

NORTHWEST FLORIDA TRANSPORTATION CORRIDOR AUTHORITY MONTHLY MEETING

Meeting Minutes

June 25, 2009

1. Call To Order: Chairman McElheney called to order the meeting of the Northwest Florida Transportation Corridor Authority at 10:05am CDT on June 25th at the Panama City Commission Chambers, 9 Harrison Avenue, Panama City, FL 32401.

Members Present:

Randall McElheney/Chairman

Robert Montgomery/Secretary/Treasurer

Eddie Dixon

James Anders

Stephen Norris

Maurice Langston

Jason Alderman with FDOT

Staff Present: Mike Duncan and Nick Beninate, General Counsel

Members Absent: Cheryl Sanders

2. Welcome Chairman McElheney welcomed everyone to the NFTCA meeting in Panama City, Florida.

3. Approval of Minutes

A. Regular Authority Meeting & Executive Committee Meeting May 21st 2009

Before the approval of the meeting minutes, Chairman McElheney noted corrections made to the Regular Authority Meeting Minutes consisting of the correction of a Ms. Linda Young from a Ms. Lindsay Young, and a correction in the amounts of State and Federal funding received by the Northwest Florida Transportation Corridor Authority consisting of approximately \$3 million of State funding; \$2.4 million of Federal funding; and \$6 million for master planning provided mostly through Florida Department of Transportation TRIP Funding.

A second correction was noted by Chairman McElheney regarding the Executive Committee Meeting minutes consisting of the addition of Chairman McElheney's statement of potential conflict & action to abstain from US98 Franklin County invoice approvals and that he would submit Form 8B, "Memorandum of voting conflict for County, municipal, and other local public officers", to HDR to add to the public record.. This statement was made during the May 21, 2009 meeting, but out of error omitted from the meeting minutes.

All corrections were verified in the Regular Authority Meeting & Executive Committee Meeting Minutes by Chairman McElheney and board members proceeded to conduct vote.

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| Motion by | Eddie Dixon | To approve Regular Authority Meeting Minutes |
| Second by | Stephen Norris | |
| Approved | 6-0 | |

The Executive Committee members present consisting of Chairman McElheney and Mr. Montgomery voted to approve the Executive Committee Meeting Minutes as amended.

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| Motion by | Robert Montgomery | To approve Executive Committee Meeting Minutes |
| Second by | Randall McElheney | |
| Approved | 2-0 | |

4. New Business

A. Selection of Vice-Chairman

Chairman McElheney notified the board of the resignation of Vice Chairman Jay Odom from his position of Vice Chairman in addition to Mr. Odom's seat on the Board of the Northwest Florida Transportation Corridor Authority. Discussion was held relating to the selection of a new Vice Chairman.

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| Motion by | Eddie Dixon | To nominate Stephen Norris as new Vice Chairman |
| Second by | James Anders | To nominate Stephen Norris as new Vice Chairman |
| Approved | 6-0 | |

B. Discussion & Review of Auditor Firms

Chairman McElheney held discussion on the Request for Proposal for Audit Services for the Northwest Florida Transportation Corridor Authority. Mr. McElheney stated that funding for the services would be in the form of Florida Department of Transportation TRIP Funds.

General Council, Mike Duncan, presented the legal review of the submitted proposals noting the Authority received proposals from four auditor firms, with one firm being disqualified due to negligence of meeting mandatory requirements. The three eligible firms were named as: Carr, Riggs & Ingram of Panama City, FL; Thomas Howell Ferguson of Tallahassee, FL; and Harvey, Covington & Thomas of Hollywood, FL.

Chairman McElheney then shared his rankings with the Board; Carr, Riggs & Ingram ranked first; Thomas Howell Ferguson ranked second; and Harvey, Covington & Thomas ranked third. Chairman McElheney discussed his ranking criteria consisting of qualifications, location & price.

Secretary/Treasurer Montgomery shared his rankings with the board, and noted that he found his rankings to be consisted with Chairman McElheney's. Mr. Montgomery presented his rankings: Carr, Riggs & Ingram ranked first; Thomas Howell Ferguson ranked second; and Harvey, Covington & Thomas ranked third. Mr. Montgomery discussed his criteria for ranking the three auditor firms.

C. Selection of Auditor Firm

Chairman McElheney recommended to the board the selection of the top ranked auditor firm, Carr, Riggs & Ingram of Panama City, Florida.

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| Motion by | Stephen Norris | To select Carr, Riggs & Ingram as auditor firm |
| Second by | Eddie Dixon | |
| Approved | 6-0 | |

General Council, Mike Duncan, noted that General Council would submit notification letters of the NFTCA's decision as well as contact the selected firm.

Chairman McElheney thanked the Florida Department of Transportation for their assistance in providing audit functions for the NFTCA over the past three years, and noted the board's appreciation for the assistance of the FDOT.

D. Discussion of 2009 Master Plan & Updated Priority List

Chairman McElheney summarized, to the Board and public, a letter received from Mr. Andy Smith of the Apalachicola Riverkeeper, wherein Mr. Smith voiced his concerns regarding the

lack of opportunity for public participation in the 2009 Master Plan. Mr. Smith secondly discussed his concern regarding the adoption of the 2009 Master Plan during the absence of board member Cheryl Sanders. Mr. Smith also requested on behalf of the Apalachicola Riverkeeper that the Authority remove Alternative 4 from the 2009 Master Plan.

Chairman McElheney provided a response to Mr. Smith's written concerns and stated that the Master Plan update for 2009 has been discussed for the past couple of months at the public meetings, first mention being in Wakulla County, then in subsequent meetings thereafter. Chairman McElheney stated the NFTCA allows for unlimited public participation and all meetings are open to the public. Chairman McElheney responded to Mr. Smith's concerns regarding the absence of Board Member Sanders, stating that during the month of June 2009, the 25th was the only day where the board could have the most members present, and for that reason June 25th was selected as the meeting date. Chairman McElheney also stated that the Master Plan can be updated more than once per year and that the adoption of the 2009 Master Plan & Updated Priority List would be on the agenda for the July 16th 2009, regularly scheduled meeting, in order to allow all board members to be present during the adoption. In response to Mr. Smith's mention of budget transparency in his letter, Chairman McElheney stated that project funding is discussed fully at public meetings, and project funding is through a percentage completion. Chairman McElheney then addressed Mr. Smith's concerns regarding Alternative 4; the Authority concluded that Alternative 4 in Franklin County was not the best solution to meet the goals and objectives adopted by the Authority for the Master Plan. It was explained that Alternatives 1 through 4 are shown on the Master Plan Summary Report to document the development of the Master Plan.

Mr. Ray Reissener held discussion on the proposed 2009 Master Plan & Updated Priority List introducing the Board requested changes consisting of the following:

- The elimination of Project 40
- The addition of the Port of Port St. Joe
- Projects 38 & 66 were moved up in the Priority List
- The Eglin Bypass was moved to Priority ranking number one
- The Pensacola Bay Bridge was moved to Priority ranking number two

Mr. Reissener stated that any changes that the board recommends could be immediately incorporated into the 2009 Updated Master Plan & Project Priority List.

Board Member Anders inquired about the West Bay Parkway, and asked that it be moved as high up on the priority list as feasible. Discussions were held concerning Projects 56 & the Hwy 79 & Hwy 77 connectors, as well as the widening of Hwy 20 in the Freeport, FL area.

Vice Chairman Norris inquired about the next steps to be taken on the discussed projects. Mr. Reissener stated that original priorities were based on legislative mandates, and not funding; his recommendation to the board is to focus on hurricane evacuation, congestion, and the other goals adopted by the Authority.

Chairman McElheney asked the Board if there were any objections to the top ten projects listed in the 2009 Updated Priority List. No members voiced objections.

E. Public Comments on 2009 Master Plan & Updated Priority List

Chairman McElheney inquired if there were any public comments or suggestions and opened up discussion for public input and participation. Chairman McElheney inquired twice more for public comments. No public comments were given.

Chairman McElheney asked Florida Department of Transportation representative, Tommy Barfield if the FDOT would like to comment or address any changes to the 2009 Master Plan. Mr. Barfield conceded that the 2009 Master Plan and Updated Priority List looked fine according to the Department of Transportation.

F. Adoption of 2009 Master Plan & Updated Priority List

Chairman McElheney read the legislature for yearly adoption of the Master Plan.

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| Motion by | Eddie Dixon | To Adopt 2009 Master Plan & Priority List |
| Second by | Stephen Norris | |
| Approved | 6-0 | |

Public Comments:

No Public Comments

General Council, Mike Duncan, made recommendation that for the approval of invoices; meetings where a quorum is present the board vote and approve invoices during the Regular Monthly Meeting rather than holding a separate Executive Committee Meeting. Mr. Duncan suggested adding on an item to the agenda to vote on the current invoice.

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| Motion by | Robert Montgomery | To Adopt Invoice Approval Procedure Modifications |
| Second by | Stephen Norris | |
| Approved | 6-0 | |

General Council Duncan stated that where a quorum is not present at the Regular Monthly NFTCA Meetings, a separate meeting of the Executive Committee could be held and public notice given accordingly.

G. Business Item Add On – Approval of US98 Invoice No. 110522-H for \$145,600.42

Chairman McElheney began discussion of Invoice No. 110522-H for US98 Franklin County Project. Funding clarification was discussed as well as the Department of Transportation approval & reimbursement process. Funding of projects is verified on three levels of accountability based on percentage of work completed.

Chairman McElheney stated he owns real estate with some of the owners of Preble-Rish, Inc. and Preble-Rish, Inc. is a sub-consultant to HDR on the Franklin County project. To be cautious, Chairman McElheney abstained from voting because it is possible that this relationship could be considered a conflict with regard to the vote. He further stated he would submit Form 8B, "Memorandum of voting conflict for County, municipal, and other local public officers", to HDR to add to the public record.

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| Motion by | Stephen Norris | To Approve Invoice. No. 110522-H |
| Second by | Robert Montgomery | |
| Approved | 5-0 | |

Board Comments:

Chairman McElheney stated that FDOT Secretary Larry Kelley would be retiring, and expressed thanks on behalf of the NFTCA for his partnership. Mr. Anders recommended the Board send a letter of appreciation to former Vice Chairman Jay Odom for his service as well as a letter to Secretary Kelley for his service.

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| Motion by | Maurice Langston | To Draft Letters of Appreciation |
| Second by | James Anders | |
| Approved | 6-0 | |

Chairman McElheney called to adjourn the meeting.
The meeting adjourned at 10:54 am CDT