

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

January 15, 2013

Board President Jason Sessions opened the meeting and called it to order at 1834 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 77 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 December 4, 2012 meeting

**MOTION:** To approve the minutes of the December 4, 2012 meeting by JSessions. The motion was seconded by KWright and passed unanimously.

**Second Order of Business-** Adopt a Resolution Establishing the Annual Assessment Amount (in dollars) for Each Parcel in the District for FY 2013-2014 [first collection year]

During the December 4, 2012 Board meeting, the Board approved a preliminary assessment amount of \$500.00 that would be made public by way of direct mail and appropriate newspaper/legal advertisement prior to voting on the final amount during tonight's meeting. It was also stressed at the December meeting that the voted final amount could be less than the preliminary amount set for purposes of the public notice. Prior to voting on the final amount, JSession started off a summary discussion (for those attending, whom may have been new to the monthly meeting) of the process up to this point and the parameters upon which the Board will be voting during tonight's meeting. JSessions also suggested that apparently a few residents within the District may have mistakenly received the noticed of the proposed assessment but should not have been included in the noticing (one attendee provided his address, 14719 Plumosa Drive, for verification - JSessions confirmed that said address should not have been included in the mailing). Then the Board opened up the meeting for questions/comments from home owners after first allowing Board members to each present their positions, ideas, etc. regarding the assessment amount, as follows (Jason Sessions already expressed his views during the initial summary that he would like to an assessment to start at \$500.00):

Tim Pacheco - Agrees that maintenance is a good thing and warranted but wants sensibility and compromise as far as the assessment amount. He would like to see an initial assessment at \$200.00.

Matt Kwarter - Agrees partially with Tim but has seen his property values go down and is concerned about that and wants to see the dredging help to bring the values back up. Wants to see the assessment amount be as much as it can be to get as much dredging done as possible initially to realize alleged savings in contractor mobilizations. So he would like to see an assessment to start at \$500.00.

Ken Wright - Is sensitive to homeowners that don't want to be over-taxed or are on fixed incomes, etc. However, he is also concerned that the assessment amount might not be enough to get things done even at \$500.00 without saving up an amount over time in order to get ahead of the dredging costs. He suggests that we will always be behind, if we are not able to collect the maximum about as soon as possible. So he would like to see an assessment to start at \$400.00 to \$500.00.

Brad Radloff - Agrees with certain aspects of all the other the Board members but wants to hold to the premise that during the meetings from the original dredging activity, it was suggested that maintenance dredging would not be expected to be needed until at least some time after 10 years (for purposes of establishing a time period for when the dredging bill could be paid back to the City) at which time maintenance dredging could be addressed, if desired, and another assessment be initiated. As such, he thinks the new assessments shouldn't be initiated until after the other is paid but as a compromise for practicality would agree to about \$200.00. His amount was based upon a door-to-door survey of North IOP residents (61% responding) resulting in 23 for \$0.00, 10 for \$100.00, 24 for \$200.00, 10 for \$300.00, 1 for \$400.00, and 9 for \$500.00. All averaging \$177.92.

Ken Wright - asked for a "rebuttal" to BRadloff's presentation regarding conducting maint. dredging after 10 years (to which he agreed was stated for the original dredging) and suggested that the original dredging had been financed by the City which means that they fronted the money to have the dredging done. He said the difference between then and now is that because the money was put up ahead of time and now we have to collect small amounts every year until we have enough to get anything done and he believes we will always be in the rears trying to catch-up, if we don't try to collect the maximum amount.

Jason Sessions - wanted to add a couple more points and mainly that the assessment amount [after the vote tonight] can only go up \$100.00 per year. It may be reduced but won't be able to go up more than \$100.00. The other point is that because we don't have a survey, there is no way we can know how much dredging needs to be done, so if we start off with a low assessment and end-up needing a lot of dredging, it will take "forever" to collect enough money since it can only go up \$100.00 per after this year.

Opened up the discussion for public comment (every effort was made to get the names and addresses of attendees commenting; however, not everyone was entirely audible and may not have been entirely included), as outlined below:

- 1) Initial question was who were the board members and where did they live. The board members stated their names and addresses.
- 2) Nick, Palm Island Rd. - Concerned about where the dredging would start first. It was suggested that a survey was needed first.
- 3) Loretta McLemore, Island Drive - How much was paid for the original dredging and how long to pay for that. Board did not know how much and suggested 4 years left to pay on the original. She also had other concerns about the election of Board members and how the Board was organized. JSessions discussed the process on how the District got set-up.
- 4) Alan Chancey, Island Dr. - Wondering what the urgency is now for dredging when the last dredging wasn't done for over 50 years. Sessions suggested that there's a group of people in the IOP community that feel it is necessary.
- 5) Tom Long - Concerns about how the original dredge was done and how much the maintenance dredging is going to cost and the parameters involving what's going to be dredged.
- 6) Dan Deboise - Didn't know about the dredging and assessment for maintenance.
- 7) Joe Wallis, SIOP - Likes BRadloff's survey as representative.
- 8) Mostly inaudible - \$500.00 is too much
- 9) Joe, Mostly inaudible - like BRadloff's approach to polling the neighborhood, he's from SIOP. He didn't see anyone come around his part of the neighborhood and would have like it.
- 10) Andy Arnold - Concerned that the notice letter did not have the stated attachment indicating the affected lots in the District. Board Attorney WFlowers suggested that it was not necessarily required as it was a tentative assessment.
- 11) Jim Dillon, Tradewinds Dr - wants to see a polling now maybe to help speed the process up a little. KWright suggested he wanted to hear a few more people because if people really cared he would expect everybody who does to show-up.
- 12) Mike McCue, Marsh View Dr. - Praised the Board for volunteering. And doesn't not have a lot of sympathy for people who haven't paid attention to the signs, etc.
- 13) Mike Davis, Cordgrass - Willing to pay \$500.00. Three years later he has to walk his boat in at low tide. If we dredge certain areas where there is run-off into the canals from the other tributaries, etc. how long will it take to silt back in and when it does why can't we go to the ACOE to get help.
- 14) Kristy Hancock - Totally agree that she'd rather pay \$500 now than pay \$9,000 later but do we know what the delinquent taxes are and how will that affect our revenue stream.

Her other point was, the only reason she knew about this meeting was because of the signs on the corner of the road and thinks that there should be better communication. And she didn't get any letter and suggested that (from reading previous minutes) the communication issue was raised but there doesn't appear to have been any action taken to address the issue and would like to see that.

15) Ryan Linewald - Doesn't want to start at \$100.00, need to pay as much as we can now.

16) Alan Lykendy, Palm Island - Concerned that a small group of people got the dredging district "slammed down our throats" without consulting everybody else. Wondering if anybody else will get something to say about it. He wants to propose a vote for \$500 and another for \$200.

17) John Howell, Plumosa Dr - Past dredging, waited too long to do dredging. Said about half the people paid it off and the other did not, it was choice to make payments which end-up being more. And thinks \$500 should be assessed since it is not much money relative to the benefits of increased property values.

18) Someone asking about the letters going out late (some letters were post marked January 3<sup>rd</sup>) and not actually giving the required 20 days prior notice and she wants to know from WFlowers what the legal ramifications may be for that. WFlowers read the Statute and suggested that there is no requirement to mail certified return receipt, just that it was mailed first class postage. And he said the Board can choose to defer the vote and make sure that anyone who feels they didn't get the letter in time can come to another meeting or the Board can move forward. Tim Pacheco suggested that he didn't even get a letter either and that concerns him and he can see that there are more questions and wants everyone to get a chance to speak.

JSessions at this point wants to get a public "show-of -hands" ("since it looks like people are getting tired and/or leaving") to get a polling of where the homeowners in the room are relative to the assessment level, as follows:

\$500.00 >>> 22

\$400.00 >>> 0

\$300.00 >>> 6

\$200.00 >>> 23

\$100.00 >>> 1

\$ 0.00 >>> Didn't ask for this level

Continuing with the public comment:

19) Paul Lockenbush, Coquina Dr. - Thinks there has been plenty of notice for these

meetings and thinks the Board has done a good job at notifying the homeowners. Secondly, thinks the Board can do a better job than the City to administrate the dredging. He supports the \$500 assessment.

20) Mark Vitry - Thanking the Board for all the hard work. Thinks \$500.00 per year is not a lot and thinks it is not much money.

21) Walt Jakbosky - Find out what the City is going to charge to collect the assessments Right now it is 1.5% for the Property Appraiser and 2.0% for the Tax Collector for a total of 3.5% but the PA make up its percentage to 2.0% make a total of 4.0%. He thinks those fees are "ridiculous".

22) Larry Dennis - Wants to commend BRadloff for going around finding out what the homeowners were willing to pay. But also concerned about the tiny signs used to notify homeowners of meetings, too small. Also suggested bulkheads in SIOP were different and affected how the SIOP canals got dredged. He is for the \$200.00 assessment.

23) Someone asking about what the moneys will be allocated for. It covers everything, legal, etc.

JSession suggested that we go ahead and make a motion but first asked for any more comments from the Board. TPacheco wanted to caution the Board that it should be realistic in its approach to the assessment and not set the amount at \$500.00 and then have new Board members elected in two years bring the assessment back down from \$500.00. He wants to reach a compromise somewhere in between \$500.00 and \$200.00 so that we don't "tick people off" to where they come after us to change it right away or vote us out and change everything that we've done so far. JSession wanted to add that the original ordinance was written up such that the annual assessment was going to be \$1000.00, then in the last two weeks of the drafting of the ordinance, BRadloff was successful in "politicking his way into having the assessment lowered to \$500.00 per year" to start the first year's assessment and thinks that plenty of compromise has already been giving. TPacheco rebutted that the \$1000.00 assessment was not asked for by the community, but rather a small group of homeowners. Much other discussion ensued to that.

**MOTION:** To approve an assessment level of **\$400.00** for each District lot.

Discussion on that amount was opened up to the Board members. MKwartler sees almost a solid split between the \$200 people and the \$500 people and thinks \$400 is a good compromise. BRadloff suggested that based upon his survey results (of rounding up from \$177 to \$200) and averaging the difference between \$200 and \$500, you get closer to \$350 as a compromise. TPacheco is willing to compromise to \$300 ONLY if the Board is willing to wait until the original dredging debt is paid off. KWright suggested, after some discussion and consideration of everyone's point of view, that \$300 is not going to be enough and even \$400 or \$500 will not be enough but is willing to accept \$350 if we had a unanimous Board.

Then discussion ensued regarding KWright's proposal for \$350 but he had already seconded the Motion for \$400, so the original Motion for \$400 was voted on and resulted in one

(1) vote for the \$400 assessment and four (4) against. That Motion was dropped and JSessions suggested another Motion for \$350.00

**MOTION:** To approve an assessment level of **\$350.00** for each District lot.

The Motion was seconded by KWright and approved with four (4) votes for the Motion and one (1) against. TPacheco was the dissenting vote.

Certain procedural aspects were discussed with WFlowers regarding what happens next with the City and what needs to be submitted and when. He also suggested that he had a discussion with the City attorney regarding the language of the Interlocal Agreement between the City and District. The City attorney suggested that the language could be adjusted pursuant to TPacheco's concerns of the language indicated during the last meeting. Alternative language was submitted to the Lori French [sic] and indicated that the language, preliminarily, looked okay but that she would have to look at it closer to be sure. Any new language of the agreement would be brought back to the next meeting for the Board to review and approve.

### **Future Meeting Dates**

The previous meeting minutes had February 12, 2013 for the next meeting and it was announced as such.

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.

### **Adjournment**

A Motion was made to adjourn the meeting which was approved at 1955 hours.