



OCEAN HIGHWAY & PORT AUTHORITY
NASSAU COUNTY

County Commission Chambers

James M. Page Government Complex

96136 Nassau Place, Yulee FL 32097

REVISED AGENDA

Thursday, November 12, 2020

6:00 PM

6:00 PM – Meeting Called to Order – Chairman

Invocation

Pledge of Allegiance

Roll Call: Miriam Hill, District 1; Danny Fullwood, District 2, Scott Hanna, District 3; Carrol Franklin, District 4; Mike Cole, District 5

- Comments - Audience (Comments emailed prior to the meeting)

1. Approval of Minutes

- October 14, 2020 Monthly Meeting Minutes

2. Consent Items

None

3. Report by Pierre LaPorte, Port Accountant

- Financial Report – October 2020

4. Report by Jeb Branham, Port Attorney

5. Port Director Report

6. Port of Fernandina Report

- Tonnage Report – October 2020

7. Unfinished Business

- Nassau Tradeplex Sign – Next Step
- Port of Fernandina Sign – Permit Secured

8. New Business

- Election of Officers
- Discussion - Streaming of meetings
- ~~• Discussion – Commissioner salaries~~
- Acquisition of a Tug Boat by OHPA under the AMH Grant Agreement with a Lease Back to Worldwide Terminals Fernandina

Committee Reports

- Port Security – Commissioner Fullwood
- Customs House – Commissioner Franklin
- Army Corp of Engineers – Commissioner Sturgess
- Economic Development – Commissioner Cole
- Emergency Management – Commissioner Franklin
- Technical Coordinating Committee – Commissioner Hanna
- TPO – Commissioner Cole
- Nassau Chamber East Side – Commissioner Sturgess
- Nassau Chamber West Side – Commissioner Cole
-

9. Administrative Office Manager Report

10. Other items to be brought by Commissioners

11. Adjourn

If a person decides to appeal any decision made by the board, agency, or commission with respect to any matter considered at such meeting or hearing, he or she will need a record of the proceedings, and that, for such purpose, he or she may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based. Fla. Stat. § 286.0105.

Pursuant to Executive Order No. 20-69, issued by the Office of Governor Ron DeSantis on March 20, 2020, municipalities may conduct meetings of their governing boards without having a quorum of its members present physically or at any specific location, and utilizing communications media technology such as telephonic or video conferencing, as provided by Section 120.54(5)(b)2, Florida Statutes.



Minutes



OCEAN HIGHWAY & PORT AUTHORITY

Robert Sturgess – Commissioner, District 1
Danny Fullwood – Chairman, District 2
Scott Hanna – Secretary/Treasurer, District 3
Carrol Franklin – Commissioner, District 4
Mike Cole – Vice Chairman, District 5

Monthly Meeting Minutes

October 14, 2020

The Ocean Highway and Port Authority of Nassau County held its Monthly Meeting on **Wednesday, October 14, 2020** at the **County Commissioners Chambers at the James S. Page Government Complex, 96153 Nassau Place, Yulee, Florida 32097.**

The meeting was called to order at 6:11 PM by Chairman Fullwood.

The invocation was given and the Pledge of Allegiance was led by Commissioner Cole. Roll call was conducted by Mrs. Barbara Amergian. All Commissioners were present. Also in attendance were Jeb Branham, Port Attorney; Pierre LaPorte, Port Accountant. Absent was Chris Ragucci, Port Director/Operator.

Chairman Fullwood recognized City Commissioner Chip Ross, 210 N 3rd Street, Fernandina Beach, FL. Mr. Ross wanted to know what the Commission planned to do about the flooding at the Port during King Tides. He also inquired as to whether the Ocean Highway & Port Authority would be televising their monthly meetings. He had comments regarding the agenda item that pertain to the Broome Street property but would wait until the agenda item was addressed in the meeting. The Commissioners would take under advisement dealing with tidal flooding at the Port when Mr. Ragucci was available to give input.

Commissioner Hanna made the motion to accept the minutes of the September 9, 2020 monthly meeting and the September 24th special meeting. The motion passed unanimously.

Port Accountant Pierre LaPorte presented the September 2020 financials to the Board; with nothing out of the ordinary to report. He informed the Board that the auditors would be doing the fiscal year audit the week of November 9, 2020.

Port Attorney Jeb Branham presented his monthly report to the Board. The City of Fernandina Beach will be filing the PILOT payment lawsuit against OHPA soon. The Channel Re-Alignment issue has taken “a backseat” and will be dealt with at some point. Attorney Branham and Chairman Fullwood attended a confidential mediation on October 9, 2020 with TranSystems; Mr. Branham is optimistic the financial matter will be resolved. The City of Fernandina Beach has approached Representative Cord Byrd and Senator Aaron Bean about introducing a Bill to

amend OHPA's Legislative Charter; specifically asking for an amendment to Section 12 that states OHPA does not have to get permits from any local government and the amends proposed would require OHPA to get permitting from either the City or the County, depending on who would have jurisdiction over the permit and that OHPA would have to pay building fees, impact fees, and specifically comply with zoning regulations as well. Attorney Branham reported that he had met with Representative Byrd to discuss ways to resolve these issues.

New Business Items regarding the Customs House Preservation and the Building Permits were discussed at this point in conjunction with Attorney Branham report. Mr. Branham read two resolutions being presented to the Board for approval. He stated that OHPA is committed to preserving the Customs House and if that is not possible, then the Custom House will be offered to the City of Fernandina Beach.

Mr. Branham pointed out to the Board that by adopting these resolutions, this would show good faith on behalf OHPA to Representative Byrd and Senator Bean.

Commissioner Hanna made the motion to adopt Resolution 2020-R07. With no further discussion, the motion passed unanimously.

**OCEAN HIGHWAY AND PORT AUTHORITY, NASSAU COUNTY, FLORIDA
RESOLUTION NO. 2020- R07. A RESOLUTION OF THE OCEAN HIGHWAY AND PORT
AUTHORITY OF NASSAU COUNTY, FLORIDA - TO PRESERVE THE CUSTOMS HOUSE; PROVIDING
FOR AN EFFECTIVE DATE.**

Commissioner Cole made the motion to adopt Resolution 2020-R08. With no further discussion, the motion passed unanimously.

**OCEAN HIGHWAY AND PORT AUTHORITY, NASSAU CDUNTY, FLORIDA
RESOLUTION NO. 2020-R08. A RESOUJTION OF THE OCEAN HIGHWAY AND PORT AUTHORITY
OF NASSAU COUNTY, FLORIDA TO PROVIDE CDNSTRUCTION PLANS TO THE CITY OF
FERNANDINA BEACH FOR REVIEW AND COMMENT; NEGOTIATING AN INTERLOCAL
AGREEMENT FOR ISSUANCE OF BUILDING PERMITS; PROVIDING FOR AN EFFECTIVE DATE.**

Port Director/Operator Chris Ragucci was not in attendance at the meeting. There is no tonnage report.

Unfinished Business:

Commissioner Franklin made the motion to accept the Resolution 2020-R04: FY 20/21 Annual Budget as presented. Motion passed unanimously. OCEAN HIGHWAY AND PORT AUTHORITY, NASSAU COUNTY, FLORIDA. RESOLUTION NO. 2020-R04. A RESOLUTION OF THE OCEAN HIGHWAY AND PORT AUTHORITY OF NASSAU COUNTY, FLORIDA. ADOPTING ITS BUDGET FOR FISCAL YEAR 2020-21; PROVIDING FORAN EFFECTIVE DATE.

The agenda item *Proposed Acquisition of the Broome St. Property Adjacent to and Contiguous with the Port. Seeking Authority for OHPA to Execute a PTGA (Grant Agreement) with FDOT to Finance Improvements thereon, on a contingent Basis* was tabled due to Mr. Ragucci's absence.

New Business:

Commissioner Hanna made the motion to renew Port Attorney Jeb Branham's annual contract for FY 20/21. Motion passed unanimously

Commissioner Hanna made the motion to accept the FY 20/21 contract with Coursun & Stam. Motion passed unanimously

Commissioner Franklin made the motion to accept the FY 20/21 employment agreement for Barbara Amergian. Motion passed unanimously.

Committee Reports:

- Port Security – Commissioner Fullwood – nothing new to report
- Customs House – Commissioner Franklin – nothing new to report
- Army Corp of Engineers – Commissioner Sturgess – nothing new to report
- Economic Development – Commissioner Cole – nothing new to report
- Emergency Management – Commissioner Franklin – nothing new to report
- Technical Coordinating Committee – Commissioner Hanna – he attended the last virtual meeting. More discussion on electric cars.
- TPO – Commissioner Cole – nothing new to report
- Nassau Chamber East Side – Commissioner Sturgess – nothing new to report
- Nassau Chamber West Side – Commissioner Cole – nothing new to report

The administrative office manager report was presented. Mrs. Amergian also informed the Board that included in her report were the FDOT Grant updates from the last monthly meeting with FDOT.

In other items to come before the Board: This was the last Board Meeting for Commissioner Sturgess. Chairman Fullwood and the rest of the Commissioners thanked him for all of his dedication to the Ocean Highway & Port Authority and for his time as Chairman. A donation was made in his honor to the charity of his choice in lieu of a plaque.

Chairman Fullwood informed the Board that he had received a call from the Florida Ports Council and the Council would like the Board to make a decision in the next few months regarding hiring a Port Director. Chairman Fullwood will attend the December meeting and the Florida Ports Council would like to have a new Port Director for the Port of Fernandina in place for March of 2021.

Mrs. Amergian gave the Board the latest rendition for the Nassau Tradeplex sign done by Design It Wraps and Graphics. Quote information will be presented at the next meeting.

With no further business to come before the Board, the meeting was adjourned at 7:11 PM.

Danny Fullwood, Chairman



Port Accountant Report

NASSAU COUNTY OCEAN HIGHWAY & PORT AUTHORITY

Monthly Financial Report - October 2020

	October	YTD ACTUAL	BUDGET 2020-2021
Revenues			
Quarterly Fee	20,973.00	20,973.00	253,300.15
PILOT Payment	0.00	0.00	0.00
Audit Fee Reimbursement	0.00	0.00	0.00
Misc Income	0.00	0.00	2,000.00
Interest	5.21	5.21	60.00
TOTAL REVENUES	20,978.21	20,978.21	255,360.15
EXPENSES			
COMMISSION DIRECT			
Salaries - Commissioners	10,000.00	10,000.00	120,000.00
Payroll Taxes	936.06	936.06	11,361.00
Unemployment	0.00	0.00	75.00
Conferences & Travel	0.00	0.00	1,000.00
Insurance	0.00	0.00	1,134.00
Salaries - Board Attorney	2,460.00	2,460.00	30,000.00
TOTAL COMMISSION DIRECT	13,396.06	13,396.06	163,570.00
COMMISSION OPERATION			
Salaries- Accountant	1,500.00	1,500.00	18,000.00
Salaries - Office Administrator	1,774.50	1,774.50	23,535.68
Expenses - Office Administrator	13,389.61	13,389.61	4,000.00
Travel - Office Administrator	0.00	0.00	100.00
TOTAL COMMISSION OPERATION	16,664.11	16,664.11	45,635.68
COMMISSION DISCRETIONARY			
Dept. of Revenue (Special Dist. Fee)	0.00	0.00	225.00
TPO. - Membership	0.00	0.00	1,257.00
Greater Nassau Chamber of Commerce	0.00	0.00	280.00
Advertisement	0.00	0.00	600.00
Special Meeting - Court Reporter	0.00	0.00	0.00
Web Site	0.00	0.00	0.00
Awards & Presentations	0.00	0.00	120.00
Discretionary	0.00	0.00	720.00
TOTAL COMMISSION DISCRETIONARY	0.00	0.00	3,202.00
PORT OPERATIONS			
FB Annual Fee - PILOT	0.00	0.00	0.00
CSX Right of Way Fee	0.00	0.00	750.00
Insurance	1,160.20	1,160.20	11,141.00
Audit	0.00	0.00	25,800.00
FL Ports Council Dues	0.00	0.00	15,500.00
Nassau Cty Economic Dev Board	0.00	0.00	3,000.00
Sponsorships	0.00	0.00	500.00
TOTAL PORT OPERATIONS	1,160.20	1,160.20	56,691.00
TOTAL EXPENSES	31,220.37	31,220.37	269,098.68
Excess Revenues over Expenditures	-10,242.16	-10,242.16	-13,738.53

NASSAU COUNTY OCEAN HIGHWAY & PORT AUTHORITY

Customs House

Monthly Financial Report - October 2020

	<u>October</u>	<u>YTD ACTUAL</u>	<u>BUDGET</u> <u>2020-2021</u>
INCOME			
GSA - Customs House - RENTAL INCOME	0.00	0.00	0.00
Interest			
TOTAL INCOME	0.00	0.00	0.00
 CUSTOMS HOUSE			
Bug Out Pest Control	225.00	225.00	312.00
River Pest Control Termite Bond	490.00	490.00	500.00
Bug Out Termite Bond	0.00	0.00	250.00
Cleaning Service	280.00	280.00	3,360.00
City of Fernandina Beach (Water)	96.07	96.07	1,500.00
Florida Public Utilities (Electric)	410.80	410.80	5,000.00
Maintenance	0.00	0.00	0.00
TOTAL CUSTOMS HOUSE	1,501.87	1,501.87	10,922.00
<u>Net Increase(decrease) in Funds</u>	<u>-1,501.87</u>	<u>-1,501.87</u>	<u>-10,922.00</u>

NASSAU COUNTY OCEAN HIGHWAY & PORT AUTHORITY

Account Balances - October 31, 2020

Account Name	Acct Num	31-Oct	30-Sep
Operating	x3328	27,169.75	41,137.64
Money Market	x3310	126,675.62	126,670.41
Other - Admin Acct	x6714	161.7	329.81
BBT Maintenance	x1591/#1605	111,280.16	111,280.16



Attorney Report

JEB T. BRANHAM, P.A.
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Jacksonville Beach, Florida 32250
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November, 2020

Below are updates on the near-term legal issues:

1. Fernandina Beach has now filed suit over the PILOT payments dispute. I will file a motion to dismiss the complaint shortly.
2. The interlocal agreement for the city to assume financial liability associated with the westward channel realignment has taken a back seat to higher priority matters between the city and OHPA. It will likely remain this way for the near term.
3. TranSystems, OHPA, and WTF mediated the lawsuit filed by TranSystems on October 9. The parties have not reached a settlement agreement, but the mediator has not yet declared an impasse. If the mediator declares an impasse, then TranSystems will be free to resume its litigation against OHPA and WTF.
4. The City of Fernandina Beach has approached Representative Cord Byrd and Senator Aaron Bean about amending OHPA's legislative charter to remove the authority the legislature gave to OHPA to construct and regulate buildings on its own and to make OHPA subject to city regulation. The city initially made three complaints in connection with its legislative request: a) what the city sees as discrepancies between its Comprehensive Plan and OHPA's Strategic Master Plan; b) the preservation of the customs house; and 3) port expansion. The city appears to have added the pending PILOT payment dispute into their three previous complaint. On Friday, October 30, I, Commissioner Franklin, Tammi Bach, Dale Martin, Len Kreger, Aaron Bean, Cord Byrd, and Buddy Jacobs met. We explored near term solutions so that a bill does not have to move forward during this legislative session. Although we did not reach any firm agreements, I believe we made some positive progress.

Jeb T. Branham, Esq.
419 3rd Street North
Jacksonville Beach, FL 32250

Invoice submitted to:
Ocean Highway and Port Authority

November 5, 2020

Invoice # 13145

Professional Services

	<u>Hrs/Rate</u>	<u>Amount</u>
10/8/2020 Telephone conference with C. Isley regarding TranSystems mediation; telephone conference with D. Fullwood regarding TransSystems mediation;	0.50 200.00/hr	100.00
10/9/2020 Attend mediation of TranSystems v. OHPA and WTF;	8.00 200.00/hr	1,600.00
10/12/2020 Telephone conference with C. Iseley regarding settlement of TranSystems v. WTF; telephone conference with C. Iseley and T. Arnold regarding settlement of TranSystems v. WTF;	0.50 200.00/hr	100.00
10/13/2020 Review bonding requirements; email to B. Amergian regarding bonding requirements; email to B. Amergian regarding contract renewal;	0.40 200.00/hr	80.00
10/14/2020 Prepare resolutions 2020-07 and 2020-08; attend regular meeting;	1.80 200.00/hr	360.00
10/15/2020 Telephone conference with C. Ragucci regarding meeting and TranSystems; telephone conference with C. Iseley regarding TranSystems v. WTF;	0.20 200.00/hr	40.00
10/20/2020 Telephone conference with B. Corbett regarding general ACOE matters;	0.50 200.00/hr	100.00
10/21/2020 Telephone conference with C. Ragucci regarding port matters;	0.20 200.00/hr	40.00

	<u>Hrs/Rate</u>	<u>Amount</u>
10/26/2020 Telephone conference with M. Hill regarding port matters;	1.00 200.00/hr	200.00
10/28/2020 Review and analyze Fernandina Beach v. OHPA complaint; email to commission regarding complaint;	0.50 200.00/hr	100.00
10/29/2020 Prepare motion to dismiss;	4.00 200.00/hr	800.00
Attend meeting with C. Franklin, A. Bean, C. Byrd, and city officials;	1.40 200.00/hr	280.00
11/4/2020 Telephone conference with C. Ragucci regarding tug purchase; inspect case files at Nassau County Courthouse;	2.50 200.00/hr	500.00
11/5/2020 Telephone conference with M. Hill regarding terms and charter; prepare attorney report; finalize motion to dismiss;	1.30 200.00/hr	260.00
For professional services rendered	<hr/> 22.80	<hr/> \$4,560.00
Previous balance		\$2,460.00
Accounts receivable transactions		
10/8/2020 Payment - thank you. Check No. 2366		(\$2,460.00)
11/5/2020 Credit Adjustment		(\$900.00)
Total payments and adjustments		<hr/> (\$3,360.00)
Balance due		<hr/> <hr/> \$3,660.00



Unfinished Business

Nassau Trade Plex Sign with Jason's Upgrades – Painting and landscaping and addition of his placard.



2436 Lynndale Road
FERNANDINA BEACH, FL 32034 US
(904) 310-6032
brent@designitgraphics.com
<http://www.designitgraphics.com/>



Estimate

ADDRESS

Nassau Tradeplex

ESTIMATE # 1696

DATE 10/27/2020

ACTIVITY	QTY	RATE	AMOUNT
SIGNS Pricing is for either version 1/2. Includes installation and removal of existing letters.	1	2,300.00	2,300.00T
SIGNS IF desired, or needed painting sign would be \$250~ but appears to be in mostly good shape!	0	250.00	0.00T

	SUBTOTAL		2,300.00
	TAX (0.07)		161.00
	TOTAL		\$2,461.00

Accepted By

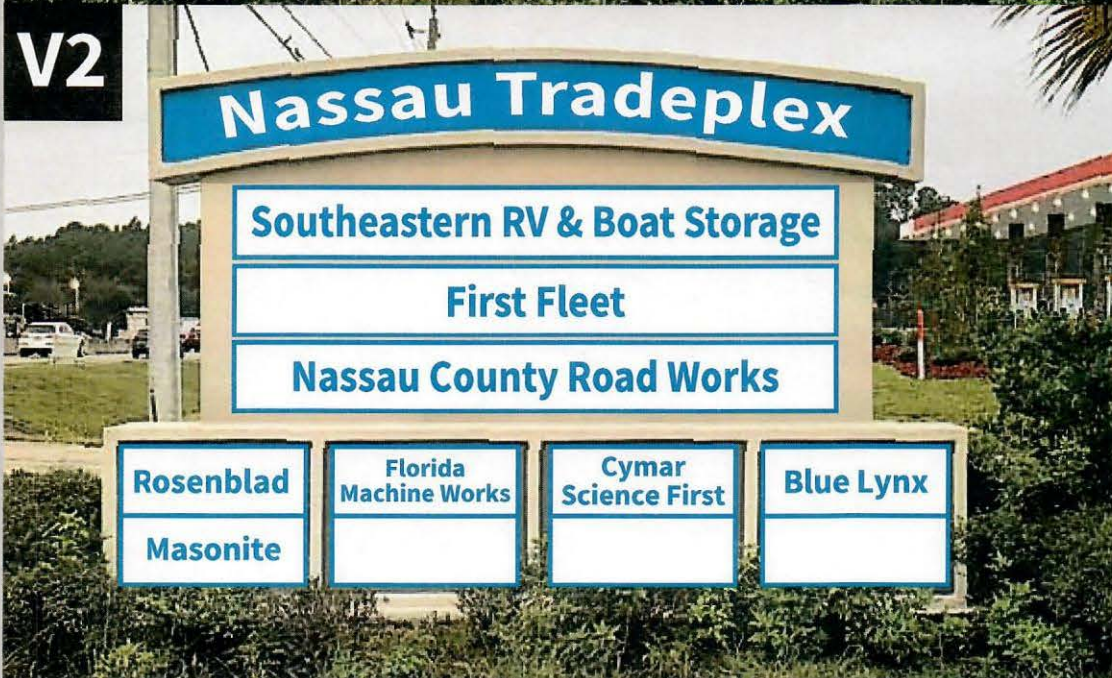
Accepted Date

ARTWORK PROOF

V1



V2



APPROVED BY: _____

DATE: _____

*This digital proof is not an exact representation of color, or quality.

*For signage, we will send up to three revisions. Additional revisions can be subject to a 15 dollar fee per revision.

*By signing this document, you are in agreeance to pay full amount due upon completion of job/installation

Created Date: 12/13/2019

DESCRIPTION: JF_Reface Double Sided Monument

Bill To: Ocean Highway & Port Authority
403 N 3rd St
Fernandina Beach, FL 32034
US

Installed: Ocean Highway & Port Authority
403 N 3rd St
Fernandina Beach, FL 32034
US

Requested By: Barb Amergian
Email: ohpanc@gmail.com
Work Phone: (207) 475-5459
Tax ID: 85-8013158425C-4

Salesperson: Jeremy Folliett
Email: jeremy.folliett@fastsigns.com
Cell Phone: 904-654-3941

NO.	Product Summary	QTY	UNIT PRICE	AMOUNT
1	1/2" PVC Back Panels 96"x14" w/ 1/2" 30"x12" Panels	2	\$354.04	\$708.08
2	1/2" PVC Back Panels 96"x12" w/ 1/2" 30"x11" Panels	2	\$299.255	\$598.51
3	1/2" PVC Back Panels 96"x12" w/ 1/2" 22"x10" Panels	2	\$292.20	\$584.40
4	1/2" White PVC "Nassau Tradeplex" Lettering	2	\$442.50	\$885.00
5	Removal of prior sign Lettering and Logo	1	\$248.00	\$248.00
6	Installation of new signage	1	\$372.00	\$372.00

Estimate is valid for 30 days

Credit Card information is not kept on file.

Sign Installation including most necessary materials. Installation fee subject to change according to actual time spent on the job. If you are not present at the time of the installation and you would like to alter the placement of your sign after installation is complete; additional charges may be added.

Subtotal:	\$3,395.99
Taxes:	\$0.00
Grand Total:	\$3,395.99
Deposit Required:	\$1,698.00

ARTWORK PROOF

\$470.80 cost



APPROVED BY: _____

DATE: _____

- *This digital proof is not an exact representation of color, or quality.
- *For signage, we will send up to three revisions. Additional revisions can be subject to a 15 dollar fee per revision.
- *By signing this document, you are in agreeance to pay full amount due upon completion of job/installation



New Business



Administrative Office Manager Report

ADMINISTRATIVE OFFICE MANAGER'S REPORT

November 2020

Hours Worked October – 58.5

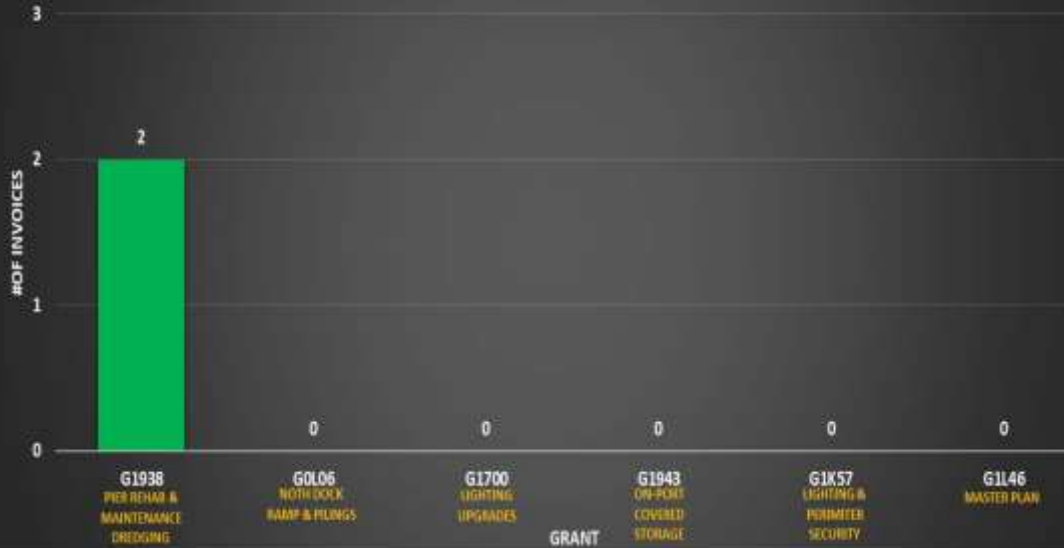
- Attended and completed meeting minutes for the October 14, 2020
- Attended FDOT Grant Update meeting – see current grants list
- Sign at Port – continued follow up with City for permit
- Sign at Nassau Tradeplex – follow up and photos for next step
- Worked with Joanne at Coursun & Stam on budget and reconciliations
- Invoices paid and entered into QuickBooks
- Payroll entered into QuickBooks
- Started Agenda for November meeting
- Responded to all emails and corresponding documents/letters
- Website Updates
- Electronic file organizing

Public Records Request Received in September - 0

GRANT FUNDING BALANCES



GRANT INVOICING ACTIVITY



FDOT Grant Activity
November 4, 2020 Meeting
Balances and Invoicing Activity