

# HARBOUR WATERWAY SPECIAL DISTRICT

TUESDAY, NOVEMBER 13, 2012

MEETING MINUTES

## Introduction

The Harbour Waterway Special District (HWSD) meeting of the Board of Supervisors was held at the Resurrection Episcopal Church, at 7:00 PM on November 13, 2012. The meeting was called to order at 7:00 PM by Chairman William Hibbard. In attendance were Paul Stroup, Robert Birtalan, Robert Schleef, William Hibbard, and Stanley Pipes. It was noted that there was a quorum. HWSD Attorney Wayne Flowers was present. Kathryn Boucher was present as recording secretary.

## Administrative

Approval of Minutes from October 18<sup>th</sup>, 2012 – Motion to approve the minutes as presented; motion passed.

## District Business

Dredging Permit amendment to use Bartram Island as the spoil site – Paul Stroup explained that HWSD applied for a new permit, instead of an amendment to the existing permit. The city is waiting on information from the Fish & Wildlife department, which should come in this week. *USACE*

Permit Exemption from the FDEP for Dredging – Robert Birtalan needs to meet with Pat Davis regarding the exemption, to determine if there is need for a new application or a request for verification.

Dredging Bid Proposals – Stanley Pipes provided the board with copies of the proposals. There were 5 bids submitted. Cavache, Inc. violated the bid terms and was also the high bidder, so they were eliminated. Orion Marine Construction, Inc. deleted several key points in the bid package and was disqualified. Center Marine Contracting, LLC bid high. The two low bidders were Dredge America and Florida Dredge & Dock, LLC.

Dredge America Proposal – Dredge America did the recent Lake Asbury dredge. There is one concern in their financial statements, showing that they have lost money in the last 2 years; Stanley Pipes received the professional opinion that this was not a risk, as there was no cautionary note from the independent CPA audit. The owner offered to send an updated financial statement. The required performance bond will cover HWSD in the event a bankruptcy is declared. The president/owner was asked to be at the December 11<sup>th</sup> board meeting. Dredge America has done a site visit already. There is a question of using Reed Island to seam the pipe, which would require the permission of Tom Boney. At Dredge America's price, the dredge could be completed with excess funds of \$211,895 with all revenue and loans considered at the bid

volume of 52,000 cubic yards. The excess funds can be used to dredge up to the maximum quantity of 60,000 cubic yards. Stanley Pipes will update the budget to reflect the increased cost of the dredging project and loan requests. Motion was made to declare intent to award Dredge America the dredge contract at \$988,071.12; motion passed.

Resolution 2012-07: Approval of ARC Survey Agreement – Three surveys will be done to include each of the three channels. Motion was made to approve ARC Survey’s contract; motion passed.

Per the JPA Agreement, a 60 day Notification to JPA of intent to use the spoil site – Exhibit B “Licensee Notification” was presented to the Board. Once the notification is made, an invoice should be received from the Port Authority for over \$225,000 as pre-payment for material deposited in the spoil site. The updated permits need to be received before the notification is filed.

Accounting Firm for the District – Roy Miller and Associates – Stanley Pipes met with the firm. At the end of the fiscal year audits will need to be made. HWSD should receive a bid, once it is determined exactly which type of audits are required.

#### Financial

Non-Ad Valorem Assessment for 2012 – Mailed on November 1 – No comments have been received.

Dredging Loan Proposals – Both Ameris Bank and BB&T were considered at a taxable loan amount of \$650,000.00. There was a discussion of needing an additional loan within the next 5 years for a spoil site. Motion was made to submit the commitment letter to proceed with BB&T; motion passed.

Ameris Bank – Total to be repaid \$742,201.32. No known restrictions on future loans based on current debt service.

Florida League of Cities & BB&T – Total to be repaid \$733,829.05. Prepayment penalty of 1%. Available loan amount up to \$700,000. BB&T also submitted proposal at a lower non-taxable rate.

Authorize Chairman and Treasurer to establish Bank Account – Motion was made to authorize Chairman William Hibbard and Treasurer Stanley Pipes to open bank account at BB&T with remaining funds from HWA allocation (\$11,000); motion passed.

Approve ACH Form for Tax Collector to deposit assessment funds – Authorization form will be completed with the new BB&T account information.

Approval to disburse funds – Motion made to disburse legal, administration and facility fees totaling \$1,831.00; motion passed.

District Schedule

Next Scheduled Board Meeting: December 11, 2012 at Resurrection Episcopal Church

Date of Public Hearing & Meeting to Adopt Rules of Procedure: Scheduled for January 8<sup>th</sup> 2013

Other Business

Legal and Compliance Issues – Nothing to report.

Other Business – Nothing to discuss.

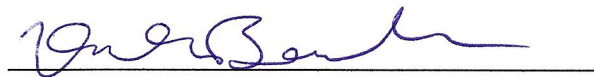
Comments and Questions from the Audience

There was a discussion of means to keep the dredge effects in place, using the contractor Tom Raines, who William Hibbard recommends.

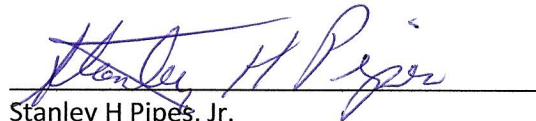
Adjournment

The meeting was adjourned at 8:25 PM. The next monthly board of supervisors meeting is scheduled for December 11<sup>th</sup>, 2012.

Respectfully submitted,



Kathryn Boucher  
Recording Secretary



Stanley H Pipes, Jr.  
Secretary / Treasurer

**HARBOUR WATERWAY  
SPECIAL DISTRICT  
Agenda**

Tuesday  
November 13, 2012  
7:00 pm

Resurrection Episcopal Church  
12355 Fort Caroline Rd.  
Jacksonville, FL. 32225

- I. Introduction**
  - a. Call to Order
  - b. Roll Call / Quorum
  
- II. Administrative**
  - a. Approval of Minutes
    - i. *Minutes from October 18, 2012*
  
- III. District Business**
  - a. Dredging Permit amendment to use Bartram Island as the spoil site – Status
  - b. Permit Exemption from the FDEP for Dredging
  - c. Dredging Bid Proposals – Dredge America Proposal
  - d. Resolution 2012-07 \_ Approval of ARC Survey Agreement
  - e. 60 day Notification to JPA of intent to use spoil site
  - f. Accounting Firm for the District – Roy Miller and Associates
  
- IV. Financial**
  - a. Non-Ad Valorem Assessment for 2012 – Mailed on November 1
  - b. Dredging Loan Proposals
    - i. Ameris Bank – Loan Proposal
    - ii. Florida League of Cities & BB&T– Loan Proposal
  - c. Authorize Chairman & Treasurer to establish Bank Account
  - d. Approve ACH Form for Tax Collector to deposit assessment funds
  - e. Approval to disburse funds for Legal Services
  
- V. District Schedule**
  - a. Next Scheduled Board Meeting
    - i. *December 11, 2012 – Resurrection Episcopal Church*
  - b. Date of Public Hearing & Meeting to Adopt Rules of Procedure
    - i. *Hearing scheduled for January 8 , 2013*
  
- VI. Other Business**
  - a. Legal and Compliance Issues
  - b. Other Business
  
- VII. Comments and Questions from Audience**
  
- VIII. Adjournment of HWSO Meeting**