

# NORTHWEST FLORIDA TRANSPORTATION CORRIDOR AUTHORITY MEETING

## Board Meeting Minutes

February 8, 2018

### 1. Call To Order & New Business

Chairman Montgomery called to order the meeting of the Northwest Florida Transportation Corridor Authority at 9:30 a.m. CT on February 8, 2018 at Walton Area Chamber of Commerce in Santa Rosa Beach, FL.

#### **Members Present:**

Robert B. Montgomery, Chairman  
James F. Anders, II, Vice-Chairman  
Peter Bos, Member  
Cheryl Sanders, Member  
Gordon Sprague, Member

#### **Staff Present:**

Nick Beninate, Attorney  
Alicia Stephen, Administration  
Robert Kellner, HDR Vice President

### 2. Pledge of Allegiance

Pledge was conducted and Chairman Montgomery welcomed everyone.

### 3. Approval of Minutes

Gordon Sprague made a motion to approve all 3 meetings' minutes (October 20, 2016 Board meeting, February 23, 2017 and October 19, 2017 Financial meetings) and Peter Bos seconded the motion. The motion passed unanimously.

### 4. Financial Report

Alicia Stephen explained the financials reflecting the Authority's bank account balance. The amount shown as the 1/31/2018 Authority account balance does not reflect any payment of Harrison, Sale, McCloy invoices shown on today's agenda or mileage reimbursement for Board members' travel. The total balance shown in the first table matches the remaining JPA funds from our last reimbursement from FDOT. The funds are no longer available to the Authority for reimbursements as the JPA contract with FDOT expired on December 31, 2017. Should the Authority decide dissolution, we would need to submit a letter to FDOT expressing that this was our decision.

In preparation for this meeting, Alicia asked Ms. Alicia Brininger, the FDOT representative to the Authority, about the remaining JPA funds and was told they will eventually go back to Federal Highway whenever they ask for it.

At this point, Chairman Montgomery said that we have \$5600 in the bank that is available for the Authority to spend; Alicia confirmed that this was right. Nick Beninate then explained that the \$35,612.90 amount was left on the table as a result of the expiration of the JPA contract.

Jim Anders made a motion to approve the Financials and Mr. Sprague seconded the motion. Financials were unanimously approved.

## 5. New Business

**A-D:** Ms. Cheryl Sanders made a motion to approve all four Hand Arendall Harrison Sale LLC invoices and Mr. Anders seconded and invoices' motion was unanimously approved.

Chairman then asked if we needed to discuss whether or not the Board members would be reimbursed for their travel. Chairman Montgomery mentioned that Cheryl Sanders traveled quite a distance to attend today's meeting at which point Ms. Sanders said that if the Board chose not to pay today, she was fine with that. Chairman Montgomery said that Ms. Sanders should be paid. Peter Bos made a motion that she be reimbursed Gordon Sprague seconded the motion and the motion was unanimously approved.

**E.1.:** Chairman opened up the discussion of Dissolution and the Triumph Gulf Coast. This started since we don't have any money, any contracts or any projects to do.

A detailed discussion took place regarding Crestview Bypass. The Authority acknowledged that this needs to be addressed and could be a potential project to discuss with FDOT and Triumph.

The Chairman asked Bob Kellner to summarize the Authority's attempts to work with FDOT and local government on the Bypass. Bob explained that members of the Authority have talked to FDOT and County Commissioners in the past and have continued on-going discussions. The reality comes into the Authority's funding and how to move forward.

At which time Bob introduced Kevin Wall of Anderson Columbia. Kevin and I have worked together on approx. \$800 million worth of construction projects around the state. Kevin has probably been the most vocal about the Crestview Bypass. Kevin represents an industry out there that wants to combine with Authorities.

Kevin has spoken w/several past Secretaries for FDOT regarding this particular issue and most recently said, "If President Trump dumps another 10,000 troops at Eglin AFB, we're up the creek in Okaloosa County." During one of his most recent calls, he asked the District 3 Secretary if it was ok to start marching up with some ideas and was told yes. Kevin explained that if we don't keep the Triumph money in the region, a handful of people from South Florida will take it. There are projects throughout the Authority's domain that we can do with the Triumph money and help the region by cutting through the red tape.

At this point in the discussion, Gordon Sprague suggested the Board to move into the Triumph discussion and all agreed. Ironically Triumph covers the exact same eight counties that the Authority does. I've spent the past few months meeting with members of the Triumph Board educating them about our role and function and some weren't aware that we are alive and well so it was an educational process.

Further we can take whatever project funds are appropriated and leverage that; double or triple its value from public/private partnerships from what the original funding is. So there is an avenue for them to consider that they are now becoming aware of.

Gordon requested that Nick prepare a resolution expressing interest for the Authority to partner with Triumph. The Authority was given a moment to read it before discussing it. It is counter-predictive to the agenda's first item, about dissolving the Authority. It is an expression of intent of what our future might be.

Gordon said, "I'm prepared to make a motion to endorse this but wanted to introduce and discuss the resolution prior to any discussion of dissolution".

Nick Beninate mentioned that he had a few procedural comments that might help guide the conversation. We have 2 topics: the possibility of dissolution and getting involved with the Triumph projects. Our options on the dissolution topic, the way that I read our statute is that it would take 4 of the 5 of us today to vote in favor of dissolving in order to do anything with that which is just a recommendation to the legislature because we're operating under a regular statute. The Chairman said that he feels that we are beyond the dissolution at this point. Nick clarified that the discussion sounds like we will stay active and try to get involved with a project. The procedural comments on that would be that we have a few things that have slipped recently since we haven't had regular meetings. We don't have a budget adopted now for our current year which sounds insignificant since we're only sitting on \$6,000 but to go and try to be a partner on these projects, we need to check some boxes and get back in the good graces of all the bureaucrats. These may be minor things but they are things that we let slide due to the lack of a Board meeting in approx. 15 months or so. Gordon Sprague said, "Based on that analysis and discussion, I would like to make a motion in support of this Resolution. I believe that is step one. Peter Bos seconded Gordon's motion.

Cheryl Sanders then described the lack of staff working for Franklin County and how the people in the County are worried about how US 98 will stay together during and after the next storm. And there are discussions at County Commission meetings about putting a toll road leading to Alligator Point, which hasn't been repaired since Hurricane Hermine because of lack of funds. For these reasons, she is not in favor of dissolution.

Visitor, Dexter Gortemoller of Gortemoller Engineering, Inc. spoke and chose to visit today as he's in Panama City Beach. Listening to this morning's discussion, he certainly sees many opportunities where the Authority could work with Triumph to get

projects going faster and more efficiently. And he would appreciate seeing some projects to help with the congestion all along US 98.

The Chairman reminded the Board that we hadn't voted on the Resolution. Nick that before we vote, he wanted to read the title of the Resolution because the Resolution wasn't in the distributed Board packages ahead of this meeting. He also wanted to clarify a comment made earlier in the meeting that we need to get re-instated. We are not in "inactive" status; we are an active special district even if we don't do anything at all and just keep on going.

Cheryl Sanders addressed the Board and mentioned that we need to get the Governor to re-appoint the members. The Chairman said that we need to apply first and she stated that she had applied 2 years ago. Nick clarified that you hold your seat until someone else chooses to take your seat. Even if your term is expired, unless you resign, you are still a Board member for your County.

Nick read the title of Resolution 18-01: A Resolution of the Northwest Florida Transportation Corridor Authority (NFTCA) Expressing Commitment and Interest in Partnering on Triumph Funded Projects and Providing an Effective Date. Board voted unanimously to accept the Resolution.

Chairman asked Bob Kellner how best to go about getting money for the Board to operate. Bob recommended that the first step might be to outreach to Secretary Gainer. Let FDOT know that the Authority is still active, that they still want to do projects and partner with District 3. Also, that we will outreach to Triumph and Chairman Gaetz and also with Tallahassee. At that point, it should be appropriate to ask for funding.

Gordon Sprague asked the Chairman if he would be the person to go to Governor Scott and Secretary Gainer or would there be a delegation? The Chairman asked Nick who stated that the Sunshine Law would allow only one person to speak, in the case of a Board delegation attending the meetings. Bob Kellner said that for the meeting with Secretary Gainer, there might be value in a group meeting as a united front. Jim Anders said that we could have a Board meeting. Nick said that it could be advertised as a Board meeting. Decision was made to meet with Secretary Gainer first. As a first step, Chairman will try to set-up the meeting. Since we don't need to have a quorum, he'll provide the meeting information and whoever is available to attend, will go. Following this meeting, there will be a discussion as to who will go to the meeting with the Governor. Bob suggested that the Chairman go to the meeting with Secretary Gainer with talking points and a defined "agenda". Bob said that he'd work to draft the agenda/talking points and work with other Board members. Peter said that he thinks that the agenda for the meeting with the Governor needs a narrative to explain what he won't be familiar with and volunteered to provide the narrative following receipt of the agenda. It was asked of Nick if the narrative could be reviewed by the group prior to the meeting. Nick said that due to Sunshine Law it could be distributed but not modified; it would be issued as a "here is what we are taking – it is done".

Talking points discussed:

- (1) The objective of the meeting is to give notification to the FDOT that the Authority is real, wants to contribute, wants to be an entity in Northwest Florida that has a positive impact.
- (2) We do need assistance to facilitate that and if any support, not only monetarily but professionally would be appreciated.
- (3) The Authority does intend to do a public outreach to local representation, Commissioners, and the Governor.
- (4) Maybe a listing of projects. (ex.: FDOT, what are some of the projects that we could help you facilitate? Is it Crestview Bypass? Is it Panama City? We see these projects as some that we could help you move forward.)

Nick mentioned that our Master Plan is based on economic impacts and is well suited for this. Our agenda is to partner with FDOT but if we do that, I can't imagine that FDOT is going to say that all these 15 years or so of rules, restrictions and processes that we have we aren't going to do. If they are a lead partner on a Triumph-funded project, they are going to still be subject to all their rules. At times, they've implied that just from providing us grant money and that grant money needs to follow all their processes. Bob explained that when you're partnering with FDOT, you don't want any type of adversity with any other agencies. This is more of a "good neighbor" type partnering. Nick was specifically speaking about making application to the Triumph Board for a project; who's the applicant, who's the co-applicant, etc. Bob said that he doesn't think that the Triumph Board is at that stage yet. With Triumph's Board there are many different avenues that can be worked; you could work on behalf of a county, you could work directly with a county, or work directly with Triumph. Triumph has the ability to go ahead and work with anybody. They can say, "On behalf of your legislation, we want you to facilitate a project for us in Bay County." Triumph is going to encounter difficulty in executing projects by providing money. There's going to have to be cooperation and processes and the Authority allows that to happen.

Chairman asked for a discussion on the next agenda item – HDR contract. Alicia explained that HDR Engineering's contract with the Authority expired at the end of September, 2017. Nick explained that basically HDR is working voluntarily for the Authority. Would a procurement process need to take place? Nick said that while he knew there wasn't a Task Order, he wasn't aware of the contract end. Alicia explained that there was a revision to the administrative duties that reflected that these duties were to be done by HDR's subconsultant, Grimail Crawford. Amy Paulk was Grimail's representative and she was very good about keeping Alicia informed about what was happening with the Authority so when Amy left Grimail, it rolled up to Alicia. Due to the lack of major activities on the part of the Authority, it wasn't an issue and still isn't however with today's discussion, that could change.

Another one to brief who has been an ally of the Authority in the past is Chairman Trumbull of the Transportation Commission. Chairman Montgomery said that he speaks regularly with Mr. Trumbull and confirmed that he likes the Authority.

Chairman Montgomery said that he'd try to schedule the meeting with Secretary Gainer and let everyone know the date and time. Bob will make a first draft of talking points and agenda and coordinate with Mr. Bos to refine both documents. Once the documents are completed, they will be distributed to the group for informational purposes.

There were no public comments.

The meeting adjourned at 11:20 a.m. CT.