

NORTH CENTRAL FLORIDA REGIONAL PLANNING COUNCIL
MINUTES

Holiday Inn Hotel & Suites
Lake City, Florida

August 22, 2013
7:30 p.m.

MEMBERS PRESENT

Susan Baird, Alachua County
Stephen Bailey, Columbia County
Ed Braddy, City of Gainesville
LaBarfield Bryant, City of Jasper
Charles Chestnut IV, Alachua County
Louie Davis, City of Waldo
Rick Davis, Madison County
Rusty DePratter, Columbia County
Donnie Hamlin, Lafayette County
Thomas Hawkins, City of Gainesville
Jason Holifield, Dixie County
Timothy Marden, City of Newberry
James Montgomery, Columbia County
Garth Nobles, Jr., City of Live Oak
Frank Ogborn, City of Archer
Patricia Patterson, Taylor County
DeLoris Roberts, City of Hawthorne
Daniel Riddick, Bradford County
Carolyn Spooner, City of Starke
Kenrick Thomas, Gilchrist County
Lorene Thomas, Dixie County
Randy Wells, City of Gainesville
Robert Wilford, City of Alachua
Charles Williams, Hamilton County

NON-VOTING DELEGATE

Ginger Travers, City of High Springs

STAFF PRESENT

Steve Dopp
Scott Koons
Carol Laine
Martha Orthoefer
Jean Strong

MEMBERS ABSENT

Bob Barnas, City of High Springs
Beth Burnam, Hamilton County
Jim Catron, City of Madison
Don Cook, City of Perry
Karen Cossey, Union County
Sandra Haas, Suwannee County
Susan Bottcher, City of Gainesville
Robert Hutchinson, Alachua County
Lee Pinkoson, Alachua County
Lauren Poe, City of Gainesville
Wesley Wainwright, Suwannee County
Mike Williams, Madison County
Stephen Witt, City of Lake City

COUNCIL ATTORNEY PRESENT

Jonathan Wershaw

OTHERS PRESENT

Dave Cobb, Florida Power and Light
Brian Delburn, Florida Dept. of Transportation
Jordan Green, Florida Dept. of Transportation
Bill Henderson, Florida Dept. of Transportation
Carlos Herd, Suwannee River
Water Management District
Jesse Quillen, Columbia County Economic Development
Joseph Riddick
Russell Simpson, Florida Dept. of Env. Protection

Board Members names are bolded

Gubernatorial Members names are italicized

I. INVOCATION, PLEDGE OF ALLEGIANCE AND INTRODUCTIONS

Chair Nobles called the meeting to order at 7:30 p.m. with an invocation given by Mr. Montgomery and a pledge of allegiance to the flag. Chair Nobles stated that there was a quorum of the Council.

Chair Nobles welcomed and introduced Dave Cobb, Florida Power and Light, Jesse Quillen, Director of the Columbia County Economic Development Department and member of the Comprehensive Economic Development Strategy Committee, Diana Davis, wife of Council member Louie Davis and Joe Riddick, past member and former Council Chair from Bradford County.

Chair Nobles asked that Item VI.B.4., #76 - City of Newberry Comprehensive Plan Draft Amendment, be added to the agenda.

ACTION: Commissioner Spooner made the motion, with a second by Mayor Davis to add Item VI.B.4., #76 - City of Newberry Comprehensive Plan Draft Amendment, to the agenda. The motion carried unanimously.

II. LEGISLATIVE GUEST SPEAKER

Chair Nobles stated that the Honorable Clovis Watson, Jr., Florida House of Representatives District 20, was unable to attend the Council meeting due to an illness in his family.

III. APPROVAL OF MINUTES - July 25, 2013

Chair Nobles asked that the minutes of the July 25, 2013 meeting be approved as written.

ACTION: Commissioner Patterson made the motion, with a second by Ms. Thomas to approve the minutes of the July 25, 2013 meeting as written. The motion carried unanimously.

IV. CONSENT AGENDA

- A. Monthly Financial Report - July 2013
- B. Local Government Comprehensive Planning Assistance Service Agreements - Fiscal Year 2013-14
- C. Hazardous Waste Monitoring Verification and Notification Services Agreements - Fiscal Year 2013-14
- D. Agreement with Florida Division of Emergency Management to Update Hazards Analyses - Fiscal Year 2013-14

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

ACTION: Councilman Bryant made the motion, with a second by Mayor Ogborn, to approve the items on the Consent Agenda. The motion carried unanimously.

V. CHAIR'S REPORT

A. Introduction of New Members

Chair Nobles introduced and welcomed new members Mayor Ed Braddy from the City of Gainesville and Commissioner DeLoris Roberts from the City of Hawthorne.

B. Certificate of Service for Council Employee - Martha Orthoefer - 10 Years

Scott Koons, Executive Director, introduced Martha Orthoefer, who joined the Council staff on July 28, 2003. Ms. Orthoefer currently serves as a Senior Planner in the Council's Community Development Block Grant Program. Chair Nobles presented a 10-year Certificate of Service and a 10-year service pin to Ms. Orthoefer. Mr. Koons and Chair Nobles thanked her for her dedicated service to the Council.

VI. COMMITTEE REPORTS

A. Executive Committee - None

B. Clearinghouse Committee

Due to the absence of Clearinghouse Committee Chair Sandra Haas, Vice-Chair Thomas Hawkins gave the Clearinghouse Committee report. He stated that the Clearinghouse Committee met earlier in the evening and reviewed two local government comprehensive plan amendments and one strategic regional policy plan proposed update.

#72 - Madison County Comprehensive Plan Adopted Amendment

#73 - Northeast Florida Strategic Regional Policy Plan Proposed Update

#74 - Town of Micanopy Comprehensive Plan Adopted Amendment

Commissioner Hawkins further reported that subsequent to the distribution of the Council meeting packets, Council staff received the following late-arriving item which requires action prior to the next Council meeting.

#76 - City of Newberry Comprehensive Plan Draft Amendment (added to agenda)

Commissioner Hawkins stated that with regard to Item #72, Madison County Comprehensive Plan Adopted Amendment, the Clearinghouse Committee found that the County comprehensive plan, as amended, may result in significant adverse impacts to Natural Resources of Regional Significance located within the County. Therefore, he stated that the Committee recommended that the County add policies to its Comprehensive Plan which would ensure that the natural resource protection policies already included in the County Comprehensive Plan are applied to Natural Resources of Regional Significance. He further stated that the Clearinghouse Committee also recommended that references to "prime natural aquifer recharge areas" in the County Comprehensive Plan be replaced with references to "high aquifer recharge areas." Commissioner Hawkins stated that the Committee found that adverse impacts may occur to the Regional Road Network located

within the County. Therefore, he stated that the Clearinghouse Committee recommended the County Comprehensive Plan include Transportation Planning Best Practices contained in the North Central Florida Strategic Regional Policy Plan as goals and policies in the County Comprehensive Plan.

ACTION: Commissioner Hawkins made the motion, with a second by Commissioner Patterson, to approve the Clearinghouse Committee recommendation concerning Item #72, Madison County Comprehensive Plan Adopted Amendment. The motion carried unanimously.

Commissioner Hawkins stated that with regards to Item #74, Town of Micanopy Comprehensive Plan Adopted Amendment, the Clearinghouse Committee found that the Comprehensive Plan, as amended, is not anticipated to result in significant adverse impacts to Natural Resources of Regional Significance, regional facilities, or adjoining local governments. He stated that the Committee recommended forwarding these findings to the Town and the Florida Department of Economic Opportunity as regional comment.

ACTION: Commissioner Hawkins made the motion, with a second by Councilman Bryant, to approve the Clearinghouse Committee recommendation concerning Item #74, Town of Micanopy Comprehensive Plan Adopted Amendment. The motion carried unanimously.

Commissioner Hawkins stated that with regards to Item #76, City of Newberry Comprehensive Plan Draft Amendment, the Clearinghouse Committee found that the City Comprehensive Plan, as amended, may create significant adverse impacts to segments of the Regional Road Network located within the City and within Gilchrist County. Therefore, he stated that the Committee recommended that the City consider adding Transportation Planning Best Practices found in the regional plan as goals and policies in the City Comprehensive Plan. Commissioner Hawkins further stated that the Committee recommended replacing the City aquifer recharge map with the new aquifer recharge map contained in the regional plan. He added that the Committee also recommended replacing references to the recharge map contained in goals and policies of the City Comprehensive Plan with references to the new recharge map. Commissioner Hawkins stated that the Clearinghouse Committee recommended forwarding these findings to the City and the Florida Department of Economic Opportunity as regional comment.

ACTION: Commissioner Hawkins made the motion, with a second by Commissioner Spooner, to approve the Clearinghouse Committee recommendation concerning Item #76, City of Newberry Comprehensive Plan Draft Amendment (added to agenda). The motion carried unanimously.

Commissioner Hawkins reported that the Clearinghouse Committee also reviewed Item #73, Northeast Florida Regional Council Proposed Strategic Regional Policy Plan Update. He stated that the Committee recommended that the Northeast Florida Strategic Regional Policy Plan:

- (1) Include policies similar to those contained in the North Central Florida Strategic Regional Policy Plan to mitigate declines to the potentiometric surface of the Floridan Aquifer;
- (2) Include a policy similar to a policy contained in the North Central Florida Strategic Regional Policy Plan which encourages water management districts to take into account, and to not violate, the minimum flows and levels of water bodies located within adjacent water management districts when preparing water supply plans and when issuing consumptive use permits;
- (3) Include policies similar to policies contained in the North Central Florida Strategic Regional Policy Plan which encourage the inclusion of Transportation Planning Best Practices in local government comprehensive plans; and
- (4) Include examples of Best Transportation Practices similar to those contained in the North Central Florida Strategic Regional Policy Plan.

Commissioner Hawkins stated that the Clearinghouse Committee recommended forwarding these findings to the Northeast Florida Regional Council and the Executive Office of the Governor as regional comment.

ACTION: Commissioner Hawkins made the motion, with a second by Commissioner Chestnut, to approve the Clearinghouse Committee recommendation concerning Item #73, Northeast Florida Strategic Regional Policy Plan Regional Update. The motion carried unanimously.

C. Audit Committee

1. Selection of Auditor for Fiscal Year 2012-13, 2013-14 and 2014-15

Mr. Koons reported that the Audit Committee recommends that the Council approve the selection of the auditing firm of Powell and Jones, Certified Public Accountants to conduct the Fiscal Year 2012-13, Fiscal Year 2013-14 and Fiscal Year 2014-15 audits of the Council's accounts, including the Council's Employee Pension Plan, with the understanding that this selection is for a three-year period unless the Council determines that the service being rendered is unsatisfactory.

ACTION: Commissioner DePratter made the motion, with a second by Commissioner Patterson, to approve the selection of the auditing firm of Powell and Jones, Certified Public Accountants to conduct the Fiscal Year 2012-13, Fiscal Year 2013-14 and Fiscal Year 2014-15 audits of the Council's accounts, including the Council's Employee Pension Plan, with the understanding that this selection is for a three-year period unless the Council determines that the service being rendered is unsatisfactory. The motion carried unanimously.

2. Engagement Letter for Fiscal Year 2012-13 Audit

Mr. Koons stated that the Audit Committee met with Mr. Richard Powell of the auditing firm Powell and Jones, Certified Public Accountants, of Lake City, Florida, on August 13, 2013, at the Council offices, at which time they discussed the methodology to be employed, the staff capability, experience of the firm with similar audits, and the fee that would be charged. Mr. Koons reported that the Audit Committee recommends that the Chair execute an engagement letter with Powell and Jones, Certified Public Accountants, to conduct the Fiscal Year 2012-13 audit of the Council's accounts, including the Council's Employee Pension Plan, for a lump sum fee for this service of \$14,500.

ACTION: Commissioner Wilford made the motion, with a second by Commissioner Chestnut, to authorize the Chair to execute an engagement letter with the auditing firm of Powell and Jones, Certified Public Accountants, to conduct the Fiscal Year 2012-13 audit of the Council's accounts, including the Council's Employee Pension Plan, for a lump sum fee for this service of \$14,500. The motion carried unanimously.

VII. EX-OFFICIO MEMBER REPORTS

Chair Nobles introduced Jordan Green, District 2 Rural Area Transportation Development Engineer, Florida Department of Transportation. Mr. Green gave a PowerPoint presentation on the Florida Department of Transportation's Vision for the 21st Century. He stated that the Vision calls for planning a transportation system that maintains Florida's economic competitiveness by meeting transportation needs of today for moving people and freight as well as identifying long-range future needs and solutions that support statewide and regional goals for economic development, quality of life and environmental stewardship. He further stated that the Transportation Vision Plan uses creative financing alternatives, offers transportation choices, places strong emphasis on port development, reduces bureaucracy and streamlines decision-making, plans and develops future corridors and provides faster project delivery to keep Florida moving. Chair Nobles thanked Mr. Green for his presentation.

Russell Simpson, Ombudsman, Florida Department of Environmental Protection, stated that the Department continues to streamline the regulatory permitting process. He stated that assistance can be obtained by contacting his office.

VIII. EXECUTIVE DIRECTOR'S REPORT

A. Florida Regional Councils Association Monthly Report

Mr. Koons reported that the Florida Regional Councils Association is the statewide organization of the 11 regional planning councils. The Association strengthens Florida's regional planning councils, partners with government and the business community to enhance regional economic prosperity and improves the consistency and quality of regional planning councils programs to ensure they add value to state, regional and local initiatives. He stated that the accomplishments of the Association's Director of Intergovernmental Affairs,

Sheri Coven, are reported each month to the Council. He also highlighted several of the accomplishments listed in the July 2013 report that was included in the Council meeting packet.

B. Florida Regional Councils Association Annual Report

Mr. Koons stated that the Florida Regional Councils Association is the statewide association of all 11 regional councils in Florida. It is governed by a Policy Board made up of three representatives (county, municipal, gubernatorial) from each Council who are in turn advised by the Executive Directors Advisory Committee comprised of all 11 executive directors. He further stated that Chair Nobles, Commissioner Riddick and Ms. Thomas currently serve on the Florida Regional Councils Association. He stated that the 2012-13 Annual Report for the Association was included in the Council packet and also distributed to Council members prior to the meeting.

C. Florida Chamber Foundation Scorecard™

Mr. Koons stated that the Florida Chamber Foundation has developed the Florida Scorecard™ to provide Florida leaders the metrics needed to secure Florida's future. The Florida Chamber Foundation's objective to develop a 20-year, statewide strategic plan requires a commitment to measuring our current status and progress toward the stated goals of the Six Pillars 20-year Strategic Plan. He further stated that the Scorecard reports metrics for each of the Six Pillars benchmarked to the other 49 states. The Six Pillars are Talent Supply and Education, Innovation and Economic Development, Infrastructure and Growth Leadership, Business Climate and Competitiveness, Civic and Governance Systems and Quality of Life and Quality Places. He reviewed the August 2013 Scorecard™ that was included in the Council meeting packet.

D. North Central Florida Rural Area of Critical Economic Concern Redesignation

Mr. Koons reported that during the 1999 session, the Florida Legislature passed, and the Governor signed into law, legislation supporting economic development in the rural areas of the state. Section 288.0656(7), Florida Statutes, authorizes the Rural Economic Development Initiative to recommend to the Governor up to three areas for designation as rural areas of critical economic concern. He further reported that on April 23, 2003, Governor Bush designated Baker, Bradford, Columbia, Dixie, Gilchrist, Hamilton, Jefferson, Lafayette, Levy, Madison, Putnam, Suwannee, Taylor and Union Counties as a rural area of critical economic concern for a term of five years and on June 11, 2008, Governor Crist signed Executive Order Number 08-132 redesignating the area as a rural area of critical economic concern for another five-year term.

Mr. Koons stated that the Rural Economic Development Initiative met on April 26, 2013 and agreed to recommend to the Governor to continue the designation of the above counties as a rural area of critical economic concern and on June 11, 2013, Governor Scott signed Executive Order Number 13-151 redesignating the area within the boundaries of Baker, Bradford, Columbia, Dixie, Gilchrist, Hamilton, Jefferson, Lafayette, Levy, Madison, Putnam, Suwannee, Taylor and Union Counties as a rural area of critical economic concern. This redesignation will be in effect for five years and will expire on June 12, 2018.

E. North Florida Water Working Group

Mr. Koons stated that on November 29, 2011, the Columbia County Board of County Commissioners hosted a tri-county public meeting and forum in Lake City with the Suwannee County Board of County Commissioners and the Hamilton County Board of County Commissioners to discuss north Florida water issues. The Columbia County Board of County Commissioners took action to establish a multi-county work group, known as the Florida Leaders Organized for Water, to engage a hydrologist and discuss what steps need to be taken and what studies need to be conducted to potentially challenge the consumptive water use permit issued to Jacksonville Electric Authority by St. Johns River Water Management District in May 2011. He stated that on March 11, 2013, the Florida Leaders Organized for Water held their last meeting and that a new group, called the North Florida Water Working Group, has been formed with the primary goal of protecting north Florida's water supply.

Mr. Koons reported that the goal of the North Florida Water Working Group is to restore, promote and maintain water flow and quality with a focus on legislation. The first meeting of the Working Group was held in Lake City on July 14, 2013. He stated that the Group outlined their goals and objectives, which were later refined at their second meeting held on July 24, 2013 where they also discussed potential water conservation legislation ideas. Other concepts discussed were the availability of secondary water sources for use prior to tapping the aquifer, as well as the efficient use of our current water supply.

F. Check Fraud Status Report

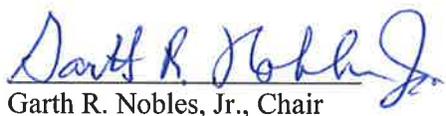
Mr. Koons reported that on March 20, 2013, a fraudulent check in the amount of \$49,523.00 that was written on the Council's bank account was processed and paid by Wells Fargo. Also on March 20, 2013, Council staff filed an affidavit of check fraud concerning this matter with Wells Fargo. On March 25, 2013, Council staff filed a crime report concerning this matter with the Gainesville Police Department. On April 18, 2013, the Council Attorney sent a letter to Wells Fargo requesting that Wells Fargo remit to the Council within 30 days the unauthorized \$49,523.00 released by Wells Fargo from the Council's account. He added that on June 3, 2013, attorneys for Wells Fargo responded via letter stating that Wells Fargo will not reimburse the Council for the \$49,523.00 released from the Council's account by Wells Fargo.

Mr. Koons stated that at their meeting on July 25, 2013, the Council authorized the Council Attorney to file a lawsuit against Wells Fargo to recover the unauthorized \$49,523.00, to engage Stanley Cushman from the law firm of Scruggs and Carmichael to serve as co-counsel for the lawsuit and to designate Scott Koons, Executive Director, as the Council's representative concerning all matters related to such lawsuit. The Council also authorized the Council Attorney and the Executive Director to contact federal and state law enforcement agencies to discuss the fraudulent check processed and paid out of the Council's bank account by Wells Fargo.

Mr. Wershow then reported that on August 5, 2013, he and Mr. Koons met with the Bill Cervone, State Attorney of the Florida Eighth Judicial Circuit. He further reported that he has also had discussions with Frank Williams, Assistant U.S. Attorney in Gainesville and with an agent from the Federal Bureau of Investigation. He also reported that on August 6, 2013, a lawsuit was filed against Wells Fargo to recover the Council's funds, but that a response had not yet been received from Wells Fargo.

Commissioner Wilford reported that Mayor Matthew Surrency from the City of Hawthorne was recently elected Second Vice-President of the Florida League of Cities.

Chair Nobles informed the Council that the next Council meeting will be held on September 26, 2013 at the Holiday Inn Hotel & Suites in Lake City. The meeting was adjourned at 8:39 p.m.


Garth R. Nobles, Jr., Chair

9/26/13
Date