

NORTH CENTRAL FLORIDA REGIONAL PLANNING COUNCIL  
MINUTES

Holiday Inn Hotel & Suites  
Lake City, Florida

May 22, 2014  
7:30 p.m.

MEMBERS PRESENT

Susan Baird, Alachua County  
Ed Braddy, City of Gainesville  
Beth Burnam, Hamilton County  
Jim Catron, City of Madison  
**Charles Chestnut IV, Alachua County**  
**Louie Davis, City of Waldo**  
**Donnie Hamlin, Lafayette County**  
*James Montgomery, Columbia County*  
**Garth Nobles, Jr., City of Live Oak**  
Patricia Patterson, Taylor County  
Lauren Poe, City of Gainesville  
**Daniel Riddick, Bradford County**  
Wayne Smith, Union County  
**Carolyn Spooner, City of Starke**  
**Kenrick Thomas, Gilchrist County**  
Wesley Wainwright, Suwannee County  
Randy Wells, City of Gainesville  
Robert Wilford, City of Alachua  
*Charles Williams, Hamilton County*  
*Mike Williams, Madison County*

NON-VOTING DELEGATE PRESENT

None

EX-OFFICIO MEMBER REPRESENTATIVES  
PRESENT

Carlos Herd, Suwannee River Water  
Management District  
Russell Simpson, Florida Department of  
Environmental Protection

MEMBERS ABSENT

Stephen Bailey, Columbia County  
Bob Barnas, City of High Springs  
**LaBarfield Bryant, City of Jasper**  
Mike Byerly, Alachua County  
Don Cook, City of Perry  
**Rick Davis, Madison County**  
Rusty DePratter, Columbia County  
*Sandra Haas, Suwannee County*  
Jason Holifield, Dixie County  
Robert Hutchinson, Alachua County  
Timothy Marden, City of Newberry  
Frank Ogborn, City of Archer  
DeLoris Roberts, City of Hawthorne  
*Lorene Thomas, Dixie County*  
Stephen Witt, City of Lake City

OTHERS PRESENT

Tim Bennett  
David Cobb  
Diana Davis  
Stew Lilker, Columbia County Observer

COUNCIL ATTORNEY PRESENT

None

STAFF PRESENT

Steven Dopp  
Scott Koons  
Carol Laine  
Jean Strong

**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 Commissioner Catron and a pledge of allegiance to the flag. Chair Nobles stated that there was a quorum of the Council.

Chair Nobles welcomed and introduced Tim Bennett, City Manager from the City of Madison, David Cobb, from Florida Power and Light, Stew Lilker from the Columbia County Observer, and Diana Davis, wife of Council member Mayor Louie Davis.

II. APPROVAL OF MINUTES - April 24, 2014

Chair Nobles asked that the minutes of the April 24, 2014 meeting be approved as written.

**ACTION: Commissioner Patterson made the motion, with a second by Commissioner Chestnut to approve the minutes of the April 24, 2014 meeting as written. The motion carried unanimously.**

III. CONSENT AGENDA

- A. Monthly Financial Report - April 2014
- B. Meeting Schedule Program Year 2014-15
- C. Amendment to Research Agreement - University of Florida
- D. Amended Agreement with Florida Division of Emergency Management for Additional Training Funds for Hazardous Materials Emergency Preparedness - Fiscal Year 2013-14
- E. Agreement with Florida Division of Emergency Management for Local Emergency Planning Committee - Fiscal Year 2014-15
- F. Agreement with Florida Division of Emergency Management for Hazardous Materials Emergency Preparedness - Fiscal Year 2014-15

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

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

IV. CHAIR'S REPORT Resolutions of Appreciation  
Susan Bottcher  
Thomas Hawkins

Chair Nobles asked that Resolutions of Appreciation for past services be approved for Susan Bottcher, who served as a Council member since August 2013 and Thomas Hawkins, who served as a Council member since July 2008.

**ACTION: Commissioner Poe made the motion, with a second by Commissioner Catron to approve the Resolutions of Appreciation for Susan Bottcher and Thomas Hawkins. The motion carried unanimously.**

V. NORTH CENTRAL FLORIDA REGIONAL PLANNING COUNCIL PRESENTATION  
YEAR 2013 REVIEW

Scott Koons, Executive Director, gave a PowerPoint presentation which reviewed Council activities during the past year in the Regional Planning, Public Safety and Regulatory Compliance, Economic Development, Local Government Assistance and Transportation Programs of the Council. He also reviewed the services that the Council provides which benefit its local governments, including community planning assistance, grant application and administration services, transportation planning assistance, hazardous waste monitoring, emergency response planning assistance, and economic development activities. Chair Nobles thanked Mr. Koons for his presentation.

VI. COMMITTEE REPORTS

A. Executive Committee - Executive Director Employment Contract Extension

Chair Nobles reported that Scott Koons, our current Executive Director, was selected by the Council as executive director effective October 1, 2006. To formalize that decision, an employment contract was negotiated and executed with Mr. Koons, which terminated on September 30, 2010.

Chair Nobles stated that the existing employment contract includes a provision that the parties may mutually agree to additional four-year extensions of the contract. He also stated that the existing contract was extended for an additional four-year term beginning on October 1, 2010 and terminating on September 30, 2014, with all other terms and conditions of the employment remaining in full force and effect.

Chair Nobles reported that all of the annual evaluations of the performance of Mr. Koons conducted by the Executive Committee during his current term of employment have resulted in either "above average performance" or "exceeds job requirements" levels for all evaluation criteria. Chair Nobles stated that based upon these performance evaluations, the Executive Committee recommended to the Council that the employment contract with Mr. Koons be amended by extending the term of the employment contract for an additional four-year term beginning October 1, 2014 and terminating September 30, 2018, with all other terms and conditions of employment remaining in full force and effect.

**ACTION: Commissioner Patterson made the motion, with a second by Commissioner Poe, to approve and authorize the Chair and Secretary-Treasurer to execute an amendment to the employment contract with Scott R. Koons as executive director, extending the term of the employment contract for an additional four-year term, beginning October 1, 2014 and terminating on September 30, 2018, with all other terms and conditions of employment remaining in full force and effect. The motion carried unanimously.**

B. Clearinghouse Committee

Due to the absence of Clearinghouse Committee Chair Sandra Haas, James Montgomery, Clearinghouse Committee member, gave the Clearinghouse Committee report. He stated that the Clearinghouse Committee met earlier in the evening and reviewed two local government comprehensive plan amendments.

#61, City of Gainesville Comprehensive Plan Draft Amendment  
#62, Suwannee County Comprehensive Plan Draft Amendment

Mr. Montgomery stated that the Committee found that the local government comprehensive plans, as amended, were not anticipated to result in significant adverse impacts to regional facilities, Natural Resources of Regional Significance or adjoining local governments. Mr. Montgomery stated that the Clearinghouse Committee recommended forwarding these findings to the respective local governments and the Florida Department of Economic Opportunity as regional comment.

**ACTION: Mr. Montgomery made the motion, with a second by Commissioner Poe, to approve the Clearinghouse Committee recommendation concerning Item #61, City of Gainesville Comprehensive Plan Draft Amendment and Item #62, Suwannee County Comprehensive Plan Draft Amendment. The motion carried unanimously.**

C. Program Committee - Fiscal Year 2014-15 Overall Program Design

Mayor Carolyn Spooner, Program Committee Chair, stated that the Program Committee met on March 27, 2014, to develop an Overall Program Design for the Council's consideration for Program Year 2014-15. She stated that except for editorial revisions, the document is the same as the current year edition.

Mayor Spooner reported that the Program Committee recommended approval of the Overall Program Design for Program Year 2014-15.

**ACTION: Mayor Spooner made the motion, with a second by Commissioner Wells, to approve the Overall Program Design for Program Year 2014-15 as recommended by the Program Committee. The motion carried unanimously.**

D. Finance Committee - Fiscal Year 2014-15 Budget

Commissioner Daniel Riddick, Finance Committee Chair, stated that the Finance Committee met on May 8, 2014, to review the proposed budget for Fiscal Year 2014-15. He stated that the anticipated expenditures for next year will be \$1,688,600 which is (\$280,700) less than the current year budget. It was reported that members pay dues, which are proposed to remain at \$.30 per capita for the 33rd year as recommended by the Finance Committee, producing \$118,800, or approximately the same amount as last year.

Commissioner Riddick reviewed the most significant policy decisions to be made with respect to the budget which were personnel items. He stated that in the line item descriptions in the budget, there is a provision for a total of 14 full-time staff positions, plus funds for part-time positions, which is two full-time staff positions less than

budgeted for the current year. The budget includes a recurring increase across the board for all employees, including the Executive Director, equal to two percent of the salary for each employee, as recommended by the Finance Committee.

Commissioner Riddick stated that this budget provides for significant services to be rendered to member cities and counties. This is to be done by effectively using all available resources, and at the same time, ensuring that the Council remains in a sound financial condition.

**ACTION: Commissioner Riddick made the motion, with a second by Commissioner Poe, to approve the Fiscal Year 2014-15 budget as recommended by the Finance Committee. The motion carried unanimously.**

E. Nominating Committee - Program Year 2014-15  
Election of Officers and Board of Directors

Due to the absence of Nominating Committee Chair Lorene Thomas, Vice-Chair Mayor Louie Davis gave the Nominating Committee report. He stated that the Nominating Committee met on May 8, 2014 to make, for the Council's consideration, recommendations regarding all officer positions, including the additional Executive Committee member, and other members of the Board of Directors to a one-year term for Program Year 2014-15.

The Nominating Committee recommendations for the officer positions are, as follows.

Chair - Carolyn Spooner.  
Vice-Chair - Daniel Riddick  
Secretary-Treasurer - Rick Davis  
Member - Charles Williams  
Immediate Past Chair - Garth Nobles, Jr.

The Nominating Committee recommendations for the Board of Directors are, as follows.

City Representatives  
LaBarfield Bryant, City of Jasper  
Louie Davis, City of Waldo  
Robert Wilford, City of Alachua

County Representatives  
Charles Chestnut, IV, Alachua County  
Donnie Hamlin, Lafayette County  
Kenrick Thomas, Gilchrist County

Gubernatorial Representatives  
Sandra Haas, Suwannee County  
James Montgomery, Columbia County  
Lorene Thomas, Dixie County  
Mike Williams, Madison County

**ACTION: Mayor Davis made the motion, with a second by Commissioner Wells, to elect the slate of nominees to the Executive Committee and Board of Directors to a one-year term for Program Year 2014-15 as recommended by the Nominating Committee. The motion carried unanimously.**

VII. EX-OFFICIO MEMBER REPORTS

Carlos Herd, Water Supply Division Director, Suwannee River Water Management District, reported that the minimum flow and levels for the Lower Santa Fe and Ichetucknee administrative hearing will be held May 28, 2014 thru May 30, 2014 in Tallahassee.

Russell Simpson, Florida Department of Environmental Protection, stated that the Northeast District staff will be conducting a Wastewater Treatment Plant operator training course on June 19, 2014 in Lake City at the Price Creek Water Treatment Plant.

VIII. CITIZEN COMMENTS

Stew Lilker asked where the Klausner Sawmill, located in Suwannee County, obtained the timber used at the plant and where the lumber is shipped after being processed. Suwannee County Commissioner Wesley Wainwright, Suwannee County, gave a brief explanation of the timber supply and lumber distribution process at the sawmill.

IX. EXECUTIVE DIRECTOR'S REPORT

A. Florida Regional Councils Association Monthly Activity 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 April 2014 monthly activity report included in the Council meeting packet.

B. 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 May 2014 Scorecard™ included in the Council meeting packet.

C. Legislative Report

Mr. Koons reported that the 2014 regular Legislature session convened on March 4, 2014 and adjourned on May 2, 2014. The Florida Department of Economic Opportunity budget request for Fiscal Year 2014-15 submitted to Governor Scott did not include any appropriation request for all 11 regional planning councils. In addition, the budget for Fiscal Year 2014-15 submitted by the Governor to the Legislature did not include any appropriation request for all 11 regional planning councils. However, the House passed a budget that included \$2.5 million for all 11 regional planning councils. He further reported that earlier in the week during Budget Conference Committee negotiations, the Senate agreed to include \$2.5 million for all 11 regional planning councils in their budget. He also reported that the Legislature appropriated \$2.5 million for all 11 regional planning councils for Fiscal Year 2013-14. However, Governor Scott vetoed the appropriation for regional planning councils. The Council's share of this appropriation would have been approximately \$179,000. Mr. Koons then reviewed the status of several bills of interest to regional planning councils and local governments.

D. Financial Disclosure Report Filing

Mr. Koons reported that all members of the Council are required to file a financial disclosure form by July 1st of each year. He stated the financial disclosure forms filed by county commissioners and city commissioners for their elected offices fulfill this requirement. Gubernatorial members must file a financial disclosure form with the Supervisor of Elections office in their respective counties to fulfill this requirement. Council members should have received a copy of the financial disclosure form in the mail within the past few weeks.

E. Annual City-County Managers Meeting - May 30, 2014

Mr. Koons reported that each year, Council staff meets with city and county managers and their staffs from throughout the region to discuss growth management legislation and review Council programs. The annual meeting for city and county managers this year will be held on May 30, 2014, at the Holiday Inn Hotel & Suites located at 213 Southwest Commerce Boulevard in Lake City, Florida.

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. He stated that on August 6, 2013, a lawsuit was filed against Wells Fargo to recover the Council's funds.

Mr. Koons further reported that on September 9, 2013, Wells Fargo responded to the complaint by filing a Motion to Compel Arbitration. Council Attorney Wershow and Co-Counsel Cushman responded to the motion stating that arbitration does not apply to the dispute and have filed a motion for a hearing on the motion to compel arbitration. A hearing originally scheduled for October 30, 2013 in the Circuit Court of the Eighth Judicial Circuit in and for Alachua County, Florida on the Motion to Compel Arbitration filed by Wells Fargo to resolve the dispute between the Council and Wells Fargo was rescheduled for January 24, 2014. Mr. Koons reported that at the conclusion of the hearing, the Circuit Court granted the Motion to Compel Arbitration.

Mr. Koons reported that Council Attorney Wershow and Co-Council Stanley Cushman are continuing to coordinate with the attorney of Wells Fargo on the selection of an arbitrator and scheduling of the arbitration hearing.

Mayor Carolyn Spooner presented outgoing Chair Nobles with a framed photograph of a Florida panther and her cubs and thanked him for his leadership during the past year. Chair Nobles thanked the Council for allowing him to serve as Chair for the past year.

Chair Nobles informed the Council that the next Council meeting will be held on June 26, 2014 at the Holiday Inn Hotel & Suites in Lake City. The meeting was adjourned at 8:19 p.m.

  
Carolyn B. Spooner, Chair

6/26/14  
Date