

MEETING MINUTES
HARBOUR HEIGHTS WATERWAY ADVISORY COMMITTEE
January 13, 2010
10:00 a.m.

Attendees: Joe Fleming, Ken Wangler, Steve Johnson, Jr., Larry Rand, and Lee Phillips
County - Dawn Harrison and Chuck Mopps
Absent - Mel Staudmyer
Coastal Engineering – Michael Poff

The meeting was called to order at 10:03 a.m.

Minutes: No minutes were submitted for approval.

Business:

- Chairman Fleming opens the meeting. Anyone wishing to address the Board needs to go through the Chairman. Mr. Fleming opened the meeting up for questions. Mr. Mopps will bring everyone up to date on the problem. The contract was bid out with removing 16,841.00 cubic yards of material. The contractor requested an as-built survey on the first canal that was dredged. Coastal Engineering was hired to design the project and perform the survey. When Coastal accomplished the survey in the canal, they approached the County that there was an error in the original survey work that was performed. Mr. Mopps explained the difference between the survey's old vertical NGVD29 surveys verses the new NAVD88 datum. The NGVD29 is 1.1 feet above NAVD88 mean low water line. The survey information collected in the field was the new NAVD88. The mistake made was the information that was plotted from an old plan set at NGVD29. The result of the mistake is the survey is off 1.1 feet vertical. The dredge volume is less. The impact is 14,500.00 cubic yards more material that needs to be removed from the waterways. The County and Coastal Engineering, along with the contractor, are working together to reduce the impact of the cost on the project. The contractor is willing to reduce the cost from \$17.50 to \$17.00 a cubic yard, which is a savings of \$70,000.00 on the additional yards of material. The County has done what it can to reduce costs; Coastal Engineering will contribute \$35,000.00. Only \$6.00 is being changed for the hauling; that is as low as it can be. The drawings that are needed from Coastal will be done for free - a cash settlement was offered of \$12,006.00. The rest is in kind services from Coastal Engineering. The Committee, at the last meeting, is willing to take the agreement made by Coastal Engineering; this is not the end of the subject. There is \$22,000. left on the current contract with Coastal Engineering. What we need to remember is this is an error of omissions. The material was not placed into the waterways; the material existed previously. We will need an additional \$246,000.00 to remove the material and \$87,000.00 additional in trucking the material.

- Mr. Mopps reviewed the distance that the contractor stays away from the docks and the seawalls. A possibility exists of reductions where docks are located.
- Mr. Mopps suggest having Coastal give a check of the \$35,000.00 up front to go towards the project. Mr. Phillips made a motion to have Coastal Engineering supply the \$35,000.00 and have the County place the funding in a line item for the Harbour Heights Waterway budget; seconded by Mr. Rand, all were in favor. Mr. Fleming discussed the error of omission's conversation with the County Attorney's Office: how is Coastal not responsible for material that exists in the canals?
- A suggestion to have the County Attorney put their opinion in writing. The original cost estimate was over \$800,000.
- Mr. Poff apologized to the Community of Harbour Heights for the error in the survey information.
- Mr. Fleming discussed the rate remaining the same until the bill is paid for the project and one after. The next dredge would happen in the next eight years.
- Mr. Fleming requested Mrs. Harrison to advertise a joint meeting with the Waterway MSBU & Harbour Heights Canal Association on February 17, 2010, at the Civic Association at 7:00 p.m. Mr. Fleming invited County staff and Coastal to the meeting.
- Mr. Wangler made a motion to have both County Attorney and Coastal Attorney give an opinion in writing on the liability of the error; second by Mr. Phillips, all were in favor.
- Coastal was requested to take care of the permit cost for placement of the marine markers at each canal entrance.
- Mr. Wangler made a motion to accept Coastal's offer of permitting the placement of the Marine Markers; seconded by Mr. Rand; all were in favor.
- There is a sand bar across the entrance of the San Marino canal. Mr. Mopps stated that none of the canals has had a final survey, and any issues will be address at that time.
- No additional spoil sites will be needed for the extra material that needs to be removed from the waterways.

- For any issues on the depths concerning the project, the information needs to be conveyed to Mr. Mopps. E-mail would be preferred with a GIS picture on the location.
- Mr. Mopps made the statement that If you reduce the dredge now, more would need to be done in the future, and sooner if not done now.
- At the last meeting, there were cost reductions mentioned. Some of the options at the last meeting given were: narrowing the canals or reduce the depths.
- Mr. Fleming stated that we need to complete the project as efficiently and cost affectively as possible. Those options would not be fair to everyone that pays into the Harbour Heights Waterway. Everyone that pays into the MSBU should derive a benefit; the waterways will be dug to 5 feet as permitted.
- Canals that are not currently in the Harbour Heights Waterway and are not dedicated to the County, would have to have a 100% agreeing to dedicate the Waterway to the County and 51% agreeing to be included into the MSBU.

Ms. Harrison will contact the Committee members on the date for the next scheduled meeting.

The meeting was adjourned at 11:15 a.m.

Respectfully submitted,

Dawn Harrison
Municipal Services District Representative

DH/cs

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