



**CAPTAIN'S KEY
DEPENDENT DISTRICT**

**PALM BEACH COUNTY
LANDOWNERS' MEETING
FEBRUARY 14, 2023
6:00 P.M.**

Special District Services, Inc.
The Oaks Center
2501A Burns Road
Palm Beach Gardens, FL 33410

www.captainskeydd.org
561.630.4922 Telephone
877.SDS.4922 Toll Free
561.630.4923 Facsimile

AGENDA
CAPTAIN’S KEY DEPENDENT DISTRICT
The Oaks Center
2501A Burns Road
Palm Beach Gardens, Florida 33410
LANDOWNERS’ MEETING
February 14, 2023
6:00 p.m.

- A. Call to Order
- B. Proof of Publication.....Page 1
- C. Establish Quorum
- D. Consider Adoption of Election Procedures.....Page 2
- E. Election of Chair for Landowners Meeting
- F. Election of Secretary for Landowners Meeting
- G. Approval of Minutes
 - 1. February 9, 2021 Landowners’ Meeting Minutes.....Page 4
- H. Election of Supervisors
 - 1. Determine Number of Voting Units Represented or Assigned by Proxy.....Page 7
 - 2. Nomination of Candidates
 - 3. Casting of Ballots.....Page 8
 - 4. Ballot Tabulations
 - 5. Certification of the Results
- I. Landowners’ Comments
- J. Adjourn

PALM BEACH

STATE OF FLORIDA
COUNTY OF PALM BEACH:

Before the undersigned authority personally appeared ANGELINA GARAY, who on oath says that he or she is the LEGAL CLERK, Legal Notices of the Palm Beach Daily Business Review f/k/a Palm Beach Review, of Palm Beach County, Florida; that the attached copy of advertisement, being a Legal Advertisement of Notice in the matter of

CAPTAIN'S KEY DEPENDENT DISTRICT - NOTICE IS HEREBY GIVEN THAT THERE WILL BE A LANDOWNERS' MEETING AND REGULAR, ET AL.

in the XXXX Court,
was published in a newspaper by print in the issues of Palm Beach Daily Business Review f/k/a Palm Beach Review on

01/18/2023 01/25/2023

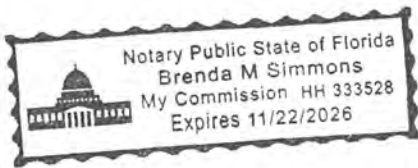
Affiant further says that the newspaper complies with all legal requirements for publication in chapter 50, Florida Statutes.

Angelina Garay

Sworn to and subscribed before me this
25 day of JANUARY, A.D. 2023

[Signature]

(SEAL)
ANGELINA GARAY personally known to me



CAPTAIN'S KEY DEPENDENT DISTRICT NOTICE OF LANDOWNERS' MEETING AND REGULAR BOARD MEETING

NOTICE IS HEREBY GIVEN that there will be a Landowners' Meeting and Regular Board Meeting of the Captain's Key Dependent District at 6:00 p.m., or as soon thereafter as the meeting can be heard, on February 14, 2023, at the offices of Special District Services, Inc., The Oaks Center, 2501A Burns Road, Palm Beach Gardens, Florida 33410. The primary purpose of the Landowners' Meeting is to elect three (3) Supervisors for the Captain's Key Dependent District.

The purpose of the Regular Board Meeting is to conduct any business to properly come before the Board.

Copies of the Agendas for these meetings may be obtained from the District's website or by contacting the District Manager on their toll-free number at 1-877-737-4922. The meetings may be continued as found necessary to a time and place specified on the record.

If any person decides to appeal any decision made with respect to any matter considered at these meetings, such person will need a record of the proceeding and such person may need to ensure that a verbatim record of the proceeding is made at his or her own expense and which record includes the testimony and evidence on which the appeal is based.

In accordance with the provisions of the Americans with Disabilities Act, any person requiring special accommodations or an interpreter to participate at these meetings should contact the District Manager on their toll-free number at 1-877-737-4922 at least seven (7) days prior to the date of the particular meeting.

Captain's Key Dependent District
www.captainskeydd.org
1/18-25 23-23/0000641154P



CAPTAIN'S KEY DEPENDENT DISTRICT ELECTION PROCEDURES

1. Landowners' Meeting

In accordance with the provisions of Ordinance 2004-018 of Palm Beach County, Florida, it is required that an initial meeting of the Landowners' of the District be held within ninety (90) days following the effective date of the rule or ordinance establishing the District and thereafter every two years for the purpose of electing Supervisors. The assembled Landowners' shall organize by electing a Chairperson, who shall preside over the meeting, and a Secretary shall also be elected for recording purposes.

2. Nomination of Candidates

At the meeting, the Chairman shall call for nominations from the floor for Candidates for the Board of Supervisors. When there are no further nominations, the Chairman shall close the floor for nominations. The names of each Candidate and the spelling of their names shall be announced. Nominees need not be present to be nominated.

3. Voting

Each Landowner shall be entitled to cast one vote for each acre, or any fraction thereof, of land owned by him or her in the District, for each open position on the Board. (For example, if there are three positions open, an owner of one acre may cast one vote for each of the three positions. An owner of two acres may cast two votes for each of the three positions.) To be entitled to vote a landowner must be either present in person or by a representative present with a lawful written proxy.

4. Registration for Casting Ballots

The registration process for the casting of ballots by Landowners or their representatives holding their proxies shall be as follows:

- a) At the Landowners' Meeting and prior to the commencement of the first casting of ballots for a Board of Supervisor position, each Landowner, or their representative if proxies are being submitted in lieu thereof, shall be directed to register their attendance, and the total number of votes by acreage to which each claims to be entitled, with the District's Manager, who will be in attendance at the meeting; or with the elected Secretary of the meeting.
- b) At such registration, each Landowner, or their representative with a lawful proxy, shall be provided a numbered ballot for the Board of Supervisor position(s) open for election. A District representative will mark on the ballot the number of votes that such Landowner, or their representative, is registered to cast for each Board of Supervisor position open for election.
- c) All Landowner proxies shall be collected at the time of registration and retained with the Official Records of the District for subsequent certification or verification, if required.
- d) Registration of Landowners shall proceed until all Landowners present have been registered or thirty (30) minutes after the registration begins. Registration shall begin at 6:00 p.m., May 12, 2015.

5. Casting of Ballots

Registration and the issuance of ballots shall cease once the Chairperson calls for the commencement of the casting of ballots for the election of a Board of Supervisor and thereafter no additional ballots shall be issued.

The Chairman will declare that the Landowners, or their representatives, be requested to cast their ballots for the Board of Supervisors. Once the ballots have been cast, the Chairperson will call for a collection of the ballots.

6. Counting of Ballots

Following the collection of ballots, the Secretary or District Manager shall be responsible for the tabulation of ballots in order to determine the total number of votes cast for each candidate that is seeking election.

At the second and subsequent landowner elections, the two candidates receiving the highest number of votes will be declared by the Chairperson as elected to the Board of Supervisors for four-year terms. The candidate receiving the next highest number of votes will fill the remaining open position on the Board of Supervisors for a two-year term, as declared by the Chairperson.

7. Contesting of Election Results

Following the election and announcement of the votes, the Chairperson shall ask the Landowners present, or those representatives holding proxies for Landowners, whether they wish to contest the election results. If no contests are received, said election results shall thereupon be certified.

If there is a contest, the contest must be specific and must be addressed to the Chairperson and thereupon the individual casting a ballot that is being contested will be required to provide proof of ownership of the acreage for which they voted at the election within five (5) business days of the Landowners' Meeting. The proof of ownership shall be submitted to the District Manager who will thereupon consult with the District's General Counsel and together they will review the material provided and attempt to determine the legality of the contested ballots. Once the contests are resolved, the Chairperson shall reconvene the Landowners' Meeting and thereupon certify the election results.

8. Recessing of Annual Landowners' Meeting

In the event there is a contest of a ballot or of the election, the Landowners' Meeting shall be recessed to a future time, date and location, at which time the election findings on the contest shall be reported in accordance with the procedure above and the newly elected Supervisor(s) shall thereupon take their Oath of Office.

9. Supervisor of Elections Oversight

The Palm Beach County Supervisor of Elections office shall be requested to have a representative present during the Landowners' Meeting to observe and oversee the entire election process. In the event that the Palm Beach County Supervisor of Elections office chooses not to send a representative, the Landowners' Meeting will be conducted per the Supervisor's direction/supervision. The results of the election as certified by the Chairman of the Landowners' Meeting shall not be final until certified by the Office of the Supervisor of Elections.

10. Miscellaneous Provisions

- a) Each Landowner shall only be entitled to vote in person or by means of a representative attending in person and holding a lawful written proxy in order to cast said Landowners' votes.
- b) Proxies will not require that proof of acreage ownership be attached. Rather, proof of ownership must be provided timely by the holder of the proxy, if the proxy is contested in accordance with the procedure above.

**CAPTAIN'S KEY DEPENDENT DISTRICT
LANDOWNERS' MEETING
FEBRUARY 9, 2021**

A. CALL TO ORDER

District Manager Jason Pierman called the February 9, 2021, Landowners' Meeting of the Captain's Key Dependent District to order at 6:15 p.m. outside the Conference Room at The Oaks Center located at 2501A Burns Road, Palm Beach Gardens, Florida 33410.

B. PROOF OF PUBLICATION

Mr. Pierman presented proof of publication that notice of the Landowners' Meeting had been published in the *Palm Beach Daily Business Review* on January 13, 2021, and January 20, 2021, as legally required.

C. ESTABLISH A QUORUM

Mr. Pierman determined that the attendance of John Banister, Russell Jones and Jeremy Beckham constituted a quorum, and it was in order to proceed with the meeting.

Also in attendance was District Manager Jason Pierman of Special District Services, Inc; and District.

Mr. Pierman explained that this Landowners' Election would be for Seats 2, 4 and 5, with the two candidates with the highest number of votes receiving four (4) year terms, and the third highest number of votes receiving a two (2) year term.

D. CONSIDER ADOPTION OF ELECTION PROCEDURES

A **motion** was made by Mr. Banister, seconded by Mr. Jones, and unanimously passed adopting the Election Procedures, as presented.

E. ELECTION OF CHAIR FOR LANDOWNERS' MEETING

A **motion** was made by Mr. Jones, seconded by Mr. Beckham and passed unanimously electing Mr. Banister as Chair for the Landowners' Meeting.

F. ELECTION OF SECRETARY FOR LANDOWNERS' MEETING

A **motion** was made by Mr. Jones, seconded by Mr. Banister and passed unanimously electing Mr. Pierman as Secretary for the Landowners' Meeting.

G. APPROVAL OF MINUTES

1. February 17, 2017, Landowners' Meeting

Mr. Pierman presented the minutes of February 12, 2019, Landowners' Meeting for approval. Without comment, a **motion** was made by Mr. Jones, seconded by Mr. Banister approving the minutes

of the February 12, 2019, Landowners' Meeting, as presented, and upon being put to a vote, the **motion** carried unanimously.

H. ELECTION OF SUPERVISORS

1. Determine Number of Voting Units Represented or Assigned by Proxy

Mr. Pierman determine that, including proxies and the landowners present, there were a total of four (4) voting units.

2. Nomination of Candidates

Mr. Pierman opened the floor for nominations. Via proxy, Mr. Wilson nominated himself, Mr. Banister and Mr. Moss. Mr. Jones nominated Mr. Beckham. Hearing no further nominations, Mr. Pierman closed the floor for further nominations.

3. Casting of Ballots

Mr. Pierman advised the landowners to cast their votes for the candidates.

4. Ballot Tabulations

After tabulating the results, Mr. Pierman announced that Mr. Banister had received 4 votes, Mr. Moss and Mr. Beckham had each received 3 votes, and Mr. Wilson had received 2 votes. Mr. Pierman announced that Mr. Banister and Mr. Moss would each receive 4-years terms for Seats 4 and 5, respectively; and Mr. Beckham would receive a 2-year term for Seat 2.

I. CERTIFICATION OF RESULTS

Mr. Pierman called for any objections to the results. Hearing none, Mr. Pierman certified the election results.

J. LANDOWNER COMMENTS

There were no comments from the landowners.

K. ADJOURNMENT

There being no further business to come before the Landowners' Meeting, a **motion** was made by Mr. Jones, seconded by Mr. Banister and unanimously passed to adjourn the Landowners' Meeting at 6:28 p.m.

Secretary/Assistant Secretary

Chair/Vice-Chair

**LANDOWNER PROXY
CAPTAIN'S KEY
DEPENDENT DISTRICT
LANDOWNERS' MEETING**

KNOW ALL MEN BY THESE PRESENTS, that the undersigned, the fee simple owner of the lands described herein, hereby constitutes and appoints _____ (“Proxy Holder”) for and on behalf of the undersigned, to vote as proxy at the meeting of the landowners of the Captain’s Key Dependent District to be held on **February 14, 2023 at 6:00 p.m.** in the Oaks Center, 2501A Burns Road, Palm Beach Gardens, Florida 33410, and at any adjournments thereof, according to the number of acres of unplatted land and/or platted lots owned by the undersigned landowner which the undersigned would be entitled to vote if then personally present, upon any question, proposition, or resolution or any other matter or thing which may be considered at said meeting including, but not limited to the Board of Supervisors. Said Proxy Holder may vote in accordance with their discretion on all matters not known or determined at the time of solicitation of this proxy, which may be legally considered at said meeting.

This proxy is to continue in full force and effect from the hereof until the conclusion of the above noted landowners’ meeting and any adjournment or adjournments thereof, but may be revoked at any time by written notice of such revocation presented at the annual meeting prior to the Proxy Holder exercising the voting rights conferred herein.

Printed Name of Legal Owner

Signature of Legal Owner

Date

Parcel Description*

of Acres

* Insert in the space above the street address of each parcel, the legal description of each parcel, or the tax identification number of each parcel. [If more space is needed, identification of Parcels owned may be incorporated by reference to an attachment hereto.]

Pursuant to section 190.006(2) (b), Florida Statutes (2023), a fraction of an acre is treated as one (1) acre entitling the landowner to one vote with respect thereto.

TOTAL NUMBER OF AUTHORIZED VOTES: _____

Please note that each eligible acre of land or fraction thereof is entitled to only one vote, for example, a husband and wife are together entitled to only one vote per their residence if it is located on one acre or less of real property.

If the Legal Owner is not an individual, and is instead a corporation, limited liability company, limited partnership or other entity, evidence that the individual signing on behalf of the entity has the authority to do so should be attached hereto. (e.g. bylaws, corporate resolution, etc.)

BALLOT #

BALLOT

CAPTAIN'S KEY
DEPENDENT DISTRICT
LANDOWNERS' MEETING

ELECTION OF BOARD SUPERVISORS

FEBRUARY 14, 2023

The undersigned certifies that he/she is the owner (___) or duly authorized **representative of lawful proxy of an owner** (___) of land in the **Captain's Key Dependent District**, constituting _____ acre(s) and hereby casts up to the corresponding number of his/her vote(s) for the following candidate/candidates to hold the above-named open position:

Name of Candidate

Number of Votes

Signature: _____

Printed Name: _____

Street Address or Tax Parcel Id Number for your Real Property:

