

THE FLOW

FEBRUARY 2018

Upcoming Events

Feb. 5th to 6th
**NUCA of Florida
Legislative Days
Tallahassee, FL**

Feb. 22nd
**ASJMSF Bass Fishing
Tournament**

April 3rd
**Golf Tournament
Registration on page 13**



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2018 OFFICERS & BOARD OF DIRECTORS

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Mike Gruber, Engineering Consulting Svcs.

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Drew Lane, Advanced Drainage Systems

Jason Plauche, Petticoat-Schmitt Civil Con.

Jarod Wolford, Martin Marietta Materials

Jon Woodall, John Woody, Inc.

Mike Woodall, John Woody, Inc.

PRESIDENT'S MESSAGE

Dear Friends,

Happy February! I hope things have continued to go well for all of you as we continue our journey into 2018. Thank you to all of our monthly sponsors. Without them, we would not be able to keep this great association together.

As most of you know we held our annual Installation of Officers meeting on January 18th. It was an honor to have Jordan Lee, President of NUCA of FL, in attendance and I want to thank him for taking the time to come and visit and for speaking with all of us. Also, I'd like to take a moment to thank all of the members of our Board of Directors. Thank you for making the sacrifice, however great or small, to serve on our board and for helping us to continue the betterment of our industry.

We have a lot of great events coming up that EVERYBODY should participate in. At the state level, we have our annual Legislative Days taking place on February 5th and 6th in Tallahassee, and the Andrew Scott Johnson Memorial Bass Fishing Tournament being held on February 22, in Clewiston, FL. On March 6th-9th, National NUCA will be holding its annual convention. Finally, on April 3rd, NUCA of North Florida will hold its annual Golf Tournament. Don't miss out on all of the fun!

Please remember that this association is for you, our membership. If you are experiencing any problem concerning our industry, please do not hesitate to reach out to me, or any of our members. Together, we can solve almost any problem that comes our way. As always, please continue to support our members and associates. Have a great and prosperous month!

Sincerely,



Mike Kivlin

2018 NUCA of North Florida

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CALENDAR OF EVENTS

Feb. 4th to 6th
Legislative Days
Tallahassee, FL

Feb. 22nd
ASJMSF Bass Fishing
Tournament

March 6 to 9th
NUCA Annual Convention
San Antonio, TX

March 15th
Board of Directors &
General Membership
Meeting

April 3rd
Golf Tournament
St. Johns Golf & Country Club

July 12 to 15th
NUCA of Florida Conference
Ocean Reef
Key Largo, FL

The Law and Your Business—**All Risk Insurance Coverage**

By Anthony (Tony) Zebouni

It can never be overstated that it is critical that you read and understand the coverage and exclusion language in any insurance policy you procure. It is also important to remember that the denial of coverage by an Insurer is not necessarily the final word on an otherwise legitimate claim for compensation by a damaged Insured. In a case decided in January, 2018, a homeowner's residence, covered by all risk insurance, suffered roof damage from a hail storm, and the homeowner (Insured) submitted a claim to its Insurer.

The Insurer maintained, among other defenses, that the damage was not from a hail storm but rather from wear and tear or by defective construction and design, both exclusions under the policy. The Insurer also argued that even if some of the damage occurred because of the hail storm, that the homeowner's claim was invalid because of the "anti-concurrent clause" provision in the insurance contract. An anti-concurrent cause provision is a provision in a first-party insurance policy that reads that when a covered cause and noncovered cause combine to cause a loss, all losses directly and indirectly caused by those events are excluded from coverage.

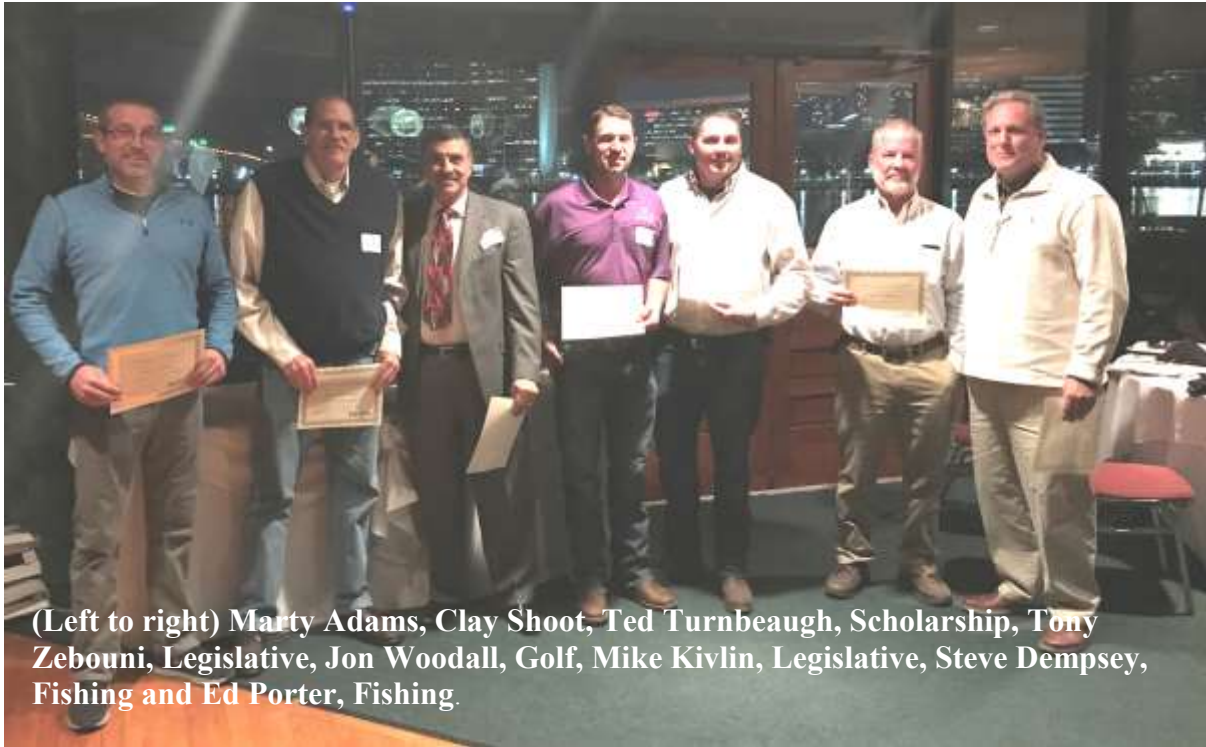
The court ruled under an all-risk insurance policy, that once the insured establishes a loss apparently within the terms of the policy, the burden shifts from the Insured and is upon the Insurer to prove that the loss arose from a cause which is excepted. Under Florida law the general notion is that an all-risk insurance policy guards against all risks **except** those explicitly excluded by the policy.

The court explained "an insured claiming under an all-risks policy has the burden of proving that the insured property suffered a loss while the policy was in effect. The burden then shifts to the insurer to prove that the cause of the loss was excluded from coverage under the policy's terms", and went on to hold that it was not Homeowners' responsibility, in the context of an all-risk insurance contract, to prove by a preponderance of the evidence that a non-excluded peril was the most substantial or responsible cause of the damage to the roof. *Richard Jones and Louise Kiernan v. Federated National Insurance Co.*

INSTALLATION OF OFFICERS AND AWARDS MEETING HIGHLIGHTS

We had our annual Installation of Officers & Awards meeting at River City Brewing Company on January 18Th. We were pleased to have about 50 members join us for dinner and the presentation.

Our 2017 committee chairs and co-chairs were thanked for their service and presented them with certificates of appreciation.



(Left to right) Marty Adams, Clay Shoot, Ted Turnbeaugh, Scholarship, Tony Zebouni, Legislative, Jon Woodall, Golf, Mike Kivlin, Legislative, Steve Dempsey, Fishing and Ed Porter, Fishing.

Our 2017 Monthly Sponsors were recognized and presented with 2017 plates to be added to their sponsorship plaques.



Rick Erickson, Beard Equipment, John Kirkland, A.J. Johns, Mike Kivlin, John Woody, Inc., Lauren Atwell, Petticoat-Schmitt, and Jim Wells, Sterett Heavy Hauling. Missing are representative from Ellis & Associates, Franson Iseley and Rendzio, PA and Standard Precast.

Continued on next Page

INSTALLATION OF OFFICERS (CONTINUED)

Mike Kivlin, John Woody, Inc. was installed as President by Jordan Lee, NUCA of Florida . Jordan then installed as the 2018 Officers & Board of Directors and he provided us with a update of activities and upcoming events with NUCA of Florida.

Annually, the outgoing President of the Association presents awards to those he feels have been the most helpful in his year as President. Marty presented Tim Clay, Petticoat-Schmitt Civil Contractors with the Outstanding Board member award. Tim was recognized for his leadership with the Ex-Offender Procurement Code requirements and his overall contribution to the Board of Directors and service on the Executive Committee. Ed Porter, Barco Duval and Steve Dempsey, Ring Power Corp. were presented with the President's Award for their many years of leadership on our annual fishing tournament. Both Ed and Steve are turning over the reins of the fishing tournament this year. Congratulations to our award winners.



Tim Clay received award for Outstanding Board Member



Steve Dempsey and Ed Porter received the President's Award from Marty Adams.



Mike Kivlin presents Marty Adams with a Gavel Plaque in appreciation of his service as President.



Marty Adams, Jordan Lee & Mike Kivlin

SAVE THE DATE

18th ANNUAL

ANDREW SCOTT JOHNSON MEMORIAL SCHOLARSHIP FISHING TOURNAMENT



Location

FEBRUARY 22-24, 2018

ROWLAND MARTIN MARINA & RESORT

LAKE OKEECHOBEE, FL

Hotel Reservations

FOR RESERVATIONS, CALL

800.473.6766 OR 863.983.3151

CLICK HERE TO REGISTER





New NUCA Education Benefit: Webinar Wednesdays

Our Webinar Wednesdays series will kicked off on January 24 and feature two webinars - free to members - each month. The first two sessions included advice on how tap into the enormous pool of under or unemployed U.S. veterans to alleviate the worker shortage and Sexual Harassment in the Workplace. February seminars include OSHA's New Electronic Recordkeeping Provisions and Strategies for Creating a Chapter Training Program. Visit nuca.com for additional information or contact jim@nuca.com.

NUCA Endorsing & Partnering with TTC's Utility Investigation School

Contractors in some states have successfully advocated to include the ASCE 38-02 Standard, which now mandates owners and designers provide certain levels of existing utilities during a project's design phase. This TTC seminar, February 26 to March 2, will give contractors the knowledge base to advocate for inclusions of ASCE-38-02 in state laws. NUCA members will be given a 10% discount. Learn more [here](#).

Toolbox Talks: Road Rage

Keep your crews calm on the road. This week's TBT topic, Road Rage: Toolbox Talks are free to members and can be downloaded at nuca.com. Talks are available in English and Spanish.





NUCA OF FLORIDA

2018 ANNUAL CONFERENCE

*Evacuate
to
Ocean Reef*

JULY 12-15, 2018

OCEAN REEF • KEY LARGO, FL

WWW.NUCAFLORIDA.ORG

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SAFETY NEWS

By Jeff Blomgren

Hiring and Safety. What is the relationship?

It's a well-known fact that new hires have a greater chance of having an incident or causing an incident than seasoned employees. There are statistics to prove that fact. Workers with six months or less on the job pose the greatest risk. What's surprising is that the experience of the employee new to a company doesn't shift the scale that much. Many employees, new to a company, are out to prove themselves and advance. They may take chances or bring bad habits with them. Some lack the skills they were hired for and some are just looking for a paycheck and will stay as long as someone doesn't come up with ten cents an hour more. The question then is, "How can we improve the chances that we are hiring the right person for the right job?"

It all starts with the hiring process. Interviews with HR supplemented by screening by experienced supervisors, background checks, testing pre-employment drug testing, resumes, referrals all can help refine the process but what happens next is going to determine how well the integration into the culture of the company will work. A good first step is to have an effective new employee orientation. Gone are the days when you can have an employee sit down for 20 minutes and watch a video and call it orientation. OSHA requires training in so many areas it's impossible to cover it in one video. The new silica standard is a perfect example. Last year it was confined space. Before that it was GHS or the newer SDS Right To Know process. That doesn't include ladders, lifting and rigging, trenching and excavation and so many other areas of what we do.

After the employee gets through training and gets to the field, some companies have adopted a way to identify a new hire by giving them a different color hard hat for six months and then graduating to the normal company colors as a sign of accomplishment. Another effective method for integration is to assign a mentor to guide the new hire on the jobsite and help them to acclimate to the culture of the company. There are many things a company can do to help in the process of hiring the right person for the right seat. No one wants to hire their next accident.



More than a Home, a Family

December 19, 2017

The Utility Contractors Association of North Florida, Inc.
PO Box 16810
Jacksonville, FL 32245-6810

Dear Friends,

Thank you so much for your recent contribution of \$9,650.00 with check number 1076 to Seamark Ranch in memory of John B Coxwell. Acknowledgement of your thoughtfulness has been sent to the Coxwell family. We are most appreciative of your support to help meet the day-to-day expenses of providing a loving home for at-risk children in northeast Florida.

Seamark Ranch has not provided any goods or services to you in return for your gift. The amount stated may be treated as a tax deductible gift to the extent allowed by law.

Your prayers and support are vital to this ministry. Thank you for joining us in making a difference in the lives of children.

Yours very gratefully,

Amanda Landau
Director of Operations & Finance

We are so appreciative!

FL REGISTRATION # CH13049 A COPY OF THE OFFICIAL REGISTRATION AND FINANCIAL INFORMATION MAY BE OBTAINED FROM THE DIVISION OF CONSUMER SERVICES BY CALLING TOLL-FREE WITHIN THE STATE, 1-800-HELP-FLA, OR BY VISITING THEIR WEBSITE AT <http://www.freshfromflorida.com/Divisions-Offices/Consumer-Services>. REGISTRATION DOES NOT IMPLY ENDORSEMENT, APPROVAL, OR RECOMMENDATION BY THE STATE.

NUCA of North Florida, Inc.
Cordially invites you to attend the

Annual NUCANF Spring Golf Tournament

St. Johns Golf & Country Club
205 St. Johns Golf Drive (Off 210 West)

Tuesday, April 3rd, 2018
11:30 a.m. "Shotgun" Start

\$150 Per Person includes 18 Holes of Golf, Greens Fee & Cart, Boxed Lunch, Beer and water at stops on the course, Team Handicap, Format (4-Man Captains Choice), Prize Holes and Door Prizes. Award Ceremony will be held in the Dining Room immediately following the end of play

Please fill out the entry below & mail (OR FAX) with payment to NUCANF by Friday, March 23rd.

Name	Company
Phone	Fax

Golfer: _____ Handicap: _____
Golfer: _____ Handicap: _____
Golfer: _____ Handicap: _____
Golfer: _____ Handicap: _____

Payment: _____ Check (NUCANF) _____ Bill my account _____ Charge credit card*

Visa/MC/AX: _____ Exp Date: _____ V-Code: _____

(The V-Code is the last three digits in the signature strip on the back of the credit card (Visa/Mastercard) or the digits on the front on the card for American Express.

Name on card: _____

*A 5% processing fee will be added to all credit card charges.

If there are any special billing instructions, please state: _____

Dress Code for Golf Course & Driving Range: Slacks or Bermuda shorts and collared golf shirt for men. No jeans, cutoffs, t-shirts or tennis attire.

Mail or Email this form to: NUCANF, PO Box 16810, Jax, FL 32245,
Ph: 296-1230 Email: nucanf@gmail.com

BOARD MEMBER SPOTLIGHT



Meet Jason Plauche, Project Manager for Petticoat-Schmitt Civil Contractors. Jason joined the NUCA of Florida Board of Directors in January.

1. Tell us about the services your company provides.

Petticoat-Schmitt General Contractor's, Inc. builds life changing infrastructure specializing in the construction of roadways, utilities, treatment plants, and site development. We hold general contractor's license's in Florida, Georgia and South Carolina as well as being a licensed Georgia utility contractor. We are Pre-qualified with the Florida Department of Transportation (FDOT) and retain a Class V

fire main license in Florida. We specialize in self-performing earthwork, utility installation, process mechanical and concrete construction. Successful project delivery methods include hard-bid and design-build contract completion.

2. What is your business philosophy?

"Plan the work and work the plan", in short. Individual's write entire books on this topic but essentially if you put the right people in the right place, value their opinions, and work together for a common goal it's easier to navigate ever change operating conditions. Planning intensely and being able to ensure you execute the plan is the latter part of building the best team.

3. What are your hobbies or interests outside of work?

I enjoy outdoor activities such as hunting, fishing, shooting sports and playing golf. In my spare time, I build furniture and am continuously working to remodel my home.

4. What is your favorite travel location?

I enjoy diving and fishing in the Bahamas. I enjoy traveling out west, to the mountains of North Carolina and try to travel outside of the country as often as I can find time to do so.

5. If you could have dinner with anyone, living or deceased, who would it be and why?

Martin Luther King; I am intrigued by civil leadership and no violent protests to change legislature. His brilliance of getting public violent acts in the news to bring forth a worldview of the oppression in central Alabama, among other areas, changed our country for the better. I always look to learn from great leaders.

6. What are you currently reading?

Ernest Hemingway: A Biography by. Mary V. Dearborn
Traction, Get a Grip on Your Business by Gino Wickman

7. Grill master or reservations?

Grill master; I love to cook and have won grand champion at the FSAWWA BBQ in Orlando and have placed several times at the GSAWWA BBQ in Savannah. Up until last year, I competed with a team from my previous employer.

FEBRUARY FEATURED SPONSOR



John Woody, Inc. was founded in 1979 by Weldon Woodall. A Jacksonville based company concentrating on water, sewer, and reclaimed systems.

The company is a licensed Underground Utility and Excavation Contractor specializing in private, government, and municipal work. JWI has completed projects throughout Florida and the southeastern United States.

JWI is a family owned business, it is the family bond and willingness to do whatever it takes to get the job done is what has made this company successful.

Owner Mike Woodall states "I am the most blessed and luckiest person in the world. I have the greatest employees whose knowledge and expertise are unsurpassed in the industry. I also have the privilege of working with my lovely wife Flo, my son Jon, and son in law Mike Kivlin."

John Woody, Inc. has always taken great pride in its reputation of performing quality work at a fair price.

JWI is proud to be long time members of NUCA, NUCA of Florida, and NUCA of North Florida.