

Ocean Highway & Port Authority

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

Special Meeting Minutes

November 20, 2018

The Ocean Highway and Port Authority of Nassau County held a Special Meeting on Tuesday, November 20, 2018 in the County Managers Conference Room at the James Page Government Complex, 96135 Nassau Place, Yulee, Florida.

The meeting was called to order at 10:00 AM by Vice Chairman Franklin.

The invocation was given by and Pledge of Allegiance was led by Commissioner Fullwood. Roll call was conducted by Ms. Barbara Amergian. All Commissioners were present.. Also in attendance was Ms. Laura DiBella, Port Director, Mr. Pierre LaPorte, Port Accountant, and Mr. Chris Ragucci, Port Operator.

Vice Chairman Franklin welcomed the two new commissioners, Scott Hanna and Mike Cole.

A Motion was made by Commissioner Fullwood to nominate Commissioner Sturgess for position of the Chairman. Motion seconded by Commissioner Cole. Motion approved unanimously.

Vice Chairman Franklin turned the gavel over to Chairman Sturgess.

A Motion was made by Commissioner Cole to nominate Commissioner Fullwood as the Vice Chairman. Motion was seconded by Chairman Sturgess. Motion approved unanimously.

Chairman Sturgess asked for clarification on the Secretary/Treasurer report versus the position of Secretary/Treasurer position. Mr. LaPorte stated that the report has been changed to Financial Report, the position of Sec/Treasurer remained the same.

A Motion was made by Commissioner Fullwood to nominate Commissioner Franklin as the Secretary/Treasurer. Motion was seconded by Commissioner Hanna. Discussion included comments by Commissioner Cole that the more experienced officers should be in the Officer positions. Approved unanimously.

The following Committee Appointments were made by Chairman Sturgess:

Customs House – Commissioner Franklin

Port Security – Commissioner Fullwood

Economic Development – Commissioner Fullwood

Emergency Management – Commissioner Franklin

TPO – Commissioner Cole

Technical Coordinating Committee – Commissioner Hanna

Chamber of Commerce/Eastside – Commissioner Sturgess

Chamber of Commerce/Westside – Commissioner Cole

Commissioner Franklin asked about appointing a Community Outreach Liaison for the towns of Nassau County. Ms. DiBella thought it was a good idea from a community outreach standpoint. Chairman Sturgess suggested that the Commissioner representing the District should attend the city/town meetings as schedules permit. Commissioner Hanna said he potentially would be able to step in if anyone was unable to make the meetings. Meetings were held in the districts at one time and the OHPA should get back to doing that. Chairman Sturgess asked Ms. DiBella to keep OHPA apprised of any agenda items that would affect the OHPA so a Board Member would be able to attend.

Chairman Sturgess reminded the Board that these were committee meetings are for gathering facts and not an opportunity for any negotiating.

On the agenda item of Interim Attorney Hiring/Engagement Letter: Miriam Hill addressed the Board. She was happy that the opportunity arose and was the “right place at the right time” to step in for the interim.

A Motion was made by Commissioner Cole to retain Ms. Miriam Hill as OHPA interim council for a three month period. Motion seconded by Commissioner Fullwood. Motion unanimously approved.

Candidates are being interviewed and the position description detail will be expanded and listed on the website. There are other resources available to solicit lawyers through advertising.

Commissioner Fullwood asked about the Conflict Waiver with the City of Fernandina Beach. Miriam Hill went over the Conflict Waiver; if there is need for outside counsel with the City, Ms. Hill will represent the Board. She currently has one board of adjustment appeal that she is representing the City. Ms. Hill would be the OHPA attorney if there are any issues with the City of Fernandina. The Conflict Waiver has been signed by City Attorney Tami Bach.

Ms. Hill's fees were outlined in her engagement letter. The budgeted amount is \$30,000. Chairman Sturgess asked about billing in 6 minute increments as this is his preference. Ms. Hill's rationale was based on billing by the quarter hour, and multi-tasking. Chairman Sturgess asked for the billing in 6 minute increments. Chairman Sturgess asked if Ms. Hill would be able to provide a Memorandum of Law if asked. Ms. Hill said that was doable. Chairman Sturgess asked if the OHPA would be billed for Ms. Hill's educating herself on the issues of Special District that she may not be aware of; Ms. Hill stated that she would probably do so to research the issues, she also stated that she would inform the Board if she did not know the answer and needed to research. She has represented Special Districts but not a Port Authority.

Ms. Hill also suggested a designated Point of Contact with the Board to keep her billing lower. Chairman Sturgess agreed to be the Point of Contact. Mr. Ragucci, Port Operator, asked about conflicts between the Port and the City. One conflict is the Planning and Land Use issue. The

City is trying to take action in their Master Plan that would be in conflict with the Port Authority and attempt to constrain the Port from what it is legally entitled to do. The law says the City has not legal authority to do it but political influences are in play. Mr. Ragucci wanted to be sure that there was no breach of confidentiality regarding this issue with the City. Another issue is the Port District and the Port property lies in some areas on city streets. The safety of the public using these streets while the Port business is being conducted is an issue. Mr. Ragucci has had discussions with the City and there has been no advancement with taking care of the issue. Chairman Sturgess reminded Mr. Ragucci that issues involving Ms. Hill's time would have to come through the Board, not the Port Operator. Ms. Hill recognized that she would need to take her direction from the Board and she informed that the Board that there was no conflict between her and the City regarding either of those matters.

Chairman Sturgess asked Ms. DiBella for an updated on the Seaport Mission Plan modification. Ms. DiBella stated that she was a public records request from City Commissioner Chip Ross regarding the document. He expressed concern over the "numbers" listed on the report and the public's reaction to those numbers. The volume of truck traffic was a major concern. Ms. DiBella will be meeting with him next to go over the figures and adjust them to be more realistic for the short term. Ms. DiBella will send the modification out to the Board once it has been completed. Mr. Ragucci added that the truck traffic for the OHPA is low as most traffic is done via rail and ships. He stated that most truck traffic is conducted through the mills. The meeting with City Commissioner Ross, Mr. Ragucci, and Ms. DiBella will be held on Friday, November 30th at 4 PM at the Worldwide Terminals office; all are invited to attend, just let Ms. DiBella know.

Commissioner Fullwood asked about the Sunshine Law Class that was available when he came on the Board. Ms. DiBella stated she would find out when the next one is scheduled. Ms. Hill also ordered Sunshine Manuals for everyone and those would be in within the week.

Ms. Hill suggested that Emergency Management Protocol needs to be established to communicate within the Board so there is no violation of the Sunshine Law.

Chairman Sturgess explained to the Board that, as Chairman of the Board, that he wants to avoid the conflict of interest with an attorney client relationship. He will state, on occasion, that he not giving legal advice and it is giving his observation.

Next regular meeting is scheduled for Wednesday, December 12, 2018.

Adjourned at 10:58 AM



Robert Sturgess
Chairman