

NORTH CENTRAL FLORIDA REGIONAL PLANNING COUNCIL
FULL COUNCIL
MINUTES

Quality Inn and Conference Center
Lake City, Florida

January 27, 2005
7:30 p.m.

MEMBERS PRESENT

Martha Butler, Hamilton County
Louie Davis, City of Waldo
David Dodge, Bradford County
Dixie Donovan, Columbia County
Roy Ellis, Madison County
Steve Futch, City of Starke
Sandra Haas, Suwannee County
Randy Hatch, Suwannee County
John Hersey, Bradford County
Ray Kirkland, City of Lake City
Eddie Martin, City of Hawthorne
Rosalyn Mattingly, Alachua County
Charles Maultsby, Taylor County
Heather Neill, Lafayette County
Garth Nobles, Jr., City of Live Oak
Gerald O'Neil, Alachua County
Malcolm Page, Taylor County
James Painter, Alachua County
Andrew Smith, Union County
Lorene Thomas, Dixie County
Lewis Vaughn, Hamilton County

Ed Braddy, City of Gainesville_
Rick Bryant, City of Gainesville
John Carlson, Alachua County
Chuck Chestnut, City of Gainesville
Melaine "Red" Clyatt, Union County
Gordon Dasher, Gilchrist County
Paula DeLaney, Alachua County
John Driggers, Dixie County
Kirk Eppenstein, City of High Springs
Gail Garrard, Lafayette County
Mitchell Gentry, Gilchrist County
John Glanzer, City of Newberry
Matthew Hawkins, City of Jasper
Rodney Long, Alachua County
Lee Pinkoson, Alachua County
Fred Reeves, Madison County
Paul L. Remzey Samarra, Town of Micanopy
Myra Valentine, City of Madison

STAFF PRESENT

Robin Barnes
Steve Dopp
Charles Justice
Scott Koons
Carol Laine

GUESTS PRESENT

Diana Davis
Cindy Futch
James Montgomery
Jon Wershow

Board Members names are bolded

EX-OFFICIO MEMBERS PRESENT

Jordan Green, representing Aage Schroder, DOT
Jim Poole, Enterprise Florida
Russell Simpson, representing Mario Taylor, DEP

MEMBERS ABSENT

Due to a vacancy in the Chairman position, Vice-Chairman Martin called the meeting to order at 7:34 p.m., noting that there was a quorum of the Council and that all Council members were able to vote.

I. APPROVAL OF MINUTES - October 28, 2004

Chairman Martin asked that the minutes of the October 28, 2004, meeting be approved as written.

ACTION: Commissioner Futch made the motion, with a second by Ms. Donovan, to approve the minutes of the October 28, 2004, meeting as written. The motion carried unanimously.

II. CONSENT AGENDA

A. Annual Grant Application to the U.S. Economic Development Administration

B. Transportation Disadvantaged Program

1. Community Transportation Coordinator Annual Performance Evaluations - Bradford, Dixie, Gilchrist and Union Counties
2. Coordinating Board Membership Certifications - Columbia, Madison and Suwannee Counties
3. Coordinating Board Membership Certifications - Bradford, Dixie, Gilchrist and Union Counties

C. Extension of Agreement for Hazards Analyses Updates

Chairman Martin asked if there were questions regarding the items listed on the Consent Agenda, and requested that these items be approved.

ACTION: Mayor Kirkland made the motion, with a second by Commissioner Futch, to approve the items listed on the Consent Agenda. The motion carried unanimously.

III. CHAIRMAN'S REPORT

A. Introduction of New Members

Chairman Martin introduced and welcomed two new gubernatorial appointees to the Council, Ms. Martha Butler from Hamilton County and Ms. Heather Neill from Lafayette County and Commissioner Malcolm Page from Taylor County. Chairman Martin also introduced Cindy Futch, the wife of Commissioner Steve Futch.

B. Resolutions of Appreciation

Chairman Martin asked that Resolutions of Appreciation for past services as members of the Planning Council be approved for Mr. James King from Madison County and Mr. Edd Sadler from Taylor County. Chairman Martin also asked that a Resolution of Appreciation for past services on two Transportation Disadvantaged Boards for Commissioner Jesse Caruthers from Suwannee County and Mr. Herman Johnson from Bradford County.

ACTION: Dr. O'Neil made the motion, with a second by Ms. Thomas, to approve Resolutions of Appreciation for James King, Edd Sadler, Jesse Caruthers and Herman Johnson. The motion carried unanimously.

C. Appointment of Clearinghouse Member

Chairman Martin stated that there is a vacancy on the Clearinghouse Committee due to the replacement of Penny Wheat on the Council. Chairman Martin asked that the Council appoint Commissioner Paula DeLaney from Alachua County to the Clearinghouse Committee.

ACTION: Commissioner Futch made the motion, with a second by Mayor Davis, to appoint Commissioner Paula DeLaney to the Clearinghouse Committee. The motion carried unanimously.

IV. COMMITTEE REPORTS

A. Executive Committee

1. Homeland Security Program

a. Homeland Security Exercise Evaluation Program (HSEEP)

Mr. Justice reported that the Office of Domestic Preparedness is providing funding to the State of Florida for Regional Planning Council (RPCs) to conduct exercise evaluation training for local governments. Mr. Justice stated that the agreement to conduct this training would be with the Northeast Florida Regional Council and totals \$13,500 for a series of two classes. Mr. Justice stated that the Executive Committee requested that the Executive Director be authorized to enter into an agreement with the Northeast Florida Regional Council to conduct HSEEP training.

ACTION: Mayor Kirkland made the motion, with a second by Ms. Donovan, to authorize the Executive Director to enter into an agreement with the Northeast Florida Regional Council to conduct HSEEP training for a total of \$13,500 for a series of two classes. The motion carried unanimously.

b. Regional Domestic Security Task Force Terrorism Response Plan

Mr. Justice stated that the Tallahassee Regional Domestic Security Task Force is split between the Apalachee Regional Planning Council (ARPC) and North Central Florida Regional Planning Councils and that these two councils are working together to develop a template for regional response to be used by the Regional Domestic Security Task Force (RDSTF). He stated that the Planning Council will be paid \$30,000 to complete this plan update under an agreement with the ARPC. Mr. Justice stated that the Executive Committee requested that the Executive Director be authorized to enter into this agreement to update the terrorism response plan for the RDSTF.

ACTION: Mr. Dodge made the motion, with a second by Commissioner Futch, to authorize the Executive Director to enter into an agreement with the ARPC to update the terrorism response plan for the RDSTF for a fee of \$30,000. The motion carried unanimously.

c. Regional Domestic Security Task Force Terrorism Exercises - Tallahassee

Mr. Justice reported that the Northeast Florida Regional Council (NEFRC) is contracting with the Apalachee Regional Planning Council (ARPC) to serve as lead agency in coordinating tabletop and functional terrorism exercises to be held in Tallahassee later in the year. He added that staff will assist with collecting information on local resources and organizing these two exercises and the Council will be paid \$8,000 to help with the table top exercise and \$17,000 to help with the functional exercise. Mr. Justice stated that the Executive Committee requested that the Executive Director be authorized to enter into two agreements with ARPC to help plan and conduct the RDSTF table top and functional exercises in Tallahassee.

ACTION: Commissioner Page made the motion, with a second by Ms. Thomas, to authorize the Executive Director to enter into two agreements with ARPC to help plan and conduct an RDSTF table top exercise for a fee of \$8,000 and a functional exercise for a fee of \$17,000 in Tallahassee. The motion carried unanimously.

d. Regional Domestic Security Terrorism Table Top Exercises

Mr. Justice reported that the Florida Department of Community Affairs is contracting with the Northeast Florida Regional Council (NEFRC) to coordinate and plan a series of tabletop and functional terrorism exercises across Florida. He stated that Council staff will be assisting NEFRC with the development of documentation and scenarios for the seven table top exercises that will be conducted around Florida for a fee of \$15,000. Mr. Justice stated that the Executive Committee requested that the Executive Director be authorized to enter into an agreement with NEFRC to help develop scenarios for the seven RDSTF table top exercises to be conducted around Florida.

ACTION: Commissioner Page made the motion, with a second by Ms. Thomas, to authorize the Executive Director to enter into an agreement with NEFRC to help develop scenarios for the seven RDSTF table top exercises to be conducted around Florida for a fee of \$15,000. The motion carried unanimously.

2. Proposed Amendment to Agreement Entered into Between the Council and DRI Applicants

Mr. Justice reported that in August of last year, the Council was advised of a change in state law that requires the Council to reimburse the State Division of Administrative Hearings for the cost of administrative law judge services and other expenses that are incurred as a result of any such activity relating to the Council. He added that the cost of these hearings is set at \$130 per hour plus expenses.

Mr. Justice stated that Council staff and Council Attorney, Jon Wershow, were instructed to make a recommendation regarding DRI applicants reimbursing the Council for such costs at any time the applicant takes action that requires the use of an administrative law judge. Mr. Wershow has requested that the paragraph being added to the DRI agreement concerning the reimbursement be revised to read as follows: "The Applicant hereby agrees to reimburse the Council for the cost of services, **including attorneys' fees and all DOAH fees**, and travel expenses incurred by a Florida Division of Administrative Hearings administrative law judge for administrative hearings pursuant to Chapter 120, F.S., initiated by the Applicant concerning the review of the Application." After further discussion, Mr. Justice stated that the Executive Committee recommended that the DRI Agreement be amended to include paragraph 5 as stated above, including the wording suggested by Mr. Wershow.

ACTION: Mayor Kirkland made the motion, with a second by Commissioner Futch, to approve an amendment to the Agreement used with DRI applicants to read as follows: "The Applicant hereby agrees to reimburse the Council for the cost of services, including attorneys' fees and all Florida Division of Administrative Hearings (DOAH) fees, and travel expenses incurred by a DOAH administrative law judge for administrative hearings pursuant to Chapter 120, F.S., initiated by the Applicant concerning the review of the Application." The motion carried unanimously.

3. Discussion of Executive Committee Vacancy

Mr. Justice stated that former Council member Edd Sadler was not re-elected to his county commission seat in Taylor County and since he was the chairman of the Council, there is a vacancy on the Executive Committee. Mr. Justice reviewed three options which the Council should consider to fill the vacant position on the Executive Committee.

Option 1 - leave the chairman position vacant until May, at which time there would be a regular election of officers. Vice-Chairman Martin

would continue to serve as chairman until that time, but would leave only four positions on the Executive Committee.

Option 2 - hold elections in February, at which time the Nominating Committee would make recommendations about filling the chairman position, and if that involved moving other officers forward, then filling those positions as well.

Option 3 - move all officers forward one position, retain the current immediate past chairman in that position, and ask the Nominating Committee to return with a recommendation in February regarding the fifth seat on the Executive Committee, which is a non-officer position with the terms to run through May 2006.

ACTION: Ms. Donovan made the motion, with a second by Mr. Dodge, to recommend option 3 which moves all officers forward one position, retains the current immediate past chairman in that position, and to ask the Nominating Committee to return with a recommendation in February regarding the fifth seat on the Executive Committee, with the terms to run through May 2006. The motion carried unanimously.

4. Request by Santa Fe Health Park Development of Regional Impact (DRI) for Extension for First Sufficiency Response.

Mr. Justice stated that the Santa Fe Health Park DRI is adjacent to the Springhills DRI which is currently involved in a comprehensive plan amendment process which may not be acted upon for at least eight months. Mr. Justice added that because the Santa Fe Health Park DRI is very much dependent upon the results of the comprehensive plan amendments being requested by Springhills, additional time is needed for Santa Fe Health Park to respond to its first sufficiency report regarding their proposal and that Santa Fe is asking for additional time after final action on the Springhills comprehensive plan amendments in which to provide their response to the first sufficiency request. Mr. Justice stated that the Executive Committee recommended extending the first sufficiency response deadline for the Santa Fe Health Park DRI to 120 days after final action is taken on the proposed comprehensive plan amendments to the Springhills DRI.

ACTION: Mr. Dodge made the motion, with a second by Commissioner Futch, to agree to the requested extension of the first sufficiency response deadline for the Santa Fe Health Park DRI to be 120 days after final action is taken on the proposed comprehensive plan amendments to the Springhills DRI. The motion carried unanimously.

B. Clearinghouse Committee

Local Government Comprehensive Plan Amendments

Chairwoman Sandra Haas reported that the Clearinghouse Committee met on December 16, 2004 and January 13, 2005 and reviewed six items on behalf of the Council as per Clearinghouse Committee procedures for local government comprehensive plan amendments with response deadlines prior to the next regularly-scheduled Council meeting. The reviewed items were:

- #10 - Hamilton County Comprehensive Plan Draft Evaluation and Appraisal Report-based Amendments (DCA 04-ER1);
- #11 - Lafayette County Comprehensive Plan Draft Evaluation and Appraisal Report-based Amendments (DCA 04-ER1);
- #12 - Hamilton County Comprehensive Plan Draft Amendment (DCA No. 05-1);
- #13 - City of Alachua Comprehensive Plan Draft Amendments (DCA No. 05-1);
- #15 - Lafayette County Comprehensive Plan Draft Amendment (DCA No. 05-1); and
- #20 - City of Perry Comprehensive Plan Draft Amendments (DCA No. 05-1).

She reported that copies of the Committee reports and findings for these items were included in the packets mailed to each Council member.

Chairwoman Haas also reported that the Clearinghouse Committee met earlier in the evening and reviewed the following four local government comprehensive plan amendments which require Council action.

- #18 - City of Newberry Comprehensive Plan Adopted Amendment (DCA No. 04-2);
- #19 - City of Gainesville Comprehensive Plan Adopted Amendment (DCA No. 04-2);
- #20 - City of Trenton Comprehensive Plan Draft Amendments (DCA No. 05-1); and
- #29 - Bradford County Comprehensive Plan Adopted Amendments (DCA No. 04-1).

Chairwoman Haas stated that, with regards to item #18, City of Newberry Comprehensive Plan Adopted Amendment, the Committee finds that the City Comprehensive Plan, as amended, will remain consistent with the regional plan provided the City adopts a Transportation Concurrency Exception Area as per new City Traffic Circulation Element Objective II.5 and associated Policy II.5.1. Chairwoman Haas stated that the Committee recommends forwarding these findings to the City of Newberry and the Florida Department of Community Affairs as regional comment along with a letter from the City of Newberry dated January 27, 2005 to the Florida Department of Community Affairs concerning mitigation of traffic impacts.

ACTION: Chairwoman Haas made the motion, with a second by Commissioner Hersey, to approve the Committee recommendations. The motion carried unanimously.

Chairwoman Haas reported that, with regards to item #19, City of Gainesville Comprehensive Plan Adopted Amendment, the Committee finds that the City Comprehensive Plan, as amended, remains consistent with the regional plan. However, she added that the Committee recommends forwarding the same two comments the Council made on the draft version of the amendment which address potential adverse impacts to segments of the regional road network. Chairwoman Haas stated that the Committee recommends forwarding these findings to the City of Gainesville and the Florida Department of Community Affairs as regional comment.

ACTION: Chairwoman Haas made the motion, with a second by Commissioner Page, to approve the Committee recommendations. The motion carried by a 20-0 vote with Mr. Painter abstaining due to a conflict of interest (see attached Disclosure of Conflict of Interest form).

Chairwoman Haas reported that, with regards to item #20, City of Trenton Draft Amendments, the Committee recommends forwarding one objection noting that the proposed amendment is anticipated to have adverse impacts to the Floridan Aquifer. She stated that the Committee also recommends forwarding one recommendation that the City replace references to **prime** aquifer recharge areas with references to **high** aquifer recharge areas in one City Comprehensive Plan objective and policy and that the City include in its plan a map of areas of high recharge potential to the Floridan Aquifer as mapped by the Suwannee River Water Management District.

Chairwoman Haas stated that the Committee further recommends forwarding a finding stating that, while the City Comprehensive Plan, if amended as proposed, will be inconsistent with Regional Plan Goals 4.2 and 4.3, as well as Regional Plan Policies 4.2.9 and 4.3.6, the inconsistency is not enough to find the City plan as a whole inconsistent with the regional plan; therefore, the City plan will remain consistent with the regional plan should the City adopt the proposed amendment without further modification. Chairwoman Haas stated that the Committee recommends forwarding these findings to the City of Trenton and the Florida Department of Community Affairs as regional comment.

ACTION: Chairwoman Haas made the motion, with a second by Mayor Kirkland, to approve the Committee recommendations. The motion carried unanimously.

Chairwoman Haas stated that, concerning #29, Bradford County Comprehensive Plan Adopted Amendments, the Committee recommends forwarding essentially the same three objections raised by the Council on the draft version of the amendments. She reported that these objections address adverse impacts to segments of the regional road network and the placement of additional burdens on professional fire departments and hazardous materials emergency response teams from nearby jurisdictions, should fires or hazardous materials incidents occur on one of the subject properties.

Chairwoman Haas further stated that the Committee also recommends forwarding a finding stating that, while the County Comprehensive Plan, as amended, is inconsistent with Regional Plan Goal 5.1 and Regional Plan Policy 5.1.8, the inconsistency is not enough to find the County plan, as a whole, inconsistent with the regional plan. Therefore, the County plan remains consistent with the regional plan. Chairwoman Haas stated that the Committee recommends forwarding these findings to the Bradford County and the Florida Department of Community Affairs as regional comment.

ACTION: Chairwoman Haas made the motion, with a second by Commissioner Futch, to approve the Committee recommendations. The motion carried unanimously.

C. Finance Committee - FY 2003-2004 Annual Audit

Chairman Maulsby reported that the Finance Committee had met and reviewed the Fiscal Year 2003-2004 Annual Audit as prepared by Powell and Jones, Certified Public Accountants. He stated that the audit conforms with both federal regulations and the rules of the Auditor General of the State of Florida and the new GASB34 requirements and that there were no issues or concerns documented.

ACTION: Chairman Maulsby made the motion, with a second by Mr. Dodge to accept and approve the Fiscal Year 2003-2004 Annual Audit and to make payment to the auditor, Powell and Jones, Certified Public Accountants. The motion carried unanimously.

V. DIRECTOR'S REPORT

A. Legislative Report

Mr. Justice reported that the Governor's budget for regional planning councils is \$2,350,000, which is about the same amount the legislature appropriated for the current year.

Mr. Justice further reported on the Florida Department of Community Affairs' Growth Management Initiative and the additional responsibilities which may be given to regional planning councils.

B. Florida Regional Councils Association Report

Mr. Justice stated that the executive directors met and reviewed the possibility of changing regional boundaries of the regional planning councils.

Chairman Martin announced that the next meeting of the Council will be held on February 24, 2005. The meeting was adjourned at 8:25 p.m.

Eddie Martin
Chairman

2/24/05
Date