

**ST. AUGUSTINE PORT, WATERWAY & BEACH DISTRICT**

**MINUTES OF REGULAR MEETING**

**Tuesday, March 20, 2012**

The regular meeting of the St. Augustine Port, Waterway & Beach District was held at the St. Augustine Beach City Commission Meeting Room, 2200 A1A South, St. Augustine Beach, Florida on Tuesday, March 20, 2012.

**CALL TO ORDER**

Chairman Jerry Dixon called the meeting to order at 3:00 p.m.

**PLEDGE OF ALLEGIANCE**

The Pledge of Allegiance to the flag of the United States of America followed.

**ROLL CALL**

Chairman Jerry Dixon, Vice-Chairman Tom Rivers, Commissioners Herb Rippe, Jay Bliss and Commissioner Barry Benjamin, were in attendance. The meeting was also attended by District Counsel Jim Bedsole, Dr. Steve Schropp of Taylor Engineering, Secretary-Treasurer, Elyse Kemper.

**SECRETARY-TREASURER'S REPORT**

The Treasurer's Report was delivered by Elyse Kemper. As of February 29, 2012, the District had \$6,210 left in Florida State Board of Administration Fund A, \$39,588 in Fund B, \$339,513 in its operating account, and \$1,448,926 in C.D.'s at the Bank of St. Augustine. Of expected tax revenues of \$368,165, more than \$317,000 has been collected for this fiscal year. As of March 16, 2012, net funds available for use by the District equaled \$1,701,895.

**APPROVAL OF MINUTES**

**Commissioner Rivers moved to approve the minutes for the February 21, 2012 meeting, seconded by Commissioner Bliss. The Board unanimously approved the minutes.**

## ENGINEERING REPORT

Dr. Steve Schropp delivered the engineering report on behalf of Taylor Engineering. Dr. Schropp said the new marker piling had been installed near the Lighthouse Boat Ramp and that the signs would be installed as soon as they arrive. He also received one bid for replacement of the marker down in Salt Run near the Conch House Marina. Responding to questions by Chairman Dixon and Commissioner Bliss, Dr. Schropp said concrete marker posts would not float away, as the wooden variety often do, but would be more expensive. Also, floating markers tend to swing in the tide and do not offer precise information to boaters. However, floating markers must be used in water too deep for pilings.

Dr. Schropp then related that the Florida Department of Environmental Protection (FDEP) recently had a workshop on the revised Inlet Management Plan (IMP) which he and Commissioner Rippe attended. FDEP officials intend to have the revised IMP ready for review very soon and have asked to come before the Board at that time. Commissioner Rippe said the new IMP includes a recommendation to move sand north of the inlet at a ratio of one-third north and two-thirds to the south of the inlet. Dr. Schropp said the plan does not address how the costs of implementation will be appropriated. Commissioner Rippe said moving sand north will be more expensive because of the logistics, distance and presence of structures. He said erosion seems to be less severe farther north and that pumping sand north is in some cases much closer than St. Augustine Beach. Dr. Schropp added that FDEP lacks sand data for the interior of the inlet but that the majority of migrating sand appears to collect on the ebb shoal.

Chairman Dixon then asked FIND Commissioner Carl Blow to address the topic. Commissioner Blow said he would like to see the IMP before attempting to discuss its contents, but cautioned the Board to give it a very careful review because it contains much new information and affects many sensitive interests. Commissioner Rippe added that a special meeting may be needed just for review of the IMP.

Chairman Dixon then brought up the letter he recently received from the Army Corps of Engineers (ACOE) requesting a reimbursement for money expended under a contract with the District in 2002 feasibility study of Salt Run. FIND Commissioner Blow said ACOE stopped work because of a problem with the federal Coastal Barrier Protection Act map. The map had numerous errors and included or omitted areas all over the coast of Florida based on very dated information. As a consequence, ACOE halted the study.

Dr. Schropp then discussed the scope of work budget for the Summer Haven River restoration project. He said the project is novel and presents many unusual challenges and that he used the most cost-effective approaches in the proposed budget. He was not able to predict the cost, but said it would not exceed \$61,500.00. He added that more money may be required if FDEP requires modeling studies.

**Commissioner Rippe moved to approve the expenditure of up to \$61,500.00 to Taylor Engineering for obtaining the permits for the Summer Haven River restoration. The motion was seconded by Commissioner Rivers and passed unanimously by the Board.**

## **OLD BUSINESS**

### **A. Corp of Engineers continuing contract-James Bedsole.**

District Counsel Jim Bedsole presented a revised version of a memorandum of agreement which has been under discussion for some time between the District and ACOE. The agreement originated with the effort to obtain emergency dredging services for St. Augustine Inlet during 2011 when regular dredging by ACOE was delayed by litigation. At that time, the Board approved a proposed agreement proffered by FIND Commissioner Blow and County Commissioner Bill Leary to ACOE. ACOE subsequently offered an agreement of its own which was revised by Mr. Bedsole and presented to the Board for approval before returning it to ACOE. FIND Commissioner Blow urged the Board to maintain the discussion with ACOE by responding to their draft agreement.

**A motion by Vice-Chairman Rivers, seconded by Commissioner Benjamin, authorizing Mr. Bedsole to prepare a letter transmitting the Memorandum of Agreement to the ACOE for Chairman Dixon's signature was unanimously approved.**

### **B. Motion to raise sunken sailboat north of Vilano.**

Commissioner Bliss said the issue of raising the sunken sailboat north of Vilano Bridge had not been resolved at the last meeting and that he wanted the Board to address the matter again. At the last meeting, a motion to approve \$3,500 to raise and dispose of the vessel had failed on a 2 to 2 vote.

**Commissioner Benjamin moved to approve \$3,500 to raise and dispose of the vessel and the motion was seconded by Commissioner Rivers. The motion failed to pass by a vote of 3 to 2 with Commissioners Bliss and Rivers voting in favor.**

### **C. Motion to contract with SeaTow and TowBoats USA to provide pump-outs to unattended boats in district waters in danger of sinking - Commissioner Bliss.**

Commissioner Bliss proposed the District contract with local towing services to pump out derelict vessels to prevent their sinking pending the removal process. Officer Pedonti of the Florida Fish and Wildlife Conservation Commission (FWC) said only a law enforcement agency can declare a vessel derelict and that no one would have legal authority to board a private vessel prior to that designation. He said hiring someone to pump out a private vessel without the permission of the owner would create liability for everyone involved and could also create responsibility to then maintain the vessel. Chairman Dixon agreed with Commissioner Bliss that a problem sometimes exists but said the processes now in place are adequate and legally correct. Commissioner Bliss withdrew his motion but stated that the problem was preventable and that he would continue to seek a solution.

Commissioner Rippe took the occasion to ask Commissioner Rivers if he had followed up on the concept of a county-wide tax base for the District and suggested he speak to local

legislative candidates. He also said the tallship Bounty is arriving April 26 and will require a portable gangway to allow visitors aboard. The gangway must be capable of accessing the twelve-foot freeboard of the ship. Consultant Ken Krauter suggested the Port of Jacksonville has such equipment and that a number of gangway companies in Jacksonville also would help.

## **NEW BUSINESS**

### **A. Secretary-Treasurer Richard Bell.**

Secretary-Treasurer Richard Bell said that because of his retirement, he will often be away from St. Johns County and consequently unable to attend regular meetings. He tendered his resignation and requested that it be effective immediately. Mr. Bell went on to explain that his assistant, Elyse Kemper, has been thoroughly trained by him and that he believes she would be a good successor in the office. In response to questions from the Board, Mr. Bell and Ms. Kemper explained that the accounting firm of Donovan Bell, CPA's would continue to provide secretarial services as it has for several years and that other members of their staff will be available if Ms. Kemper is unable to attend a meeting.

**A motion to accept Mr. Bell's resignation and appoint Elyse Kemper Secretary-Treasurer was made by Chairman Dixon and seconded by Commissioner Benjamin. The motion passed unanimously.**

Commissioner Rippe asked Mr. Bell how the District may to invest its funds. Mr. Bell said the District cannot invest in debt obligations unless secured by the federal government, but may invest in time deposits and money market accounts. Mr. Bell said the money remaining in State Board of Administration Fund A is left over from a much larger investment that had been liquidated shortly prior to a stock market crash in 2002 that destroyed much of the tax revenue held by that agency.

### **B. Dolphin Drive dredge funding - Tim Ford.**

Tim Ford, 24 Fountain of Youth Blvd., addressed the Board regarding the silting of the basin adjacent to his residence. He said the basin serves all of the homes located on it as well as many transient and recreational boaters who come there to fish, sightsee and shop at Stewart's Market on Anastasia Boulevard. He said silting is so bad now between the mouth of the basin and the Intracoastal Waterway that it is accessible only two hours per day. The basin was dredged several years ago with the help of the City of St. Augustine and the District, and the property owners there are still paying for that work. He believes about seven thousand cubic yards of silt and sand need to be removed.

Board members voiced support for Mr. Ford and his neighbors, but requested that he obtain a cost estimate from a contractor and return to a future meeting with those figures.

## **PUBLIC COMMENT**

Amy Kennedy, Flagler County Reef Coordinator, Wil Smith, St. Johns County Parks and Recreation Director, and Carl Blow, St. Johns County Inland Navigation District Commissioner requested the Board to commit its entire offshore reef budget of \$25,000 for use as matching funds for the artificial reef improvement planned by Flagler County in 2013. Ms. Kennedy said Flagler is applying for an FWC grant and needs the matching funds in order to get the grant. Mr. Blow said there are now 18,000 tons of bridge concrete stored at St. Augustine Airport awaiting transport offshore for artificial reefs. Mr. Smith said artificial reefs already contribute nearly 400 million dollars per year to the northeast Florida economy. The closest access to Flagler County reefs is through St. Johns County's boat ramps, thereby benefitting our county's economy through purchase of lodging, fuel and supplies.

**After discussion by the Board, Commissioner Rippe moved to set aside \$25,000 now in the District's 2012-2013 budget for use as matching funds for the Flagler County grant application. The motion was seconded by Commissioner Benjamin and passed by a unanimous vote.**

Officer Pedonti, FWC, reported there are three derelict vessels now scheduled for removal. Two are in the Intracoastal near Crane Park and one is near Butler Beach Park. He said a submerged fishing boat that had drifted all the way from the Gulf of Mexico had recently come ashore in South Ponte Vedra Beach and has been removed without environmental damage.

Sgt. Jay Bucher, St. Johns County Sheriff Marine Unit, said they had been called and had conducted a search for a man missing from the St. Augustine Shores fishing pier, but nothing was found.

## **COMMENTS BY COMMISSIONERS**

None.

## **NEXT MEETING**

The Chairman announced the next regular meeting is scheduled for Tuesday, April 17, 2012, at 3:00 p.m. in the same location.

## **ADJOURN:**

There being no further business, Chairman Dixon adjourned the meeting at 5:40 p.m.

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Secretary-Treasurer

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Chairman