

THE FLOW

OCTOBER 2018

Upcoming Events

Oct. 18th

Young Professionals Group
Intuition Ale Works
6:00 pm

November 6th

Sporting Clay Challenge
Jacksonville Clay Target Sports
12125 New Berlin Road
See forms on pages 6 & 7



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2018 OFFICERS & BOARD OF DIRECTORS

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Vice-President II

Gabriel Powers, Vallencourt Construction

Secretary/Treasurer

Rob Pinkston, Ferguson Waterworks

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Marty Adams, TB Landmark

General Counsel

Tony Zebouni, Regan, Whelan, Zebouni &

Atwood

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Mike Gruber, Engineering Consulting Svcs.

Billy Hood, J. B. Coxwell Contracting

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,

I hope everyone is doing well! Thank you to all our monthly sponsors for your continued support. Without you, this organization would not be as great as it is today.

A few weeks ago, JEA announced their Capital and Improvement plans for their water and sewer systems. They have more than \$1 billion to spend and have an ambitious plan, so there should be plenty of work coming up with them. If anybody has concerns or questions about their plan, let's not forget our newly forged partnership and make them known.

On October 17th, we will be holding another Next Man Up Class at Ring Power located off International Golf Parkway. This class will be geared towards the basics of equipment operation and maintenance. Send some folks out and educate them! On October 18th, the Young Professionals group will be meeting at Intuition Ale Works at 6 PM. On November 6th, NUCA of North Florida will hold its annual Clay Shoot at Jacksonville Clay Target Sports. Start rounding up your sharp shooters and come have a great day at the range! There are plenty of sponsorship and shooting opportunities available, so sign up now!

As always, please continue to support our members and associates. If there is anything I can do to help you out, please do not hesitate to give me a call.

Sincerely,

Mike

2018 NUCA of North Florida

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CALENDAR OF EVENTS

Oct. 16th

Executive Committee

3:30 pm

Oct. 18th

Young Professionals Group

Intuition Ale Works

6:00 pm

Nov. 6th

Sporting Clay Challenge

Jacksonville Clay Target

Sports

Nov. 13th

Executive Committee

3:30 pm

Nov. 15th

Election of Officers Meeting

University Center at UNF

6:00 pm

The Law and Your Business

Pre-suit Notice of Claim for Construction Defects is Considered an “Action” for Purposes of the Ten-Year Statute of Repose

By Rebecca Ross, Regan Whelan Zebouni & Atwood. P.A.

A Florida appellate court in *Gindel, et al v. Centex, et al*, considered, for the first time, whether the mandatory pre-suit notice of defects in Chapter 558 qualifies as an “action” for the purposes of complying with the ten-year statute of repose for construction claims set forth in chapter 95.

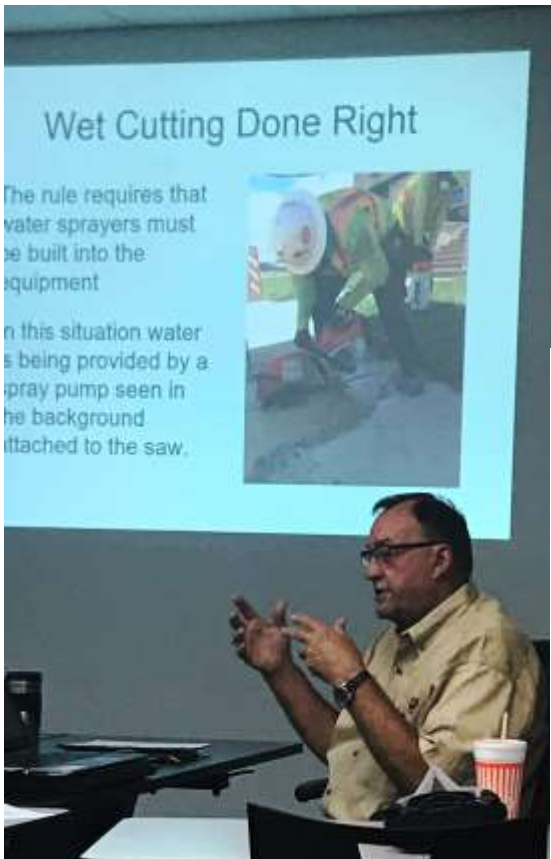
The homeowners alleged that Centex and others had improperly constructed their townhomes and the contractor argued that the ten-year statute of repose for their claims had expired. In Florida, the ten-year statute of repose in chapter 95 applies to an “action founded on the design, planning, or construction of an improvement to real property... and must be commenced within 10 years after the date of actual possession by the owner, the date of issuance of a certificate of occupancy, the date of abandonment of construction if not completed, or the date of completion or termination of the contract...” Chapter 558 requires that any claimant asserting a construction defect claim must serve a written notice of claim on the contractor as a prerequisite to filing a lawsuit.

In *Gindel*, the homeowners filed a pre-suit notice of claim under chapter 558 before the ten-year statute of repose had expired, but did not file their construction defect lawsuit until approximately two months after the expiration of the ten-year statute of repose. Ultimately, the appellate court, in applying Supreme Court precedent, agreed with the homeowners that compliance with the pre-suit notice requirement in chapter 558 constituted an “action” for purposes of the ten-year statute of repose. Thus, the homeowners’ action was considered timely filed under the statute of repose.

SAFETY DIRECTOR'S GROUP HOLDS QUARTERLY MEETING

The first meeting of the Safety Director's group was held in Mid-September. The meeting was held at Petticoat-Schmitt Civil Contractors and was facilitated by their Safety Director Jeff Blomgren. About a dozen members were present and a light lunch was served.. A brief presentation was held on Silica Safety. Ritz Safety brought along a few products they provide from dust masks to respirators.

If your company is interested in participating, our next Safety Director's Forum will be held on Thursday, January 24th at 11:30 at Cecil W. Powell & Co.





7TH ANNUAL SPORTING CLAY CHALLENGE

TUESDAY, NOVEMBER 6, 2018
JACKSONVILLE CLAY TARGET SPORTS
12125 NEW BERLIN ROAD

COST: \$500* FOR TEAM OF FOUR/\$150 SINGLE
***\$600/TEAM AFTER OCT 12TH**



EVENT SCHEDULE

11:30 Registration
 12:00 Lunch
 12:30 Safety Briefing
 1:00 Shotgun Start
 Awards Ceremony
 Immediately Following

TEAM NAME: _____

Name	Company	Phone	Email

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

Mail with payment to:
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7TH ANNUAL SPORTING CLAY CHALLENGE SPONSORSHIP OPPORTUNITIES

_____ \$500 Platinum Event Sponsor

Your company name will be prominently displayed at the event; your company will be acknowledged at the awards ceremony that day and your company will be recognized in the NUCANF newsletter, The Flow, and the state association publication, The Ditchmen. A complimentary 1/2 page ad will also appear in the December 2018 or January 2019 Flow Newsletter.

_____ \$300 Gold Event Sponsor

Your company name will be prominently displayed at the event; your company will be acknowledged at the awards ceremony that day and your company will be recognized in the NUCANF newsletter, The Flow, and the state association publication, The Ditchmen. A complimentary 1/4 page ad will also appear in the December 2018 or January 2019 Flow Newsletter.

_____ \$150 Station Sponsor (17)

Sponsorship includes signage at the station. Your company will be acknowledged at the awards ceremony that day and your company will be recognized in the NUCANF newsletter, The Flow, and the state association publication, The Ditchmen.

Company: _____ Contact Name: _____

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

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Name on card: _____ Billing Zip Code _____

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

Return with payment to:

NUCANF, PO Box 16810, Jacksonville, FL 32245 or fax to (904) 296-1231.



House Passes Critical Water Infrastructure Bill

After months of negotiations, House and Senate leaders have reached an agreement on a Water Resources Development Act (WRDA). This legislation, S. 3021, the America's Water Infrastructure Act of 2018, includes numerous long-standing priorities for NUCA, and it is exciting that Congress has been able to come together to address our nation's infrastructure needs.

As *Political Insiders* are aware, the House's original WRDA bill was narrow in scope and limited largely to Army Corps of Engineer projects. The Senate's bill was much more expansive and included provisions to address drinking water and other water infrastructure in addition to Army Corps projects. Ultimately, the compromise between the two chambers includes many of the provisions from the Senate's version. The final provisions will invest in improvements in drinking water and other critical water infrastructure.

First and foremost, S. 3021 reauthorizes and modernizes the Drinking Water State Revolving Fund (DWSRF) program. This legislation provides nearly \$4.4 billion through fiscal year 2021, which is an increase over recently appropriated levels. Given that the authorization for this program previously expired in 2003, it is encouraging that Congress is finally addressing the issue after years of inaction.

Next, the legislation includes portions of the Securing Required Funding for Water Infrastructure Now (SRF WIN) Act, which has been a priority for NUCA and was one of the top items discussed with lawmakers during our Washington Summit. This legislation will help states access funding through the Water Infrastructure Finance and Innovation Act (WIFIA) program, and will provide low interest loans for critical projects with limited federal investment. Because of difficulties in getting the SRF WIN Act to conform to congressional budget scoring requirements, the provisions in the final WRDA bill have been scaled back from the original SRF WIN legislation. Regardless, this program provides another important tool in the toolbox for states and localities to address infrastructure needs.

Furthermore, the legislation also makes critical improvements to the WIFIA program. Specifically, S. 3021 removes the "pilot" designation for WIFIA and reauthorizes it through 2021. Through WIFIA, borrowers are able to access low interest loans with a long repayment period to finance Clean Water State Revolving Fund (CWSRF), DWSRF, and other water infrastructure projects. These loans can be used for large scale projects that might otherwise be difficult to finance through the SRF programs.

Now that the House has passed this legislation, it is up to the Senate to act. Senate leaders sound hopeful that they will be able to take up the bill before the midterm elections. We will continue to monitor this legislation and provide an update if and when it is signed into law.

(Reprinted from NUCA Political Insiders Report 9/13/2018)

NUCA

Naples, Florida

Annual Convention and Exhibit
March 14-16, 2019



Build for the Future

Come Together, Learn Together, and Build For the Future

- Explore Relevant Subject Matter
- Network and Collaborate
- Gain Insight to Relieve Pressure Points
- Learn Strategies to Achieve Results

**Discover new technologies and build and strengthen relationships
with our industry's finest vendors**

Examine opportunities to overcome business challenges to build for the future


Registration Opens September 4, 2018
Early Bird Registration Ends December 31, 2018

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SAFETY NEWS

By Jeff Blomgren

Halloween Safety Tips

Halloween seems to be more and more the kickoff for the holiday season. Costumes, candy, parties and fun mark the traditional October 31 Halloween evening but there are some things to think about. Halloween safety for kids, grandkids and adults is a priority. We no longer live in Mayberry RFD and too many people take advantage of the circumstances to cause harm. There are precautions we can take to protect ourselves and those we care about.

For children: When looking for costumes, look for bright colors and even reflective surfaces. Consider adding reflective tape to the costume to add to visibility. Choose make-up instead of masks to make sure children can see. If the costume involves a sword or cane make sure it isn't too long or sharp. If wigs are part of the costume make sure its fireproof. Always have an adult accompany a child. Do not allow a child to enter a home. Bring a flashlight with you. Plan your route. Agree on a start and stop time. Always have a cell phone. Use sidewalks and cross in groups. Obey traffic lights and do not cross between parked cars. Try to stay in neighborhoods you know. Some churches and organizations provide a safe place to go and have fun to eliminate the possible hazards of going door to door.

For adults: It can be a lot of fun to dress up and enjoy the social time that Halloween provides but there are precautions for adults too. Decorative contact lenses add an interesting effect but without a prescription can cause pain, inflammation, eye disorders and infections. Drink responsibly and always use a designated driver or alternate transportation. Party with people you trust. Safety precautions when with a large group should include an awareness of your surroundings such as emergency exits and fire protection.

Life is made to be lived. Just a few precautions can enhance the chances of an enjoyable experience for everyone. Live safe.



2018 CLAY RAFFLE

TICKETS: \$10 EACH OR 3/\$20

To Purchase tickets, complete bottom of this form and mail with payment to: NUCANF, PO Box 16810, Jacksonville, FL 32245. Tickets will be sold at the clay tournament and drawing will be held on November 6th.

CHOICE OF EITHER:

**Yildiz SPZ ME/12 12 Gauge
Over-and-Under Shotgun
OR
\$450 VISA GIFT CARD
(ONLY ONE PRIZE WILL BE GIVEN OUT)**

of Tickets _____

(Name)

(Company Name)

(Mailing address)

NUCANF* PO Box 16810*Jacksonville, FL 32245

NOMINATIONS FOR 2019 BOARD OF DIRECTORS



The Nomination Committee of NUCA of North Florida is now accepting applications for the 2019 Board of Directors. You can obtain an application by calling the NUCANF office at 904/296-1230. Deadline to submit your application is October 12th.

The board meets every other month usually on the third Thursday from 4:30 pm to 6:00 pm. Additional special meetings may be called if necessary. NUCANF has a number of committees. Board members, once elected, are expected to be active members of at least two committees. All members of the Board of Directors are encouraged to promote the NUCA of North Florida (NUCANF), our State Association, NUCA of Florida, and our National Association, NUCA. Recruitment of new members is essential to ensure the growth of this association.

Election of the 2019 Officers and Board of Directors will take place at our November 15th general meeting. All members are encouraged to attend and vote for the slate of officers.

The nominating committee will email to the general membership the slate of nominees at least thirty days prior to the election. Nomination will also be accepted from the floor at the election.

LOCAL STUDENTS WIN NUCA NATIONAL SCHOLARSHIPS



Laura Ellis is the first-place winner and recipient of the Foundation's largest award, the D.A. Foster Memorial Scholarship. Laura graduated from Harvest Community School in Jacksonville, FL where she was a part of the National Honor Society and Captain of the Varsity Basketball team. She is currently attending the University of Florida where she is studying to become an Architect. Laura has completed over 620 hours of community service. Laura loves to travel and to date, has visited 14 countries in total. She has

served on medical mission trips to Haiti and lived in Brazil as a foreign exchange student for 6 months. Laura is the daughter of Rhonda and John Ellis II. John is an employee with NUCA member company Legacy Engineering Inc.



Raymond Pace is the recipient of the William & Shirley Burgett \$2,000 Scholarship. Raymond graduated as the Valedictorian of his class at West Nassau High School. He was also a National Merit and Sunshine State Scholar as well as a member of the National Honor Society. He is currently attending the University of Florida majoring in Chemical Engineering with plans to go on for a Doctorate degree. Raymond enjoys playing the piano, traveling, and attending sporting events. He has completed over 300 community service hours and is part of a youth band at his

local Church. Raymond is the son of Karen and Raymond Pace Sr., who is employed by NUCA member company JB Coxwell Contracting, Inc.

OCTOBER 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.