

NORTH CENTRAL FLORIDA REGIONAL PLANNING COUNCIL
MINUTES

Holiday Inn Hotel & Suites
Lake City, Florida

December 3, 2009
7:30 p.m.

MEMBERS PRESENT

William Coughlin, City of High Springs
Louie Davis, City of Waldo
David Dodge, Bradford County
Alphonso Dowdell, City of Perry
Roy Ellis, Madison County
Ken Green, City of Archer
Donnie Hamlin, Lafayette County
John Hersey, Bradford County
Eddie Martin, Alachua County
Charles Maultsby, Taylor County
Garth Nobles, Jr., City of Live Oak
James Painter, Alachua County
Andrew Smith, Union County
Carolyn Spooner, City of Starke
Lorene Thomas, Dixie County
Myra Valentine, City of Madison
Lewis Vaughn, Hamilton County
Stephen Witt, City of Lake City

GUESTS PRESENT

Diana Davis
Michael Belle, Legislative Secretary to
Representative Debbie Boyd

EX-OFFICIO MEMBERS PRESENT

Jordan Green, representing Charles Baldwin,
FL Dept. of Transportation
Jim Poole, Enterprise Florida

MEMBERS ABSENT

Stephen Bailey, Columbia County
Cynthia Chestnut, Alachua County
Gib Coerper, City of Alachua
Paula DeLaney, Alachua County
Dixie Donovan, Columbia County
Jack Donovan, City of Gainesville
Sandra Haas, Suwannee County
Thomas Hawkins, City of Gainesville
Scherwin Henry, City of Gainesville
Gene Higginbotham, Dixie County
Ann Lessman, City of Jasper
Rodney Long, Alachua County
Jeanna Mastrodicasa, City of Gainesville
Harry Nichols, City of Newberry
Rudolph Parker, Taylor County
Lee Pinkoson, Alachua County
Lauren Poe, City of Gainesville
Eleanor Randall, City of Hawthorne
James Tallman, Union County
Kenrick Thomas, Gilchrist County
Wesley Wainwright, Suwannee County
Ronald Williams, Columbia County

COUNCIL ATTORNEY PRESENT

Jon Wershow

STAFF PRESENT

Steve Dopp
Scott Koons
Carol Laine
Dwayne Mundy
Jean Strong

Board Members names are bolded

I. INVOCATION, PLEDGE OF ALLEGIANCE AND INTRODUCTIONS

Chair Myra Valentine called the meeting to order at 7:30 p.m. with an invocation given by Chair Valentine, and the pledge of allegiance to the flag. Chair Valentine stated that there was a quorum of the Board of Directors and all Council members were able to vote.

Chair Valentine introduced Michael Belle, Legislative Secretary to Representative Debbie Boyd and Diana Davis, wife of Mayor Davis.

II. APPROVAL OF MINUTES - October 22, 2009

Chair Valentine asked that the minutes of the October 22, 2009 meeting be approved as written.

ACTION: Mr. Smith made the motion, with a second by Mr. Maulsby, to approve the minutes of the October 22, 2009 meeting as written. The motion carried unanimously.

III. CONSENT AGENDA

- A. Purchase Order with Northeast Florida Regional Council to Evaluate Statewide Tactical Interoperable Communications Exercise
- B. Purchase Order with Northeast Florida Regional Council to Coordinate Tactical Interoperable Communications Training
- C. Florida's Transportation Disadvantaged Board Membership Certification - Madison County
- D. Comprehensive Plan Economic Development Element Agreement - Town of Cross City

Chair Valentine asked if there were any questions regarding the items on the Consent Agenda and requested that these items be approved.

ACTION: Mr. Smith made the motion, with a second by Commissioner Ellis, to approve the items on the Consent Agenda. The motion carried unanimously.

IV. CHAIR'S REPORT

- A. Introduction of New Members

Chair Valentine introduced and welcomed Commissioner William Coughlin from the City of High Springs, who has replaced former Commissioner Byran Williams and Commissioner Ken Green from the City of Archer who has replaced Mayor Blanch Parker on the Council.

- B. Resolution of Appreciation - Byran Williams

Chair Valentine asked that a Resolution of Appreciation for past services to the Council be approved for former Commissioner Byran Williams, who served as a representative for the City of High Springs.

ACTION: Mr. Maulsby made the motion, with a second by Mr. Smith, to approve the Resolution of Appreciation for Byran Williams. The motion carried unanimously.

C. Employee Certificate of Service - Dwayne Mundy

Scott Koons, Executive Director, introduced Dwayne Mundy, who joined the Council staff on October 22, 1984. Mr. Mundy currently serves as the Council's Public Safety and Regulatory Compliance Program Director. Chair Valentine presented a 25-year Certificate of Service and a 25-year service pin to Mr. Mundy. Mr. Koons and Chair Valentine thanked him for his dedicated service to the Council.

D. Executive Director Appointed to University of Florida Urban and Regional Planning Graduate Program Advisory Council

Chair Valentine reported that Scott Koons has been appointed to the University of Florida Urban and Regional Planning Graduate Program Advisory Council. She stated that the purpose of the Advisory Council is to provide professional guidance to the students, faculty and curriculum of the Department of Urban and Regional Planning at the University of Florida.

V. PRESENTATION ON THE STATEWIDE REGIONAL EVACUATION STUDY

Chair Valentine introduced Dwayne Mundy, Public Safety and Regulatory Compliance Program Director, of the Council. Mr. Mundy reported on the status of the Statewide Regional Evacuation Study. He said that for the first time, all 11 regional planning councils have been updating their studies at the same time using identical methodology. Mr. Mundy stated that the study will provide Dixie and Taylor Counties with a more accurate storm surge map. He reported that Taylor County currently has the highest potential storm surge in the state at a level of 35 feet. Chair Valentine thanked Mr. Mundy for his presentation.

VI. COMMITTEE REPORTS

A. Executive Committee

1. Santa Fe Village Development of Regional Impact Sufficiency Response Time Extension

Mr. Koons stated that the Santa Fe Village Development of Regional Impact is located near the interchange of I-75 and State Road 222 (Northwest 39th Avenue) in Alachua County and is adjacent to the SpringHills Development of Regional Impact. He stated that the applicant was required to respond to the second sufficiency report regarding their proposal by November 4, 2009. Mr. Koons reported that because the response to the traffic analysis comments was still being prepared and was not completed in time to comply with the November 4, 2009 deadline, the applicant has requested a 60-day extension to extend the deadline to

January 4, 2010, to allow time to finalize the second sufficiency response. Mr. Koons stated that the Executive Committee recommended that the Council approve the requested extension of the second sufficiency response deadline for the Santa Fe Village Development of Regional Impact to January 4, 2010.

ACTION: Mr. Smith made the motion, with a second by Ms. Thomas, to approve the requested extension of the second sufficiency response deadline for the Santa Fe Village Development of Regional Impact to January 4, 2010. The motion carried unanimously.

2. Regional Directory

Mr. Koons stated that Council staff currently maintains contact information for local government officials and state and federal agencies as part of the management and administration of the various programs and projects of the Council. He stated that as a service to local governments, the Executive Committee recommended that the Council prepare and distribute a Regional Directory to local governments in the region and state and federal agencies.

ACTION: Ms. Thomas made the motion, with a second by Mr. Dodge, to authorize staff to prepare a Regional Directory and distribute the Directory to local governments in the region and state and federal agencies. The motion carried unanimously.

B. Clearinghouse Committee

In the absence of the Clearinghouse Committee Chair and Vice-Chair, Mr. Steven Dopp, Senior Planner of the Council staff, gave the Clearinghouse Committee report. He stated that the Clearinghouse Committee met earlier in the evening without a quorum present and reviewed four local government comprehensive plan amendments. Mr. Dopp stated that the items have been grouped for purposes of presentation.

#14 - City of Newberry Comprehensive Plan Draft Amendments

#17 - Taylor County Comprehensive Plan Draft Evaluation and Appraisal Report Amendments

#18 - Hamilton County Comprehensive Plan Draft Amendment

Mr. Dopp reported that the Clearinghouse Committee members present found the comprehensive plans, if amended as proposed, would remain consistent with the regional plan. Nevertheless, the Clearinghouse Committee members present recommended forwarding one Comment on #17, Taylor County Comprehensive Plan Draft Evaluation and Appraisal Report Amendments, regarding potential adverse impacts to a segment of the Regional Road Network. He stated that the Clearinghouse Committee members present recommended forwarding these findings to the respective local governments and the Florida Department of Community Affairs as regional comment.

ACTION: Mr. Smith made the motion, with a second by Mr. Maulsby, to approve the Clearinghouse Committee members recommendations concerning Item #14 - City of Newberry Comprehensive Plan Draft Amendments, Item #17 - Taylor County Comprehensive Plan Draft Evaluation and Appraisal Report Amendments and Item #18 - Hamilton County Comprehensive Plan Draft Amendment. The motion carried unanimously.

#13 - City of Trenton Comprehensive Plan Adopted Amendment

Mr. Dopp stated that the Clearinghouse Committee members present found the City Comprehensive Plan, as amended, remained consistent with the regional plan. Nevertheless, the Committee members present recommended forwarding one Objection and Recommendation regarding potential adverse impacts to segments of the Regional Road Network. He stated that the Clearinghouse Committee members present recommended forwarding these findings to the City and the Florida Department of Community Affairs as regional comment.

ACTION: Mr. Dodge made the motion, with a second by Mr. Smith, to approve the Clearinghouse Committee members recommendation concerning Item #13, City of Trenton Comprehensive Plan Adopted Amendment. The motion carried unanimously.

VI. EXECUTIVE DIRECTOR'S REPORT

A. SpringHills Comprehensive Plan Amendments for the Development of Regional Impact Lawsuit Status Report

Mr. Koons reported that following the denial by Alachua County Board of County Commissioners of a comprehensive plan amendment and development order for the SpringHills Development of Regional Impact Substantial Deviation, the Council was named as a co-defendant along with Alachua County in a lawsuit filed by the developer of the project.

Mr. Koons stated that on December 6, 2007 Circuit Court Judge Roundtree dismissed the case filed by the plaintiff against the County and the Council and gave the plaintiff an opportunity to refile their motion. However, the written order dismissing the case was not filed until March 27, 2008. On February 29, 2008, the Plaintiff prematurely filed a first amended Complaint for Declaratory and Injunctive Relief. The Council attorney, in conjunction with the Alachua County attorney, filed a Motion to Dismiss the amended lawsuit on April 18, 2008.

Mr. Koons further stated that on November 5, 2008, Judge Roundtree issued an order dismissing the Council from Counts I, III and IV of the lawsuit and vacating protective orders and that the Council remains a defendant to Count II of the lawsuit. He stated that Council staff and the Council attorney have responded to the plaintiff's request for production of documents and interrogatories and that these documents and interrogatories have been submitted to the plaintiff.

Mr. Koons reported that on March 4, 2009, the plaintiff's attorney sent a letter to the County's attorney stating that the plaintiff has requested a suspension of all discovery concerning the lawsuit until April 13, 2009. The letter further stated that the plaintiff has engaged additional legal counsel to meet with the County attorney and Council attorney to discuss a possible settlement of the lawsuit. Mr. Koons stated that on March 6, 2009, the attorneys for all parties signed a statement agreeing to suspend all action concerning the lawsuit until the next status hearing with Circuit Court Judge Roundtree on April 16, 2009.

Mr. Koons further stated that on March 12, 2009, the attorneys for all parties met for an initial meeting to discuss a possible settlement. On April 10, 2009, the attorneys and representatives for the parties met to continue their discussion concerning a possible settlement. The plaintiff presented the attorneys and representatives for the Council and County a revised conceptual development plan for the project. The attorneys and representatives for the Council and County requested that the plaintiff suspend their lawsuit for six months and continue to work with Council and County staff to review and refine the revised development plan. The plaintiff's attorney and representatives agreed to suspend the lawsuit for a six-month period with a three-month opt out provision.

Mr. Koons stated that on May 12, 2009, the Alachua County Board of County Commissioners voted to authorize their staff to work with the plaintiff to review and refine the revised development plan. He added that at its May 28, 2009 meeting, the Council agreed to suspend the SpringHills Comprehensive Plan Amendments for the Development of Regional Impact lawsuit and authorized staff to work with representatives of Pennsylvania Real Estate Investment Trust to review and refine the revised development plan for the SpringHills development. Mr. Koons further stated that Council staff and Alachua County staff met with the applicant on June 11, 2009 and July 10, 2009 to discuss the revised development plan and that on July 15, 2009, the attorneys for all parties held a status hearing with Circuit Court Judge Roundtree and agreed to continue the lawsuit suspension for an additional 90 days. He added that no meetings have been held between Council staff and the applicant since October 22, 2009.

B. Foley Master Development of Regional Impact

Mr. Koons reported that on November 5 and November 12, 2009, pre-application conferences were held with the applicant for the Foley Master Development of Regional Impact and review agencies for the master development of regional impact to begin the review process. He further stated that a transportation methodology meeting was held with the applicant and review agencies on December 1, 2009. He stated that the Foley Timber and Land Company intends to submit an application for Master Development Approval for the Foley Master Development of Regional Impact. The project is located in Taylor County and is anticipated to consist of approximately 28,000 residential dwelling units, 2,156,220 square feet of retail commercial, 956,578 square feet of office, 13,179 acres of industrial/warehousing, 900 hotel rooms, 144 golf holes, a 600-bed hospital and 528 acres of educational/institutional uses. The total combined acreage for the development is anticipated to comprise 153,606 acres.

Mr. Koons stated that a Master Development of Regional Impact is intended for projects consisting of multiple Developments of Regional Impact covering an extended period of time. A Master Development Agreement between the Council, the local government, and the Applicant will specify that increments of the project will be reviewed for regional impacts similar to a traditional development of regional impact, ensures that anticipated regional impacts are adequately addressed and clearly defines specific information requirements for the review of subsequent project increments.

C. Interbasin Transfer of Water

Mr. Koons reported that at its December 4, 2003 meeting, the Council adopted a resolution in opposition to the Florida Council of 100 Report Entitled, Improving Florida's Water Supply Management Structure, the Creation of a State-Wide Water Authority, the Privatization of Water Rights, and the Interbasin Transfer of Water from the North Central Florida Region. Mr. Koons stated that staff prepared a report dated December 4, 2003 entitled, "A Review of the Florida Council of 100 Report Entitled Improving Florida's Water Supply Management Infrastructure," analyzing the recommendations made by The Florida Council of 100. This analysis found The Florida Council of 100 report to be seriously lacking in supporting documentation and its recommendations completely ignoring the sound policies concerning water management that have been in existence for many years.

Mr. Koons then reviewed amendments regarding state water policy made to Section 373.196, Florida Statutes, in 2005 made by the Legislature by passing Senate Bill 444. He further stated that during the past two legislative sessions, legislation has been filed which proposed to reorganize and create a new Part VII of Chapter 373, Florida Statutes. Chapter 373, Florida Statutes, represents the cornerstone of laws related to creation and operation of the water management districts, planning and regulating the use of water, Everglades and Lake Okeechobee restoration, water supply and wetlands. House Bill 1111 was introduced during the 2009 legislative session which proposed creating a new Part VII of Chapter 373, Florida Statutes, to include all sections of Part I of Chapter 373, Florida Statutes, that address water supply policy, planning, production and funding. The bill passed unanimously through both the House Government Accountability Act Council and the House General Government Policy Council before ultimately being indefinitely postponed. The bill proposed repealing portions of the "local sources first" requirement for water resources.

Mr. Koons stated that in September 2009, the Florida Senate Committee on Environmental Preservation and Conservation issued a report containing the following recommendations concerning water resources: the combining of those sections of Chapter 373, Florida Statutes, that regulate water resources of the state; the restoration of annual funding for alternative water supply projects through a dedicated source of funding, either through existing or new sources of revenue; review of the "local sources first" policy currently in state statute; and the creation of a central regulatory commission to oversee Florida's water resources and supply development, or review the Florida Department of Environmental Protection's role as a general supervisory authority.

Mr. Koons reported that the Florida Senate Select Committee on Inland Waters will be holding hearings throughout the state during the coming months regarding the transfer of water issue.

After further discussion, staff was directed to review the Florida Senate Committee on Environmental Preservation and Conservation report and to prepare a resolution concerning the Council's position on the interbasin transfer of water for action by the Council at the January 28, 2010 meeting.

ACTION: Commissioner Ellis made the motion, with a second by Commissioner Hamlin, to direct staff to review the Florida Senate Committee on Environmental Preservation and Conservation report and to prepare a resolution concerning the Council's position on the interbasin transfer of water for action by the Council at the January 28, 2010 meeting. The motion carried unanimously.

D. Strategic Intermodal System 2035 Cost Feasible Plan Draft

Mr. Koons reported that in 2005, the Florida Department of Transportation adopted the initial Strategic Intermodal System Strategic Plan and that the Plan will be updated every five years. He stated that the Strategic Intermodal System is a transportation system that is made up of statewide and regionally significant facilities and services, contains all forms of transportation for moving both people and goods, including linkages that provide for smooth and efficient transfers between modes and major facilities and integrates individual facilities, services, forms of transportation and linkages into a single, integrated transportation network.

Mr. Koons further reported that the Florida Department of Transportation has recently released the 2009 edition of the Strategic Intermodal System 2035 Cost Feasible Plan Draft. There are two proposed construction projects listed in the 2035 Cost Feasible Plan Draft to add lane capacity to the Strategic Intermodal System roads within the north central Florida region through the year 2035. He stated that these capacity construction projects are two of the three portions of the U.S. 301 Starke By-Pass in Bradford County. The first portion of the U.S. 301 Starke By-Pass is State Road 100 to State Road 16 during the 2026-2030 time period. The second portion of the U.S. 301 Starke By-Pass is U.S. 301 to State Road 100 during the 2031-2035 time period. He added that the only other proposed construction project listed in the 2009 edition of the 2035 Cost Feasible Plan Draft is improvements at the I-75 and U.S. 441 interchange in the City of Alachua during the 2020-2025 time period.

Mr. Koons stated that during the 2020-2025 time period, funds are proposed for right-of-way and preliminary engineering of I-75 and U.S. 90 interchange improvements in the City of Lake City. During the 2031-2035 time period, funds are proposed for preliminary engineering of State Road 26 from the Alachua/Gilchrist County line to State Road 26A in the City of Newberry and during the 2026-2030 time period, funds are proposed for right-of-way and preliminary engineering for State Road 26 from U.S. 19 to the Alachua/Gilchrist County line.

Mr. Jordan Green, Florida Department of Transportation, stated that the design phase for the U. S. 301 segments will begin in the next five years.

E. U. S. Economic Development Administration/City of Perry
Buckeye Biomass Energy Project

Mr. Koons stated that the City of Perry has received preliminary approval of an application made to the U.S. Economic Development Administration for a \$1.67 million grant to help fund a wastewater pipeline to provide treated effluent to be used as cooling water for a biomass energy plant. Mr. Koons stated that the lack of infrastructure capacity was identified in the Comprehensive Economic Development Strategy adopted by the Council as a significant impediment to growth in the region. Therefore, the City of Perry was able to secure U. S. Economic Development Administration funds for this project.

Mr. Koons reported that the project will create 148 temporary construction jobs, support the retention of approximately 555 direct and 1,000 indirect jobs, and facilitate \$32.3 million in private investment by Buckeye Florida. He stated that the \$32.3 million of private investment plus up to \$7.3 million of funding from the State of Florida will be used to construct a biomass based energy system that will significantly reduce reliance on traditional fossil fuel consumption, further lessening the environmental impact of the company.

F. Original Florida Tourism Task Force Press Familiarization Tour

Mr. Koons stated that the Council provides staff services to the Original Florida Tourism Task Force to assist them in implementing their work program. In order to increase tourism generated revenues in the north Florida region, each year the Original Florida Tourism Task Force invites accomplished travel and nature journalists to participate in at least one Press Familiarization Tour through the Natural North Florida region. He reported that these tours usually follow a specific theme, such as the highly successful "Geocaching" tour held in April 2009.

Mr. Koons reported that the Original Florida Tourism Task Force invited travel and nature journalists to explore the abundant paddling opportunities in Natural North Florida during their Paddling Familiarization trip from October 21-25, 2009. This press familiarization tour included four journalists that focus on nature and travel. Mr. Koons stated that the Task Force Paddling Familiarization tour began at Hart Springs in Gilchrist County and ended in Cedar Key. Along the tour, the journalists paddled and spent a night with a group of kayakers participating in the fall "Paddle Florida" event, toured the lower Suwannee via houseboat, toured the museums and shops of Cedar Key, and paddled the Big Bend Saltwater Paddling Trail along the Cedar Key National Wildlife Refuge.

G. Fiscal Year 2008-09 Annual Audit

Mr. Koons reported that, at the September 2007 Council meeting, the Council approved the selection of Powell and Jones, Certified Public Accountants to conduct the Fiscal Year 2006-07, Fiscal Year 2007-08 and Fiscal Year 2008-09 audits. At the present time, the auditors are at the Council offices conducting the annual audit for Fiscal Year 2008-09. He stated that upon completion of the audit, the Finance Committee will review the audit with the auditors and it is anticipated that the Finance Committee will report their findings to the Council at the January 28, 2010 meeting.

Chair Valentine informed the Council that the next Council meeting will be held on January 28, 2010 at the Holiday Inn Hotel & Suites in Lake City. The meeting was adjourned at 8:35 p.m.



Myra Valentine, Chair

1/28/10
Date