

NORTH CENTRAL FLORIDA REGIONAL PLANNING COUNCIL
MINUTES

Holiday Inn Hotel & Suites
Lake City, Florida

July 23, 2009

MEMBERS PRESENT

Stephen Bailey, Columbia County
Gib Coerper, City of Alachua
Louie Davis, City of Waldo
David Dodge, Bradford County
Dixie Donovan, Columbia County
Roy Ellis, Madison County
Sandra Haas, Suwannee County
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
Blanch Parker, City of Archer
Lee Pinkoson, Alachua County
Lauren Poe, City of Gainesville
Andrew Smith, Union County
Carolyn Spooner, City of Starke
Kenrick Thomas, Gilchrist County
Lorene Thomas, Dixie County
Myra Valentine, City of Madison
Lewis Vaughn, Hamilton County
Stephen Witt, City of Lake City

GUESTS PRESENT

Sam Donovan
Charles Hitchcock, Jr., City of Madison
Wendell Johnson, City of Lake City
Murphy McClean, Suwannee County
Gina Reynolds, Lake City/Columbia County
Chamber of Commerce

MEMBERS ABSENT

Cynthia Chestnut, Alachua County
Paula DeLaney, Alachua County
Jack Donovan, City of Gainesville
Thomas Hawkins, City of Gainesville
Scherwin Henry, City of Gainesville
Emily Weed Ketring, City of Perry
Ann Lessman, City of Jasper
Rodney Long, Alachua County
Jeanna Mastrodicasa, City of Gainesville
Harry Nichols, City of Newberry
Rudolph Parker, Taylor County
Eleanor Randall, City of Hawthorne
James Tallman, Union County
Wesley Wainwright, Suwannee County
Byran Williams, City of High Springs
Ronald Williams, Columbia County

EX-OFFICIO MEMBERS PRESENT

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

STAFF PRESENT

Steve Dopp
Scott Koons
Carol Laine
Jean Strong

Board Members names are bolded

I. INVOCATION, PLEDGE OF ALLEGIANCE AND INTRODUCTIONS

Chair Myra Valentine called the meeting to order at 7:32 p.m. with an invocation given by Eddie Martin, and the pledge of allegiance to the flag. Chair Valentine stated that there was a quorum of the Council and all Council members were able to vote.

Chair Valentine introduced Charles Hitchcock, Jr., Director of Community Development for the City of Madison, Wendell Johnson, City Manager for the City of Lake City, Murphy McLean, County Coordinator for Suwannee County, Gina Reynolds from the Lake City/Columbia County Chamber of Commerce and Sam Donovan, Dixie Donovan's son.

II. APPROVAL OF MINUTES - May 28, 2009

Chair Valentine asked that the minutes of the May 28, 2009 meeting be approved as written.

ACTION: Ms. Donovan made the motion, with a second by Mr. Smith, to approve the minutes of the May 28, 2009 meeting as written. The motion carried unanimously.

III. CONSENT AGENDA

Chair Valentine reported that there were no items on the consent agenda.

IV. CHAIR'S REPORT

A. Introduction of New Members

Chair Valentine stated that there were no new members to introduce.

B. 2009-10 Committee Appointments

Chair Valentine asked that the appointments to the Finance Committee, Clearinghouse Committee, Nominating Committee, Program Committee, Regional Planning Committee and Representatives to the Florida Regional Councils Association be approved as recommended by the Chair.

ACTION: Mr. Smith made the motion, with a second by Ms. Donovan, to approve the appointments to the Finance Committee, Clearinghouse Committee, Nominating Committee, Program Committee, Regional Planning Committee and Representatives to the Florida Regional Councils Association as recommended by the Chair. The motion carried unanimously.

V. COMMITTEE REPORTS

A. Executive Committee

1. Butler Plaza Development of Regional Impact Sufficiency Response Time Extension

Mr. Scott Koons, Executive Director, stated that the Butler Plaza North Development of Regional Impact is located near the interchange of I-75 and State Road 24 (Archer Road) in Alachua County. He stated that the existing Butler Plaza development consists of 1,000,408 square feet of retail use and that the proposed expansion would build over a ten-year period an additional 1,250,000 square feet of retail use and add 200,000 square feet of office space and 400 hotel rooms.

Mr. Koons further reported that the applicant is required to respond to its first sufficiency report within 120 days after receiving review agency requests for additional information. However, based upon the enactment of Senate Bill 360 by the Legislature during the 2009 legislative session, Mr. Koons stated that the applicant for Butler Plaza North Development of Regional Impact is asking for additional time to respond to the first sufficiency request. They are requesting a 60-day extension to determine the effect of the legislative changes contained in Senate Bill 360 on their project and to provide their response to the first sufficiency request. Mr. Koons stated that at their meeting on July 14, 2009, the Executive Committee, acting on behalf of the Council, approved the applicant's request to extend the first sufficiency response deadline to September 15, 2009 for the Butler Plaza North Development of Regional Impact. He requested that the Council ratify the action taken by the Executive Committee.

ACTION: Ms. Thomas made the motion, with a second by Ms. Donovan, to ratify the action of the Executive Committee to extend the first sufficiency response deadline to September 15, 2009 for the Butler Plaza North Development of Regional Impact. The motion carried unanimously.

2. Safe and Efficient Transportation Act of 2009

Mr. Koons stated that Congressman Allen Boyd is co-sponsoring House Resolution 1799, the Safe and Efficient Transportation Act of 2009 along with 36 other co-sponsors. He stated that the bill would allow states to

increase the allowable weight for interstate highways from 80,000 pounds to 97,000 pounds for vehicles equipped with a sixth-axle within state borders to make them consistent with surrounding states. Mr. Koons reported that the Executive Committee recommended that the Council authorize the Chair to send a letter to Congressman Allen Boyd thanking him for co-sponsoring House Resolution 1779, the Safe and Efficient Transportation Act of 2009, and to also authorize the Chair to send letters to Congresswoman Corrine Brown, Congressman Ander Crenshaw and Congressman Cliff Stearns requesting that they sign on as co-sponsors of this transportation reform bill.

ACTION: Mr. Maultsby made the motion, with a second by Mr. Smith, to authorize the Chair to send a letter to Congressman Allen Boyd thanking him for co-sponsoring House Resolution 1779, the Safe and Efficient Transportation Act of 2009, and to also authorize the Chair to send letters to Congresswoman Corrine Brown, Congressman Ander Crenshaw and Congressman Cliff Stearns requesting that they sign on as co-sponsors of this transportation reform bill. The motion carried unanimously.

3. Employee Health Insurance Proposal

Mr. Koons reported that United Healthcare has offered to continue health insurance coverage for the Council with an increase in premiums for the coming year beginning September 1, 2009. He stated that the total increase in cost to the Council for the coming year would be \$1,971.36 per month, prior to any previous year savings rebate to participants, or an increase of 23.3 percent. The resulting total monthly cost to the Council would be \$10,419.03. He added that United Healthcare is proposing no change in life insurance premiums for the coming year, however, United Healthcare is proposing to increase the cost for dental insurance to the Council for the coming year by \$53.55 per month or an increase of 8.0 percent. The resulting total monthly cost to the Council would be \$723.24.

Mr. Koons stated that the total combined increase for health, dental and life insurance cost to the Council for the coming year would be \$2,024.91 per month, prior to any previous year savings rebate to participants, or an increase of 21.6 percent. The resulting total combined monthly cost for health, dental and life insurance to the Council would be \$11,378.15. Mr. Koons stated that the Executive Committee reviewed the renewal proposal and three alternate plan proposals received from United Healthcare at a special meeting held on July 14, 2009, and recommended that the Council

approve the renewal proposal received from United Healthcare Insurance for Plans F1H and F1M for employee health insurance, Plan P3416 for dental insurance and life insurance for the year beginning September 1, 2009.

ACTION: Commissioner Ellis made the motion, with a second by Mr. Smith, to approve the renewal proposal received from United Healthcare Insurance for Plans F1H and F1M for employee health insurance, Plan P3416 for dental insurance and life insurance for the year beginning September 1, 2009. The motion carried unanimously.

B. Clearinghouse Committee

Clearinghouse Committee Chair Sandra Haas gave the Clearinghouse Committee report. She reported that the Clearinghouse Committee met with a quorum present on June 17, 2009 and reviewed five 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:

- #127 - Alachua County Comprehensive Plan Draft Evaluation and Appraisal Report
- #128 - City of Starke Comprehensive Plan Adopted Amendments
- #129 - Hamilton County Comprehensive Plan Draft Amendments
- #130 - Hamilton County Adopted Evaluation and Appraisal Report
- #131 - Columbia County Comprehensive Plan Adopted Amendment

She reported that a copy of the Committee reports for these items were included in the packet mailed to each Council member.

She stated that the Clearinghouse Committee met earlier in the evening with a quorum present and reviewed 22 agenda items. Ms. Haas stated that the items have been grouped for purposes of presentation.

- #39 - Town of Lee Comprehensive Plan Adopted Amendment
- #148 - Dixie County Comprehensive Plan Adopted Amendment
- #149 - Town of Horseshoe Beach Comprehensive Plan Adopted Amendment
- #150 - Hamilton County Comprehensive Plan Adopted Amendment
- #151 - City of Jasper Comprehensive Plan Adopted Amendment
- #152 - Town of Jennings Comprehensive Plan Adopted Amendment
- #155 - Town of White Springs Comprehensive Plan Adopted Amendment
- #156 - City of Perry Comprehensive Plan Adopted Amendment

- #157 - City of Lake City Comprehensive Plan Adopted Amendment
- #160 - City of Trenton Comprehensive Plan Adopted Amendment
- #161 - Town of Bell Comprehensive Plan Adopted Amendments
- #173 - Town of Branford Comprehensive Plan Adopted Amendment
- #175 - City of Madison Comprehensive Plan Adopted Amendment

Ms. Haas reported that the Committee found no significant adverse impacts to regional facilities, Natural Resources of Regional Significance, or adjoining local governments. Additionally, she reported the Committee had no Objections, Recommendations, or Comments. Ms. Haas stated the Committee found the Comprehensive Plans, as amended, remained consistent with the regional plan. She stated that the Committee recommended forwarding these findings to the respective local governments and the Florida Department of Community Affairs as regional comment.

ACTION: Ms. Haas made the motion, with a second by Mr. Smith, to approve the Clearinghouse Committee recommendations concerning Item #39, Town of Lee Comprehensive Plan Adopted Amendment, Item #148, Dixie County Comprehensive Plan Adopted Amendment, Item #149, Town of Horseshoe Beach Comprehensive Plan Adopted Amendment, Item #150, Hamilton County Comprehensive Plan Adopted Amendment, Item #151, City of Jasper Comprehensive Plan Adopted Amendment, Item #152, Town of Jennings Comprehensive Plan Adopted Amendment, Item #155, Town of White Springs Comprehensive Plan Adopted Amendment, Item #156, City of Perry Comprehensive Plan Adopted Amendment, Item #157, City of Lake City Comprehensive Plan Adopted Amendment, Item #160, City of Trenton Comprehensive Plan Adopted Amendment, Item #161, Town of Bell Comprehensive Plan Adopted Amendments, Item #173, Town of Branford Comprehensive Plan Adopted Amendment and Item #175, City of Madison Comprehensive Plan Adopted Amendment. The motion carried unanimously.

- #164 - Lafayette County Comprehensive Plan Adopted Amendment
- #166 - City of Live Oak Comprehensive Plan Adopted Amendment
- #176 - Suwannee County Comprehensive Plan Adopted Amendments

Ms. Haas stated that the Committee found that the Comprehensive Plans, as amended, remained consistent with the regional plan. Ms. Haas further stated that the Committee recommended forwarding the findings contained in the staff reports to the respective local governments and the Florida Department of Community Affairs as regional comment.

ACTION: Ms. Haas made the motion, with a second by Commissioner Pinkoson, to approve the Clearinghouse Committee recommendations concerning Item #164, Lafayette County Comprehensive Plan Adopted Amendment, Item #166 - City of Live Oak Comprehensive Plan Adopted Amendment, and Item #176, Suwannee County Comprehensive Plan Adopted Amendments. The motion carried unanimously.

#167 - City of Live Oak Comprehensive Plan Draft Amendment
#168 - City of Lake City Comprehensive Plan Draft Amendments
#169 - Suwannee County Comprehensive Plan Draft Amendments
#170 - Columbia County Comprehensive Plan Draft Amendments
#171 - City of Trenton Comprehensive Plan Draft Amendment
#172 - Lafayette County Comprehensive Plan Draft Amendment

Ms. Haas stated that the Committee found the comprehensive plans, if amended as proposed, would remain consistent with the regional plan. Nevertheless, she stated that the Committee recommended forwarding an Objection and a request for the preparation of an Objections, Recommendations and Comments report on Items #168, City of Lake City draft amendments, #170, Columbia County draft amendments, and #171, City of Trenton draft amendment, due to adverse impacts to segments of the Regional Road Network. Ms. Haas stated that the Committee recommended forwarding these findings to the respective local governments and the Florida Department of Community Affairs as regional comment.

ACTION: Ms. Haas made the motion, with a second by Mr. Smith, to approve the Clearinghouse Committee recommendations concerning Item #167, City of Live Oak Comprehensive Plan Draft Amendment, Item #168, City of Lake City Comprehensive Plan Draft Amendments, Item #169, Suwannee County Comprehensive Plan Draft Amendments, Item #170, Columbia County Comprehensive Plan Draft Amendments, Item #171, City of Trenton Comprehensive Plan Draft Amendment and Item #172, Lafayette County Comprehensive Plan Draft 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.

B. 2008-09 Member Certificates of Outstanding Attendance

Mr. Koons stated that an essential component of the ability of the Council to conduct its business is the regular attendance of members at Council meetings. He reported that a Council Member Attendance Recognition Program was established by the Council at the May 22, 2008 Council meeting to recognize the commitment of those Council members actively engaged in the organization by regularly attending Council meetings. Mr. Koons then awarded Certificates of Outstanding Attendance to City Commissioner Myra Valentine, City of Madison, County Commissioner Roy Ellis, Madison County, County Commissioner John Hersey, Bradford County, gubernatorial appointee Eddie Martin, Alachua County, gubernatorial appointee Charles Maulsby, Taylor County and gubernatorial appointee Lorene Thomas, Dixie County in recognition of their attendance at every scheduled Council meeting during Program Year 2008-09.

C. 2008-09 Executive Director's Cup

Mr. Koons stated that in furtherance of the Council's Council Member Attendance Recognition Program and to encourage attendance at Council meetings, an Executive Director's Cup is awarded each year to recognize the perfect attendance by either county, city or gubernatorial members during a program year. Mr. Koons then awarded the Program Year 2008-09 Executive Director's Cup to gubernatorial members Eddie Martin, Alachua County, Charles Maulsby, Taylor County and Lorene Thomas, Dixie County.

D. Florida Regional Councils Association Policy Board Update

Mr. Koons reported that he and Chair Valentine, Immediate Past Chairman Roy Ellis and Secretary-Treasurer Eddie Martin attended the semi-annual meeting of the Florida Regional Councils Association Policy Board meeting in Marco Island on June 26, 2009. He reported that the Honorable Rich Glorioso, Chair of the Transportation and Economic Development Appropriations Committee, District 62 of the Florida House of Representatives addressed the Policy Board and

reviewed the past legislative session with particular emphasis on the growth management provisions of Senate Bill 360. Mr. Koons also reported that other guest speakers included Marilyn Stevens of the U. S. Census Bureau and Tim Center, Executive Director of the Century Commission for a Sustainable Florida. Mr. Koons stated that Ron Book, Executive Director of the Florida Regional Councils Association also gave an overview of the 2009 legislative session. He reported that the Policy Board reviewed the financial statements of the Association, elected officers for the coming year and adopted several administrative amendments to the By-Laws of the Association.

E. Hometown Democracy Constitutional Amendment Initiative

Mr. Koons stated that at its April 22, 2004 meeting the Council adopted Resolution No. 2004-3 in opposition to the Hometown Democracy Constitutional Amendment Petition. He stated that the amendment would require a referendum of voters before any land use plan or land use plan amendment could be finally approved within a local government jurisdiction. Mr. Koons reported that Hometown Democracy backers have finally collected enough signatures to have the initiative placed on the ballot in November 2010. He stated that the Hometown Democracy amendment would force thousands of technical planning changes to appear on the ballot and is opposed by a broad coalition of over 130 environmental, business, labor, planning and community groups throughout the state, including 1000 Friends of Florida, Florida Chamber of Commerce, Florida Forestry Association, Florida Council of Machinists and Aerospace Workers, Florida League of Cities, Florida Chapter of the American Planning Association and Florida Healthcare Association.

After discussion by Council members, staff was instructed to develop a resolution for consideration at the next Council meeting which would express the Council's opposition to Hometown Democracy Amendment No. 4 to the Florida Constitution which is scheduled to be on the November 2, 2010 ballot.

ACTION: Mr. Maultsby made the motion, with a second by Mr. Smith, to develop a resolution for consideration at the next Council meeting which would express the Council's opposition to Hometown Democracy Amendment No. 4 to the Florida Constitution which is scheduled to be on the November 2, 2010 ballot. The motion carried unanimously.

F. Senate Bill 360 Update

Mr. Koons reported that on June 1, 2009, Governor Crist signed Senate Bill 360 into law. He stated that the bill designates dense urban land areas as transportation concurrency exception areas and exempts large scale projects in dense urban land areas from the development of regional impact process. He stated that earlier this month, a group of South Florida local governments filed a lawsuit to block the growth management rewrite, Senate Bill 360, which scales back state requirements for developers to build roads around their projects. The lawsuit was filed in Leon County Circuit Court against Governor Charlie Crist, as well as legislative leaders, on behalf of Lee County, Town of Cutler Bay, City of Deerfield Beach, City of Fruitland Park, Village of Key Biscayne, City of Miami Gardens, City of Parkland and City of Weston.

G. North Central Florida Rural Planning Network

Mr. Koons reported that the fourth meeting of the North Central Florida Rural Planning Network will be held on July 24, 2009 at the Suwannee Community Center, located on Southeast Highway 349, Suwannee, Florida from 10:00 a.m. to 2:00 p.m. The meeting is being hosted by the Dixie County and is being co-sponsored by the Council and the Florida Department of Community Affairs.

H. U. S. Census Complete Count Committee

Mr. Koons stated that one of the primary goals of the 2010 Census is to increase the national mailback response rate. He stated that this not only reduces the overall cost of the census, but it also increases the accuracy of these data as well and that tribal, state and local governments, as well as community and business organizations can help achieve this goal by bringing local knowledge and expertise to the process. Mr. Koons stated that the 2010 Census Complete Count Committee Guide was included with the Council packet and provides guidelines for the active involvement of government officials, community leaders and businesses in promoting the 2010 Census to residents. The guide suggests a structure for organizing a local campaign, provides examples of activities that may be implemented and gives a timetable for these activities.

I. Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users Update

Mr. Koons stated that, as reported at the May 28, 2009 Council meeting, Honorable Timothy Walz, Congressman from Minnesota, is sponsoring legislation to amend the Safe, Accountable, Flexible, Efficient Transportation

Equity Act: A Legacy for Users highway and transit act, which is set to expire on September 30, 2009. He stated that the legislation proposed would build on the existing network of regional transportation planning organizations that more than 25 states have already established. Regional transportation planning organizations ensure rural local elected officials are given meaningful opportunities to provide input to the statewide transportation planning process; develop, identify and recommend regional policies, plans and projects priorities for consideration by the state; and develop locally accountable regional transportation plans.

Mr. Koons further stated that at its May 28, 2009 Council meeting, staff was requested to provide additional information on the Act. He stated that a report entitled, "Transportation Planning in Rural America: Emerging Models of Local Consultation, Regional Coordination and Rural Planning Organizations," published by the National Association of Development Organizations Research Foundation was included with the Council packet. He noted that the report provides a summary description of states that have implemented regional transportation planning organizations for rural areas.

Mr. Jordan Green, Florida Department of Transportation, reported that at the April 23, 2009 Council meeting, Barney Bennette, Strategic Intermodal System Coordinator for District 2, Florida Department of Transportation, gave a presentation on the 2010 Strategic Intermodal System Update. He further reported that workshops concerning the Update have been scheduled on September 17, 2009 from 2:00 p.m. to 5:00 p.m. at the State Materials Office in Gainesville and on September 22, 2009 from 2:00 p.m. to 5:00 p.m. at the Florida Department of Transportation Urban Office training facility in Jacksonville at the I-10/I-95 interchange.

Chair Valentine informed the Council that the next Council meeting will be held on August 27, 2009 at the Holiday Inn Hotel & Suites in Lake City. The meeting was adjourned at 8:33 p.m.


Myra Valentine, Chair

8/27/09
Date