**TODAY**  
► **Bumpus**, at Margaritaville Cafe, 500 Duval St., Key West.  
► **Dan Mobley**, Clint Ballard, in The Spirit at the Hog's Breath Saloon, Key West.  
► **Guns** at 9 p.m. at the Hurricane, mile marker 48.5.  
► **Barry Guda** at 11 a.m.; **Lenny 3** p.m.; **Shawn Neil** 7 p.m.; **karaoke** midnight at Rick's, Key West.  
► **Take and the Fatman** at 4 p.m.; **Spoked** 8 p.m.; and **Buzz Poets** midnight at Durly Harry's, Key West.

**MARCH 24**  
► **Middle Keys Concert Association** presents the Alexander String Quartet at 10 p.m. at St. Paul's Catholic Church, 2290 St. Marthine. Tickets are \$20 at the door. For details call 399-3508.  
► **Dan Mobley**, Clint Ballard, in The Spirit at the Hog's Breath Saloon, Key West.  
► **Guns** at 9 p.m. at the Hurricane, mile marker 48.5.  
► **Barry Guda** at 11 a.m.; **Lenny 3** p.m.; **Shawn Neil** 7 p.m.; **karaoke** midnight at Rick's, Key West.  
► **Take and the Fatman** 4 p.m.; **Buzz Poets** 8 p.m.; **Spoked** midnight at Durly Harry's, Key West.  
► **Mike McClellan & Friends** 12 to 1 a.m.; **Quester Fantastic Tunes**, to midnight at Schooner Wharf Bar, Key West.

**MARCH 25**  
► **Alexander String Quartet** concert at 4 p.m. St. Paul's Church, 400 Duval St., Key West. Tickets are \$20 at the door. For details call 399-3508.  
► **Bumpus** at Margaritaville Cafe, 500 Duval St., Key West.  
► **Dan Mobley**, Clint Ballard, in The Spirit at the Hog's Breath Saloon, Key West.  
► **Sunday Night Jam** at 9 p.m. at the Hurricane, mile marker 48.5.  
► **Snake and the Fatman** 4 p.m.; **Spoked** 8 p.m.; **Buzz Poets** midnight at Durly Harry's, Key West.  
► **Barry Guda** at 11 a.m.; **Lenny 3** p.m.; **Shawn Neil** 7 p.m.; **karaoke** midnight at Rick's, Key West.  
► **Mike McClellan & Friends** 12 to 1 a.m.; **The House Party** 10 to 11 p.m. at Schooner Wharf Bar, Key West.

**MARCH 26**  
► **Inner Revolution** at Margaritaville Cafe, 500 Duval St., Key West.  
► **David Goodman**, Clint Ballard, Quiza Hand Band at midnight at the Hog's Breath Saloon, Key West.  
► **Rod Price** at 9 p.m. at the Hurricane, mile marker 48.5.  
► **Snake and the Fatman** 4 p.m.; **Spoked** 8 p.m.; **Buzz Poets** midnight at Durly Harry's, Key West.  
► **C.W. Cook** 12 to 1 a.m.; **The House Party** 10 to 11 p.m. at Schooner Wharf Bar, Key West.

**MARCH 27**  
► **Invisible Cowboy** at Margaritaville Cafe, 500 Duval St., Key West.  
► **Joel and Kent**, Clint Ballard, Quiza Hand Band at the Hog's Breath Saloon, Key West.  
► **Rod Price** at 9 p.m. at the Hurricane, mile marker 48.5.  
► **Gary Blodgett** 5 p.m.; **Lenny 7** p.m.; **karaoke** midnight at Rick's, Key West.  
► **Snake and the Fatman** 4 p.m.; **Spoked** 8 p.m.; **Buzz Poets** midnight at Durly Harry's, Key West.

**MARCH 28**  
► **Invisible Cowboy** at Margaritaville Cafe, 500 Duval St., Key West.  
► **Joel and Kent**, Clint Ballard, Quiza Hand Band at the Hog's Breath Saloon, Key West.  
► **Rod Price** at 9 p.m. at the Hurricane, mile marker 48.5.  
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► **Snake and the Fatman** 4 p.m.; **Spoked** 8 p.m.; **Buzz Poets** midnight at Durly Harry's, Key West.

**MARCH 29**  
► **Invisible Cowboy** at Margaritaville Cafe, 500 Duval St., Key West.  
► **Joel and Kent**, Clint Ballard, Quiza Hand Band at the Hog's Breath Saloon, Key West.  
► **Rod Price** at 9 p.m. at the Hurricane, mile marker 48.5.  
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► **Snake and the Fatman** 4 p.m.; **Spoked** 8 p.m.; **Buzz Poets** midnight at Durly Harry's, Key West.

**MARCH 30**  
► **Invisible Cowboy** at Margaritaville Cafe, 500 Duval St., Key West.  
► **Joel and Kent**, Clint Ballard, Quiza Hand Band at the Hog's Breath Saloon, Key West.  
► **Rod Price** at 9 p.m. at the Hurricane, mile marker 48.5.  
► **Gary Blodgett** 5 p.m.; **Lenny 7** p.m.; **karaoke** midnight at Rick's, Key West.  
► **Snake and the Fatman** 4 p.m.; **Spoked** 8 p.m.; **Buzz Poets** midnight at Durly Harry's, Key West.

**MARCH 31**  
► **Invisible Cowboy** at Margaritaville Cafe, 500 Duval St., Key West.  
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► **Rod Price** at 9 p.m. at the Hurricane, mile marker 48.5.  
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# THE KEYS

## Judge: Panel violated law

### Group at heart of sewer suit subject to government-in-sunshine statutes

BY JENNIFER BARSON  
jbarson@herald.com

KEY LARGO — An advisory panel whose actions are at the heart of a lawsuit over a \$60 million Key Largo sewer contract was subject to Florida's government-in-sunshine laws, a Monroe judge found Thursday. Though its members were picked by the U.S. Environmental Protection Agency, the technical evaluation panel that determined the applicability of the Sunshine Law just the makeup of the panel," she wrote.

The first question Judge Taylor will likely be asked to decide on this issue is whether panel members violated the open-meeting laws to which they were subject. A two-day trial on that issue is scheduled to begin April 19.

"If she had decided against us, then our case at the trial level would have been over," said Taveland attorney John A. Jabro, who represents a group of Upper Keys homeowners who have signed onto the lawsuit as intervenors. Jabro contends that the bid process was flawed and all of the panel's decisions should be scrapped.

The construction and operation contract at issue was awarded to Ogden Water Systems, but came under scrutiny after former State Attorney Kirk Zurich concluded in September that evaluation panel members violated the Sunshine Law by holding unopened meetings by telephone. An opinion from the Florida Attorney General's office later backed Zurich's conclusion.

Not long after, the Florida Keys Aqueduct Authority — which is overseeing the massive project — filed suit against county commissioners and Ogden in an effort to get a judicial ruling. The project has been on hold for months, pending conclusion of the suit.

An attorney for Ogden declined comment Thursday, but County Attorney Tim Hendrick said he's urging commissioners to schedule a special meeting to publicly reveal several

"policy issues" specifically related to the scope of the project that were considered by the panel almost a year ago.

The goal "was" any allegations of impropriety. Additionally, he said, about \$100 million in federal water-quality projects in the Keys. Commissioners agreed Thursday to consider in April whether or not to hold a special session on the Sunshine topic.

"I just want to make sure that that issue is removed from any list of trials, because we know we have a source of funds," said Hendrick, who has maintained that the panel wasn't subject to Sunshine.

Commissioner Murray Nelson of Key Largo was skeptical of that opinion, but he said he would not be decided in court. I don't see anything for us to get out of this," Nelson said, referring to the future of the Ogden contract.

## Monroe defending building additions

### FEMA prohibition targets flood risk

BY JENNIFER BARSON  
jbarson@herald.com

KEY LARGO — Monroe County officials have scheduled a meeting with key brass at the Federal Emergency Management Agency in Washington, D.C., to discuss concerns about a controversial inspection program designed to eliminate flood-prone downtown additions.

But on the construction of some, the meeting — tentatively slated for next Friday — doesn't include a face-to-face with Joe Allbaugh, the agency's newly appointed Republican director.

The notice he sent us was requesting us to meet with his executive general counsel to try and clear up any things we could possibly do without him being present," said Monroe County Commissioner Murray Nelson.

He has been trying for months to secure a one-on-one meeting with Allbaugh.

Monroe Mayor George Neugebauer was a bit more positive.

"I still think that based upon the appointed people we will be meeting with, it's the smartest thing, and I think if we can get a resolution from that then maybe we get a meeting with the director," Neugebauer said.

Commissioners are hoping the new director will be sympathetic to local worries that the pending pilot program will further erode affordable housing in the pricy Keys.

The program would require county staff to begin flagging suspected base violators to insurance companies providing FEMA-backed policies. Homeowners who didn't comply with requirements to remove the illegal structures would have their insurance policies pulled.

Last week, Nelson and Rep. Ken Rosen, R-Key Largo, filed a Florida House resolution that contends that the inspection program conflicts with a recent legal ruling barring Monroe from enforcing the additions removed if they've been noted on county records for more than four years.

The inspection program was originally scheduled to be in effect by Jan. 1.

But a stand-off between the county and FEMA over details has left it in limbo.

Anticipating a sympathetic audience with Allbaugh, commissioners voted almost four months ago to delay local participation in the program until April.

FEMA has already started sending notices to area policyholders alerting them to the new rules, but county staff haven't yet forwarded data on suspected violators to FEMA.



Charm or nuisance, officials estimate that there are some 1800 hens and roosters running wild in Key West.

## Panel eyes plan to corral wild birds

BY LISA FUSB  
lfusba@herald.com

KEY WEST — Fed up with complaints about wild hens and roosters overrunning local neighborhoods and yards, the Key West City Commission has approved a plan to corral the pecky birds.

City officials estimate there are some 1,600 chickens roaming loose throughout Key West and hope to cut the population by at least several hundred birds in coming months.

Although many locals and tourists consider the free-ranging chickens part of Key West's uniqueness and charm, some residents are ruffled by the constant crowing and daily droppings in their yards and want the birds removed.

"Their angst hasn't fallen on deaf ears."

"I'm an old country boy. Where I come from, if a rooster got too noisy, he got made into chicken soup," said Key West Assistant City Manager John Jones, who is leading up the relocation project. But the City Commission wants to try to control the population by relocating them, so there will always be chickens in Key West. "We don't want to kill a single one."

Not that they couldn't. According to city ordinance, the chickens could be humanely destroyed because they have been officially declared destructive and obnoxious, said Jones, adding that it is otherwise illegal to hunt, trap, shoot or kill a wild chicken within the city. Coupled with the public health and safety risks that wild chickens allegedly pose, Jones contends the birds are wreaking havoc in places such as Bakama Village and Little Hammock Park and says action must be taken before the island is completely overrun.

Once concentrated in specific areas, Key West's chicken population has spread dramatically in recent years because people have been dumping nuisance birds in neighboring communities, com-

ounding the problem, said Jones. Specifics have yet to be worked out regarding the trap and relocation plan, but wildlife experts have a few ideas: First, more about 200 roosters — the primary source of noise — and later, several hundred hens.

All of the birds would be housed temporarily in Key West, possibly at the children's farm at the Monroe County Sheriff's Office or a makeshift aviary at the Hawk's missile site near the airport, until permanent homes are found outside the city.

Jones said several farms and wild bird facilities throughout Florida have already offered to take some of the chickens. Before any chickens are placed from the city's streets, however, the Key West commission must first give its final stamp of approval.

Kathia Skochan, owner of The Chicken Store on Duval Street, is troubled by the proposed chicken roundup and wants the city to build a chicken park where children and tourists could enjoy them.

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