

**MINUTES OF THE BOARD OF SUPERVISORS
ISLE OF PALMS SPECIAL DISTRICT FOR DREDGING**

December 4, 2012

Board President Jason Sessions opened the meeting and called it to order at 1832 hours. Other Board members/officers present were Vice President Ken Wright, Secretary Brad Radloff, Treasurer Matt Kwartler, and Board member Tim Pacheco. Board Attorney Wayne Flowers of Lewis, Longman & Walker was also present. Approximately 37 homeowners attended the meeting.

Copies of the meeting Agenda were passed out to the Board and other interested parties.

AGENDA ITEMS

First Order of Business - Approve the Minutes of the November 13, 2012 meeting

MOTION: To approve the minutes of the November 13, 2012 meeting by JSessions. The motion was seconded by MKwartler and passed unanimously.

Second Order of Business-Vote on a Preliminary Assessment (Dollar Amount) for Purposes of "Notice" Only

During the November 13, 2012 Board meeting, the Board agreed to vote on a preliminary assessment amount during the December 4, 2012 meeting since it was necessary to provide public notice prior to voting on the final amount. As such, the Board agreed to vote on the final amount during the following meeting on January 15, 2013. It was also stressed that the voted final amount could be less than the preliminary amount set for purposes of the public notice. Prior to voting on the preliminary amount, the Board opened up the meeting for questions/comments from home owners in attendance and an informal/unofficial polling of attendees to obtain some feedback as to what levels of assessment homeowners were willing pay to start the first cycle revenue collection. Various questions and comments were heard by the Board including input from Board Secretary BRadloff who had conducted a walking survey over a fair portion of the North IOP area to obtain hard data regarding the proposed assessment amount from represented homeowners.

The polling of meeting attendees to obtain feedback regarding the assessment amount resulted in the following:

\$500.00 >> 16

\$400.00 >> 2

\$300.00 >> 7

\$200.00 >> 4

\$100.00 >> 1

\$000.00 >> This assessment option was not polled.

The walking survey/polling of homeowners over a portion of North IOP conducted by BRadloff regarding the assessment amount resulted in the following (written documentation of the survey was passed out to each Board member):

\$500.00 >> 1

\$400.00 >> 0

\$300.00 >> 6

\$200.00 >> 15

\$100.00 >> 8

\$000.00 >> 12

Upon completion of polling and public comments/questions, the Board initiated a discussion to determine what the preliminary assessment amount for purposes of “notice” would be. Initially, the discussion involved a clarification from Board Attorney WFlowers about whether the proposed amount for notice could be voted up or down during the January 15, 2012 meeting to set the actual amount. WFlowers suggested that the amount could only be voted down from the noticed preliminary amount. To increase the preliminary amount (up to \$500.00), another 20 day notice would be required prior to making the final vote. As such, BRadloff suggested, in the interest of time, money, and practicality that the notice should just be put out with a preliminary assessment amount of \$500.00 with knowledge of and stressing the fact that the final amount could be voted less than \$500.00 on January 15, 2012. Based upon that suggestion, JSessions motioned to approve \$500.00 for the preliminary amount for purposes of notice.

MOTION: To approve a preliminary assessment amount of \$500.00 for purposes of “notice” only. The motion was seconded by Board Treasurer MKwartler and passed with four Yay’s and one Nay. Board Member TPacheco cast the Nay vote without discussion.

Other Business

Pursuant to the approval of the preliminary assessment amount for noticing, Board Attorney WFlowers produced a sample Notice Letter that had been used by Harbour Waterway (another waterfront community with a special district for dredging) for our consideration and use (after adjusting for the IOP District) for direct mailing purposes. Like the publication noticing, the direct mailing notice requires a minimum 20-day pre-action distribution (sent by December 14, 2012). With the help of volunteers from homeowner attendees, JSessions took responsibility for generating the notice letter, “lick-stick-and-fold,” and mailing.

WFlowers also brought up the example of an “Interlocal Agreement” that was passed out during the November 13, 2012 meeting for Board review and approval. Said interlocal agreement is intended, in general, to authorize the Duval County Tax Collector to collect the annual assessment amount established by the District for purposes of dredging. The agreement also allows the County to collect a fee (a percentage of the total assessment amount collected annually for the District). The fee was confirmed to be 3.5% by WFlowers. An attempt was made to motion that the example agreement be approved for use by the IOP Special District; however, TPacheco brought to light significant inconsistencies in the language of the document, specifically a comparison of sections 3.1 and 3.2, regarding the way in which the City actually collected the fees from the District. Another attempt was made to tentatively approve the agreement. TPacheco strongly suggested that the Board not adopt the language in the agreement without making adjustments to those sections of the agreement that are in question. With some additional discussion amongst the Board members and WFlowers, WFlowers suggested that the Board defer a vote on the use of said agreement and he would contact the appropriate City officials to discuss the proposed modifications to the language in question prior to the next meeting.

Future Meeting Dates

Forthcoming Board meeting dates (below, minus meeting dates already having occurred) were previously approved during the November 13, 2012 meeting:

January 15, 2013 > Vote on final assessment amount for the first year.

February 12, 2013 > TBD

All meetings are to be held at 6:30 PM in the “Advance Hall” (around back) at the First Baptist Church at 324 N. 5th St., Jacksonville Beach, 32250.

Public Open Discussion (Questions/Comments)

Approximately 3 persons (none identified) asked varying questions or made comments, as outlined below:

- 1) Wanted to know what the assessment amount actually meant, in terms of whether a higher amount would mean dredging getting done sooner. Ans: Basically, yes.
- 2) Wanted to know when the final assessment would occur. Ans: 2013.
- 3) Where will dredging start, greatest need? Ans: Basically, yes.

Adjournment

At the conclusion of the public comments/questions, the meeting was adjourned at 1913 hours.