

NORTH CENTRAL FLORIDA REGIONAL PLANNING COUNCIL
MINUTES

Holiday Inn Hotel & Suites
Lake City, Florida

August 28, 2014
7:30 p.m.

MEMBERS PRESENT

Stephen Bailey, Columbia County
LaBarfield Bryant, City of Jasper
Beth Burnam, Hamilton County
Craig Carter, City of Gainesville
Jim Catron, City of Madison
Louie Davis, City of Waldo
Rick Davis, Madison County
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
DeLoris Roberts, City of Hawthorne
Carolyn Spooner, City of Starke
Kenrick Thomas, Gilchrist County
Lorene Thomas, Dixie County
Wesley Wainwright, Suwannee County
Randy Wells, City of Gainesville
Robert Wilford, City of Alachua
Stephen Witt, City of Lake City

NON-VOTING DELEGATE PRESENT

None

EX-OFFICIO MEMBER REPRESENTATIVES
PRESENT

Carlos Herd, Suwannee River Water
Management Department
Roni Jordan, Florida Department of
Environmental Protection

MEMBERS ABSENT

Susan Baird, Alachua County
Bob Barnas, City of High Springs
Ed Braddy, City of Gainesville
Mike Byerly, Alachua County
Charles Chestnut IV, Alachua County
Don Cook, City of Perry
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
M. Wayne Smith, Union County
Helen Warren, City of Gainesville
Charles Williams, Hamilton County
Mike Williams, Madison County

OTHERS PRESENT

Tony Carvajal, Florida Chamber Foundation
Diana Davis
Doug Jones, City of Archer
Susan Ramsey, Hamilton County Industrial
Industrial Development Authority
Joe Riddick

COUNCIL ATTORNEY PRESENT

None

STAFF PRESENT

Steven Dopp
Carmelita Franco
Scott Koons
Carol Laine

Board Members names are bolded
Gubernatorial Members names are italicized

I. INVOCATION, PLEDGE OF ALLEGIANCE AND INTRODUCTIONS

Chair Spooner called the meeting to order at 7:33 p.m. with an invocation given by Commissioner Riddick and a pledge of allegiance to the flag. Chair Spooner stated that there was a quorum of the Council.

Chair Spooner welcomed and introduced Susan Ramsey, Executive Director of the Hamilton County Industrial Development Authority and Chair of the Comprehensive Economic Development Strategy Committee, Diana Davis, wife of Council member Mayor Louie Davis, Doug Jones, Vice Mayor, City of Archer and Joe Riddick, past member and former Council Chair from Bradford County.

II. GUEST SPEAKER - Tony Carvajal, Executive Vice President, Florida Chamber Foundation

Scott Koons, Executive Director, introduced and welcomed Tony Carvajal, Executive Vice President, Florida Chamber Foundation. Mr. Carvajal made a presentation to the Council concerning the Florida Chamber Foundation's Six Pillars approach to regionally strengthen the economic vitality of the State.

Chair Spooner thanked Mr. Carvajal for his presentation and comments.

III. APPROVAL OF MINUTES - June 26, 2014

Chair Spooner asked that the minutes of the June 26, 2014 meeting be approved as written.

ACTION: Commissioner Wilford made the motion, with a second by Councilman Bryant to approve the minutes of the June 26, 2014 meeting as written. The motion carried unanimously.

IV. CONSENT AGENDA

- A. Monthly Financial Reports - June 2014 and July 2014
- B. Local Government Comprehensive Planning Assistance Service Agreements
Fiscal Year 2014-15
- C. Hazardous Waste Monitoring Verification and Notification Services Agreements
Fiscal Year 2014-15
- D. Agreement with Florida Division of Emergency Management
to Update Hazards Analyses - Fiscal Year 2014-15
- E. Community Development Block Grant Administrative Service Agreement
Fiscal Year 2013 - Town of Mayo
- F. Transportation Disadvantaged Program Local Coordinating Board Appointments

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

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

V. CHAIR'S REPORT - Transportation Disadvantaged Program Resolution of Appreciation
Jaqueline Loubet and Rayford Riels

ACTION: Commissioner Patterson made the motion, with a second by Commissioner Roberts, to approve the Transportation Disadvantaged Program Resolutions of Appreciation for past services for Jaqueline Loubet and Rayford Riels. The motion carried unanimously.

VI. COMMITTEE REPORTS

A. Executive Committee

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

Mr. Koons stated that the Council has been advised by its pension plan consultant, Pension Plan Professionals, Inc., that a restatement of the Council's employee pension plan and the adoption of a "PPA Restatement" Amendment, is required by the Internal Revenue Service Announcement 2014-18 to maintain the employee pension plan in a qualified status with the Internal Revenue Service

ACTION: Commissioner Catron made the motion, with a second by Lorene Thomas, to approve the restatement of the Council's employee pension plan in accordance with the requirements of the "second-six-year period" set forth in Internal Revenue Service Announcement 2014-18 and adoption of the "PPA Restatement", 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 \$1,125. The motion carried unanimously.

2. Employee Health Insurance Proposal

Mr. Koons stated 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, 2014. He stated that the total increase in cost to the Council for the coming year would be \$1,338 per month, or an increase of 15.0 percent. The resulting total monthly cost to the Council would be \$10,258.

Mr. Koons also stated that United Healthcare is proposing no change in life insurance premiums for the coming year. United Healthcare is proposing to decrease the cost for dental insurance to employees for the coming year by (\$15) per month or a decrease of (3.6) percent. The resulting total monthly cost to employees would be \$405.

Mr. Koons stated that staff secured alternative proposals for health insurance from United Healthcare for consideration by the Executive Committee. He stated that the alternative proposals include reductions in benefits for employees. He also reported

that the Executive Committee recommends renewing the existing Plan LGN for employee health insurance, Plan F5430 for dental insurance and life insurance with UnitedHealthcare for the year beginning September 1, 2014.

ACTION: Commissioner Wells made the motion, with a second by Commissioner Wilford, to approve the proposal received from UnitedHealthcare to renew existing Plan LGN for employee health insurance, Plan F5430 for dental insurance and life insurance for the year beginning September 1, 2014. The motion carried unanimously.

B. Clearinghouse Committee

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

- #70 - Suwannee County Comprehensive Plan Adopted Amendment
- #71 - City of Gainesville Comprehensive Plan Adopted Amendment
- #72 - Lafayette County Comprehensive Plan Adopted Amendments
- #73 - Taylor County Comprehensive Plan Adopted 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. He also reported that some of the County road names identified in the Transportation Element of Clearinghouse Committee item #72 - Lafayette County Comprehensive Plan Adopted Amendments are out of date and should be updated.

ACTION: Mr. Montgomery made the motion, with a second by Commissioner Poe, to approve the Clearinghouse Committee recommendation concerning Item #70 Suwannee County Comprehensive Plan Adopted Amendment, Item #71 City of Gainesville Comprehensive Plan Adopted Amendment, Item #72 Lafayette County Comprehensive Plan Adopted Amendment, including a Comment noting out-of-date County road names and recommending that the names be updated, and Item #73 Taylor County Comprehensive Plan Adopted Amendment. The motion carried unanimously.

C. Audit Committee - Engagement Letter for Fiscal Year 2013-14 Audit

Mr. Koons stated that the Council selects an auditor for a three-year period, with the condition that an engagement letter be approved each year to ensure that the auditor is conducting the audits in an acceptable manner. The current auditor was selected in 2013 and has conducted one audit under this series. Therefore, it is recommended that a second engagement letter be entered into for the audit of Fiscal Year 2013-14.

Mr. Koons also stated the lump sum fee has been set at \$14,783 in accordance with the proposal made by the auditor to adjust the fee each year in an amount equal to the percent

increase/decrease of the Consumer Price Index for All Urban Consumers, not to exceed five percent each year. This fee is \$283 more than the fee charged for the Fiscal Year 2012-13 audit.

ACTION: Commissioner Wells made the motion, with a second by Lorene Thomas, to authorize the Chair to execute an engagement letter with the auditing firm of Powell and Jones, Certified Public Accountants, of Lake City to conduct the Fiscal Year 2013-14 audit of the Council's accounts for a lump sum fee for this service of \$14,783, with the understanding that this engagement includes an audit of the Council's Employee Pension Plan for the same fiscal year. The motion carried unanimously.

D. Comprehensive Economic Development Strategy Committee Report

Ms. Susan Ramsey, Comprehensive Economic Development Strategy Committee Chair, reported that since 1978, the Council has been designated by the U. S. Economic Development Administration as an Economic Development District. As such, she stated that the Council is responsible for developing and adopting a Comprehensive Economic Development Strategy. The purpose of the strategy is to analyze the regional economy and serve as a guide for establishing regional goals and objectives, developing and implementing a regional plan of action and identifying investment priorities and funding sources.

Ms. Ramsey stated that based upon the recommendation of the Comprehensive Economic Development Strategy Committee, the Council adopted the current Comprehensive Economic Development Strategy in September 2012. She added that the Comprehensive Economic Development Strategy Committee met on August 19, 2014 to review activities conducted during the past six months to support the goals and objectives of the Comprehensive Economic Development Strategy.

Chair Spooner thanked Ms. Ramsey for her report.

VII. EX-OFFICIO MEMBER REPORTS

Carlos Herd, Suwannee River Water Management District, reported that the minimum flows and levels for the Lower Santa Fe and Ichetucknee Rivers administrative hearing has been held and the administrative law judge has not yet issued a recommended order. He also stated that applications for the River Cost Share Program for local governments need to be submitted to the District by mid-October 2014.

Roni Jordan, Florida Department of Environmental Protection, stated that there will be a training session on Managing Hazardous Waste in Medical Facilities on September 11, 2014. The training will be held at the Northeast District office in Jacksonville, Florida.

VIII. CITIZEN COMMENTS - None

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 June 2014 and July 2014 monthly activity reports included in the Council meeting packet.

B. Florida Regional Councils Association Policy Board Meeting

Mr. Koons reported that Chair Carolyn Spooner, Immediate Past Chair Garth Nobles, Jr., and he attended the semi-annual meeting of the Florida Regional Councils Association Policy Board held in Hollywood on August 15, 2014. He reported that the Policy Board elected officers for Fiscal Year 2014-15. He also reported that the Policy Board reviewed a financial report, approved a budget amendment and adopted bylaws amendments. The Policy Board also adopted the 2014-15 Fiscal Year Florida Regional Councils Association Budget. In addition, he reported that the Florida Regional Council Association held Part 2 of the Strategic Retreat and developed an action plan to implement recommendations from the Part 1 Strategic Retreat Report.

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 2014 Scorecard™ included in the Council meeting packet.

D. 2013-14 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. 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.

He awarded a Certificate of Outstanding Attendance to Garth Nobles, Jr. from the City of Live Oak in recognition of his attendance at every scheduled Council Meeting during Program Year 2013-2014.

E. Executive Directors Cup

Mr. Koons stated that in furtherance of the 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. For Program Year 2013-14, he jointly awarded the Executive Director's Cup to the city members and gubernatorial members.

F. Regional Directory

Mr. Koons stated that, pursuant to Council authorization, staff prepared an updated regional directory of local governments in the region and state and federal agencies. He reported that the week of August 4, 2014, the 2014 Regional Directory was mailed to Council members, local, regional, state and federal officials, and planning and related agencies. He added that a downloadable version of the 2014 Regional Directory in pdf format is also available on the Council website at www.ncfrpc.org.

G. 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 a letter was sent to Wells Fargo on May 13, 2014 requesting additional information concerning the disputed check. He further reported that Wells Fargo responded to that letter earlier in the week. Council Attorney Jon 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.

Chair Spooner informed the Council that the next Council meeting will be held on September 25, 2014 at the Holiday Inn Hotel & Suites in Lake City. The meeting was adjourned at 8:35 p.m.



Carolyn B. Spooner, Chair

9/25/14
Date