

NORTH CENTRAL FLORIDA REGIONAL PLANNING COUNCIL
FULL COUNCIL
MINUTES

Holiday Inn Hotel & Suites
Lake City, Florida

February 26, 2009
7:30 p.m.

MEMBERS PRESENT

Stephen Bailey, Columbia County
Louie Davis, City of Waldo
David Dodge, Bradford County
Roy Ellis, Madison County
John Glanzer, City of Newberry
Donnie Hamlin, Lafayette County
Thomas Hawkins, City of Gainesville
John Hersey, Bradford County
Emily Weed Ketring, City of Perry
Eddie Martin, Alachua County
Charles Maultsby, Taylor County
Garth Nobles, Jr., City of Live Oak
James Painter, Alachua County
Blanch Parker, City of Archer
Rudolph Parker, Taylor County
Lee Pinkoson, Alachua County
Lauren Poe, City of Gainesville
Carolyn Spooner, City of Starke
James Tallman, Union County
Kenrick Thomas, Gilchrist County
Lorene Thomas, Dixie County
Myra Valentine, City of Madison
Lewis Vaughn, Hamilton County
Wesley Wainwright, Suwannee County
Ronald Williams, Columbia County
Stephen Witt, City of Lake City

GUESTS PRESENT

Jeanne Bass, Madison County
Rep. Leonard Bemby
Susan Bemby
Allen Cherry, Madison County
Mark Stewart, City of Live Oak

COUNCIL ATTORNEY PRESENT

Jon Wershow

MEMBERS ABSENT

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
Scherwin Henry, City of Gainesville
Ann Lessman, City of Jasper
Rodney Long, Alachua County
Jeanna Mastrodicasa, City of Gainesville
Eleanor Randall, City of Hawthorne
Andrew Smith, Union County
Byran Williams, City of High Springs

EX-OFFICIO MEMBER PRESENT

Jordan Green, representing Charles Baldwin,
FL Dept. of Transportation
Bill Henderson, 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 Commissioner Rudolph Parker, and the pledge of allegiance to the flag. Chair Valentine stated that there was a quorum of the Full Council and all Council members were able to vote.

Chair Valentine introduced and welcomed Representative Leonard Bembry and his wife Susan. Representative Bembry represents House District 10, which includes Dixie, Hamilton, Madison and Taylor Counties and a portion of Columbia County. Representative Bembry stated that there were challenging times facing the state during the coming year and encouraged members to contact his office in Tallahassee to discuss matters of interest and concern to the citizens of north central Florida.

Chair Valentine asked that all Council members introduce themselves. Commissioner Ellis introduced Allen Cherry, County Coordinator for Madison County and Jeanne Bass, Madison County Planner.

II. APPROVAL OF MINUTES - January 22, 2009

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

ACTION: Commissioner Parker made the motion, with a second by Commissioner Ellis, to approve the minutes of the January 22, 2009 meeting as written. The motion carried unanimously.

III. GUEST SPEAKER - Christian Doolin, Florida Small County Coalition

Chair Valentine introduced and welcomed Chris Doolin, the primary legislative affairs consultant to the Florida Small County Coalition and also the Small School District Council Consortium. Mr. Doolin stated that the Coalition's agenda was to give small counties a collective voice when dealing with the Legislature. He then described a number of programs which the Coalition was instrumental in helping establish for small counties. Mr. Doolin stated that the next meeting of the Small County Coalition will be held on March 25, 2009 in Tallahassee and invited all Council members to attend. Chair Valentine thanked Mr. Doolin for his comments.

IV. CONSENT AGENDA

- A. Comprehensive Plan Evaluation and Appraisal Report Agreement - City of Jasper
- B. Agreement with East Central Florida Regional Planning Council for Homeland Security Exercise Evaluation Program

- C. Purchase Order with Northeast Florida Regional Council to Update Florida 5-Year Training and Exercise Plan

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

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

V. CHAIR'S REPORT

- A. Introduction of New Members

Chair Valentine introduced and welcomed County Commissioner Kenrick Thomas from Gilchrist County.

- B. Transportation Disadvantaged Resolution of Appreciation - Sidney Williams

Chair Valentine asked that a Resolution of Appreciation for past services be approved for Sidney Williams, who served as the Elderly Representative for the Bradford County Transportation Disadvantaged Coordinating Board.

ACTION: Mr. Maultsby made the motion, with a second by Commissioner Ellis, to approve the Resolution of Appreciation for Sidney Williams. The motion carried unanimously.

- C. Committee Appointments

Chair Valentine asked that the Council ratify the appointment of Ms. Dixie Donovan to the Program Committee and the appointment of County Commissioner Curtis (Donnie) Hamlin to the Regional Planning Committee and to the Clearinghouse Committee.

ACTION: Ms. Thomas made the motion, with a second by Commissioner Parker, to ratify the Chair's appointment of Ms. Dixie Donovan to the Program Committee and County Commissioner Curtis (Donnie) Hamlin to the Regional Planning Committee and to the Clearinghouse Committee. The motion carried unanimously.

VI. COMMITTEE REPORTS

A. Executive Committee

1. Restricted Fund Balance - Capital Improvements

Mr. Scott Koons, Executive Director, stated that at the March 22, 2007 Council meeting \$350,000 of the Council's unrestricted fund balance was restricted as a Capital Reserve Fund to cover one-time capital expenditures for building improvements/repairs and equipment replacement/upgrades. He stated that the building is 29 years old and that as the building continues to age, major maintenance projects will need to be funded in the future. Mr. Koons stated that the Executive Committee recommended that the Council encumber an additional \$60,000 of the Council's unrestricted fund balance as part of the restricted fund balance to increase the Capital Reserve fund balance for accumulated depreciation of building and equipment costs to \$410,000.

ACTION: Ms. Thomas made the motion, with a second by Commissioner Pinkoson, to encumber an additional \$60,000 of the Council's unrestricted fund balance as part of the restricted fund balance to increase the Capital Reserve fund balance for accumulated depreciation of building and equipment costs to \$410,000. The motion carried unanimously.

2. Restatement and Amendment to the Council's Employee Pension Plan

Mr. Koons reported that notification was received from the Council's pension plan consultant, Pension Plan Professionals, Inc., that a restatement of the Council's employee pension plan and the adoption of a Post-Economic Growth and Tax Relief Reconciliation Good Faith Amendment, including Internal Revenue Service Code Section 415 Final Regulations was required pursuant to the Economic Growth and Tax Relief Reconciliation Act of 2001 to maintain the employee pension plan in a qualified status with the Internal Revenue Service. Mr. Koons stated that the Executive Committee recommended that the Council approve the restatement of the employee pension plan and adoption of the Post-Economic Growth and Tax Relief Reconciliation Good Faith Amendment, including Internal Revenue Service Code Section 415 Final Regulations, to the Council's employee pension plan, authorize Pension Plan Professionals, Inc., to submit the restated pension plan and amendment to the Internal

Revenue Service on behalf of the Council and pay Pension Plan Professionals, Inc., for these services in the fixed fee amount of \$1,237.50.

ACTION: Mr. Dodge made the motion, with a second by Ms. Thomas, to approve the restatement of the employee pension plan and adoption of the Post-Economic Growth and Tax Relief Reconciliation Good Faith Amendment, including Internal Revenue Service Code Section 415 Final Regulations, to the Council's employee pension plan, authorize Pension Plan Professionals, Inc., to submit the restated pension plan and amendment to the Internal Revenue Service on behalf of the Council and pay Pension Plan Professionals, Inc., for these services in the fixed fee amount of \$1,237.50. The motion carried unanimously.

B. Clearinghouse Committee

In the absence of the Clearinghouse Committee Chair and Vice-Chair, Committee member Jim Painter gave the Clearinghouse Committee report. He stated that members of the Clearinghouse Committee met earlier in the evening without a quorum present and reviewed four agenda items. He stated that these items would be grouped for purposes of presentation.

#66 - City of Gainesville Comprehensive Plan Adopted Amendment

#67 - City of Gainesville Comprehensive Plan Adopted Amendments

He stated that the Clearinghouse Committee members present found that the Comprehensive Plans, as amended, remained consistent with the regional plan. He further stated that the Clearinghouse Committee members present recommended forwarding these findings to the City of Gainesville and the Florida Department of Community Affairs as regional comment.

ACTION: Mr. Painter made the motion, with a second by Commissioner Parker, to approve the Clearinghouse Committee members recommendation concerning Item #66, City of Gainesville Comprehensive Plan Adopted Amendment and Item #67, City of Gainesville Comprehensive Plan Adopted Amendments. The motion carried unanimously.

#68 - City of Alachua Comprehensive Plan Draft Amendments

Mr. Painter stated that the Clearinghouse Committee members present reviewed Item #68, City of Alachua Comprehensive Plan Draft Amendments and found that City Items 09-11 and 09-14 may have significant adverse impacts to a segment of the Regional Road Network. Therefore, he stated that the Committee members

present recommended the preparation of an Objections, Recommendations and Comments Report on both items to address an Objection and Recommendation regarding potential adverse impacts to segments of the Regional Road Network.

He further stated that the Committee members present found that the City Comprehensive Plan, if amended as proposed by City Items 09-11, 09-12, and 09-13 will remain consistent with the regional plan. City items 09-10 and 09-14 may be inconsistent with Regional Goal 5.1 and Regional Policy 5.1.9. However, he stated that this inconsistency is not so great as to render the comprehensive plan inconsistent with the regional plan. Therefore, the City Comprehensive Plan, if amended as proposed, will remain consistent with the regional plan. Mr. Painter stated that the Committee members present recommended forwarding these findings to the City of Alachua and the Florida Department of Community Affairs as regional comment.

ACTION: Mr. Painter made the motion, with a second by Ms. Thomas, to approve the Clearinghouse Committee members recommendation concerning Item #68, City of Alachua Comprehensive Plan Draft Amendments. The motion carried unanimously.

#69 - Town of Fort White Comprehensive Plan Draft Amendment

Mr. Painter reported that the Clearinghouse Committee members present found no significant adverse impacts to regional facilities, Natural Resources of Regional Significance, or adjoining local governments. Additionally, the Committee members present had no Objections, Recommendations, or Comments. He stated that the Committee members present found the Town Comprehensive Plan, if amended as proposed, would remain consistent with the regional plan. Mr. Painter stated that the Clearinghouse Committee members present recommended forwarding these findings to the Town of Fort White and the Florida Department of Community Affairs as regional comment.

ACTION: Mr. Painter made the motion, with a second by Ms. Thomas, to approve the Clearinghouse Committee members recommendation concerning Item #69, Town of Fort White Comprehensive Plan Draft Amendment. The motion carried unanimously.

VII. EXECUTIVE DIRECTOR'S REPORT

A. Quarterly Financial Report

Mr. Koons reviewed the Financial Report for the period ending December 31, 2008. He noted that the overall expenditure pattern for the operation of the Council for the three months ending on December 31 is generally on target when compared to the budgeted figures. He stated that the fund balance of the Council was \$1,403,937 at the end of the last fiscal year and of that amount, the Council appropriated \$75,000 to be used to support programs during the current fiscal year, with the expectation that this would be repaid to the Council through sales and interest income and depreciation charges. He reported that the financial condition of the Council is sound and that nothing in the current program year, of which the staff is aware, will change that situation.

B. Legislative Report

Mr. Koons reported that the Florida Department of Community Affairs budget request for Fiscal Year 2009-10 included an appropriation request of \$2.42 million for all 11 regional planning councils. He stated that this is the same level of funding provided in the Fiscal Year 2008-09 appropriation. Mr. Koons stated that Governor Crist has recommended \$1.4 million for regional planning councils in his Fiscal Year 2009-10 proposed budget.

Mr. Koons reported that several bills have been filed concerning growth management issues. He stated that the bill that most directly affects regional planning councils is Florida Senate Committee on Community Affairs Proposed Committee Bill, Senate Bill 360 which defines densely urban land area as any city or county that has a population density of 1,000 persons per square mile. Mr. Koons stated that a preliminary list includes the municipalities of Gainesville, Lake Butler, Madison and Mayo and no counties in the north central Florida region. He stated that this bill would exempt all development in these communities from the development of regional impact process and would establish all of these communities as transportation concurrency exception areas. He then reviewed other aspects of the bill, including extending the deadline for the annual adoption of capital improvement element updates from December 1, 2008 to December 1, 2011 and the limiting of comprehensive plan text amendments to once a year.

Mr. Koons further reported that Senate Bill 1306 is another growth management bill that primarily addresses the transportation level of service standards, transportation proportionate share and mobility fee. He stated that the bill would provide that school concurrency determination would be based on the achieving

and maintaining the level of service standards by the end of the five-year planning period rather than each year within the five-year planning period.

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

Mr. Koons reported 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 stated that a hearing was held on July 16, 2008 with Council attorneys, County attorneys, plaintiff attorneys and Circuit Court Judge Roundtree concerning the amended Motion to Abate, Dismiss, Strike and for More Definite Statement. At that hearing Judge Roundtree dismissed the amended complaint filed by the plaintiff against the County and the Council and gave the plaintiff an opportunity to refile their motion. Mr. Koons stated that the written order granting the motion to dismiss the amended complaint was received from Judge Roundtree and that the applicant still had an opportunity to refile their amended complaint. He reported that on September 5, 2008 the plaintiff filed their Second Amended Complaint for Declaratory and Injunctive Relief. He further reported that a response to the Second Amended Complaint for Declaratory and Injunctive Relief was prepared and filed on October 2, 2008.

Mr. Koons reported 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. Wershow, Council Attorney, reported that Council staff member Marlie Sanderson, Director of Transportation Planning, is scheduled to give his deposition concerning this case on March 11, 2009 and that Alachua County Planner, Marie Daniels is scheduled to give her deposition on March 9, 2009.

D. U. S. Economic Development Administration Economic Development District Recertification

Mr. Koons reported that the Council serves as an Economic Development District and engages in a full range of economic development activities as listed in the U. S. Economic Development Administration approved Comprehensive Economic Development Strategy prepared and adopted by the Council. He stated that every three years the U. S. Economic Development Administration conducts an on-site performance evaluation to recertify Economic Development Districts. Mr. Koons reported that the Atlanta Office staff of the U. S. Economic Development Administration visited the Council offices several months ago to conduct the three-year performance evaluation. He further reported that written notification was recently received that the Council had successfully completed the performance evaluation and remains eligible to continue to receive federal economic development planning funds for the next three years.

E. American Recovery and Reinvestment Act of 2009
(Federal Economic Stimulus Package)

Mr. Koons stated that on February 13, 2009, the U. S. House of Representatives and U. S. Senate passed the \$787.2 billion American Recovery and Reinvestment Act of 2009 (Federal Economic Stimulus Package). He further reported that on February 17, 2009, President Obama signed the legislation into law. Mr. Koons stated that the package provides approximately \$575 billion in spending or 73 percent of the total funding for reinvestment in infrastructure, including highways and bridges, health care and education, and approximately \$211 billion in tax cuts or 27 percent of the total funding.

Mr. Koons then gave a PowerPoint presentation prepared by the National Association of Development Organizations which provided a more detailed description of the Stimulus Package. He stated that the stimulus package is to preserve and create jobs, assist those impacted by recession, spur technological advances in science and technology, invest in transportation, environmental protection and other infrastructure for long-term benefit, stabilize state and local government budgets and provide tax relief and benefits to spur private sector investments and consumer confidence.

Mr. Koons then invited Mr. Jordan Green, Florida Department of Transportation, District 2, to provide a more detailed description of the transportation portion of the Stimulus Package. Mr. Green stated that \$1.3 to \$1.4 billion has been set aside for transportation projects in Florida. He stated that proposed highway projects must be on a federal aid system and must be completed within three years of

enactment of the stimulus package. He further stated that if funds are not obligated within the prescribed time frame, the funds would be redistributed. Mr. Koons thanked Mr. Green for his comments. He stated that more information concerning the stimulus package can be found on the web at recovery.gov.

Mr. Koons stated that the Santa Fe Healthpark Development of Regional Impact first sufficiency review response was received from the applicant on February 10, 2009. The Santa Fe Healthcare Development of Regional Impact is located near the interchange of I-75 and State Road 222 in Alachua County and is adjacent to the SpringHills Development of Regional Impact.

Mr. Koons further reported that the applicant for the Butler Plaza North Development of Regional Impact submitted its Application for Development Approval to the Council on February 20, 2009. The proposed expansion of Butler Plaza 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 reported Bryan Thomas has been promoted to the position of Economic Development Program Director.

Mr. Koons noted that as a result of a request from a Council member, page numbers for each agenda item have been added to the Council agenda.

Chair Valentine informed the Council that the next Council meeting will be held on March 26, 2009 at the Holiday Inn Hotel & Suites in Lake City. The meeting was adjourned at 9:50 p.m.


Myra Valentine, Chair

3/26/09
Date