

NORTH CENTRAL FLORIDA REGIONAL PLANNING COUNCIL
MINUTES

Holiday Inn Hotel & Suites
Lake City, Florida

September 25, 2014
7:30 p.m.

MEMBERS PRESENT

LaBarfield Bryant, City of Jasper
Jim Catron, City of Madison
Charles Chestnut IV, Alachua County
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
Carolyn Spooner, City of Starke
Kenrick Thomas, Gilchrist County
Lorene Thomas, Dixie County
Wesley Wainwright, Suwannee County
Robert Wilford, City of Alachua
Mike Williams, Madison County
Stephen Witt, City of Lake City

NON-VOTING DELEGATE PRESENT

None

EX-OFFICIO MEMBER REPRESENTATIVES
PRESENT

Brian Delburn, Florida Department of
Transportation
Jordan Green, Florida Department of
Transportation
Carlos Herd, Suwannee River Water
Management Department
Roni Jordan, Florida Department of
Environmental Protection

MEMBERS ABSENT

Stephen Bailey, Columbia County
Susan Baird, Alachua County
Bob Barnas, City of High Springs
Ed Braddy, City of Gainesville
Beth Burnam, Hamilton County
Mike Byerly, Alachua County
Craig Carter, City of Gainesville
Louie Davis, City of Waldo
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
M. Wayne Smith, Union County
Helen Warren, City of Gainesville
Randy Wells, City of Gainesville
Charles Williams, Hamilton County

OTHERS PRESENT

David Cobb, Florida Power & Light
Joe Riddick

COUNCIL ATTORNEY PRESENT

Jon Wershow

STAFF PRESENT

Steven Dopp
Scott Koons
Carol Laine
Dwayne Mundy
Jean Strong

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 7:30 p.m. with an invocation given by Mr. Montgomery and a pledge of allegiance to the flag. Chair Spooner stated that there was a quorum of the Board.

Chair Spooner welcomed and introduced David Cobb, Florida Power and Light and Joe Riddick, past member and former Council Chair from Bradford County.

II. PRESENTATION ON PUBLIC SAFETY AND REGULATORY COMPLIANCE IN NORTH CENTRAL FLORIDA

Scott Koons, Executive Director, introduced Dwayne Mundy, Public Safety and Regulatory Compliance Program Director for the Council. Mr. Mundy gave a presentation concerning the activities of the Council relating to Public Safety and Regulatory Compliance Programs. His presentation included an overview of Local Emergency Planning Committee, Hazardous Materials Response Team, Emergency Management, First Responder Training, Hazardous Waste, Interoperable Communications and Energy Resiliency. Chair Spooner thanked Mr. Mundy for his presentation.

III. APPROVAL OF MINUTES - August 28, 2014

Chair Spooner asked that the minutes of the August 28, 2014 meeting be approved as written.

ACTION: Councilman Bryant made the motion, with a second by Commissioner Patterson to approve the minutes of the August 28, 2014 meeting as written. The motion carried unanimously.

IV. CONSENT AGENDA

Chair Spooner asked that Item IV.D. Amendment to Agreement with Florida Division of Emergency Management for Hazardous Materials Emergency Preparedness - Fiscal Year 2013-14 which was received by staff after the meeting packets were distributed, be added to the consent agenda.

ACTION: Commissioner Patterson made the motion, with a second by Councilman Bryant to add Item IV.D. Amendment to Agreement with Florida Division of Emergency Management for Hazardous Materials Emergency Preparedness - Fiscal Year 2013-14 to the consent agenda. The motion carried unanimously.

- A. Monthly Financial Reports - August 2014
- B. U.S. Economic Development Administration Short-Term Planning and State Planning Grant Agreement
- C. Transportation Disadvantaged Program Local Coordinating Board Appointments
- D. Amendment to Agreement with Florida Division of Emergency Management for Hazardous Materials Emergency Preparedness - Fiscal Year 2014-15

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: Ms. Thomas made the motion, with a second by Commissioner Catron, to approve the items on the Consent Agenda. The motion carried unanimously.

V. CHAIR'S REPORT -

- A. Introduction of New Members - None
- B. Resolution of Appreciation - Don Cook

Chair Spooner asked that a Resolution of Appreciation for past service be approved for former Councilman Don Cook, who served as a Council member since December 2012.

ACTION: Commissioner Patterson made the motion, with a second by Councilman Bryant to approve the Resolution of Appreciation for former Councilman Don Cook. The motion carried unanimously.

- C. Executive Director Elected Secretary of the National Association of Development Organizations

Chair Spooner reported that our executive director, Scott Koons has been elected Secretary of the National Association of Development Organizations. She stated that the National Association of Development Organizations provides advocacy, education, research and training to a national network of 520 regional development organizations primarily serving small metropolitan and rural regions. Chair Spooner also reported that the Association is an advocate for federal programs and policies that promote regional strategies and solutions for addressing local community and economic development needs and the National Association of Development Organizations and the National Association of Development Organizations Research Foundation identify and promote best practices, analyze the impact of federal policies and programs on regional development organizations and local communities, and examine the latest trends and developments in the field of regional community and economic development.

Chair Spooner congratulated Mr. Koons on being elected to this position.

VI. COMMITTEE REPORTS

- A. Executive Committee

1. Resolution Recognizing 50th Anniversary of West Florida Regional Planning Council

Mr. Koons stated that the West Florida Regional Planning Council is celebrating its 50th year as a regional planning council in 2014. He also stated that the West Florida Regional Planning Council has engaged in strategic regional planning, comprehensive economic development strategic planning, emergency preparedness planning, transportation planning, environmental planning and education and intergovernmental review activities to coordinate planning for the future of the Region since it was formed in 1964. Mr. Koons reported that they

have brought together local governments and gubernatorial appointees to provide a venue for analyzing issues, resolving problems, and sharing solutions among the jurisdictions of Bay, Escambia, Holmes, Okaloosa, Santa Rosa, Walton and Washington Counties. Mr. Koons stated that the Executive Committee recommended that a resolution recognizing the 50th anniversary of West Florida Regional Planning Council be adopted, which has been attached hereto and made a part of these minutes.

ACTION: Commissioner Wilford made the motion, with a second by Commissioner Chestnut, to approve the resolution recognizing the 50th anniversary of the West Florida Regional Planning Council. The motion carried unanimously.

2. Proclamation Declaring October 2014 as Community Planning Month

Mr. Koons stated that the month of October 2014 has been chosen to celebrate National Community Planning Month. He added that the American Planning Association and its professional institute, the American Institute of Certified Planners, endorse National Community Planning Month as an opportunity to highlight the contributions sound planning and plan implementation make to the quality of life in communities and the environment. Mr. Koons stated that the Executive Committee recommended that a proclamation proclaiming October 2014 as Community Planning Month in north central Florida be adopted, which has been attached hereto and made a part of these minutes.

ACTION: Councilman Bryant made the motion, with a second by Commissioner Chestnut, to adopt a proclamation proclaiming October 2014 as Community Planning Month, which has been attached hereto and made a part of these minutes. The motion carried unanimously.

3. Proclamation Declaring October 3, 2014 as Local Works Day

Mr. Koons stated that the Florida is home to 67 counties and more than 400 cities, towns and villages fulfilling a diverse range of local needs. He also stated that many local government employees belong to professional associations specific to their career and they are often the main source for industry-related training, research, advocacy, resources and networking for these employees. Mr. Koons stated that the Florida Local Government Collation brings together these associations to enhance collaboration and efficiency. He also stated that the Florida Local Government Coalition exists to connect local government associations across the state and its goals are to communicate the value that local governments provide to citizens, strengthen its member associations and create a network of support for local government issues.

Mr. Koons reported that for the second year, the Coalition will promote its "Local Works" campaign as a way to help Florida citizens understand, appreciate and support local government and the services and value these governments bring to millions of lives each day. He also reported that it promotes the message of Home Rule (local decision-making) and Local Works Day, will be held on October 3, 2014. It is a time to celebrate the trusted services that local governments provide to enhance our communities across the state. Mr. Koons stated that there is a meaningful way for all Coalition members to contribute to

Local Works Day, and to focus on the services they provide to their memberships. Mr. Koons stated that the Executive Committee recommended that a proclamation proclaiming October 3, 2014 as Local Works Day in north central Florida be adopted, which has been attached hereto and made a part of these minutes.

ACTION: Commissioner Patterson made the motion, with a second by Councilman Bryant, to adopt a proclamation proclaiming October 3, 2014 as Local Works Day which has been attached hereto and made a part of these minutes. The motion carried unanimously.

3. Executive Director Annual Performance Evaluation

Chair Spooner stated that the employment contract between the Executive Director and the Council specifies that the Executive Committee shall adopt performance standards to annually review and evaluate the Executive Director and further specifies that the annual review and evaluation of the Executive Director shall be conducted by the Executive Committee. She added that, at its discretion, the Executive Committee is authorized to provide a merit increase to the Executive Director on an annual basis commencing October 1 of each year.

Chair Spooner stated that the Executive Committee has adopted performance standards to review and evaluate the Executive Director and that the performance review was conducted by each Committee member prior to the September 25, 2014 Council meeting. She reported that the review resulted in "exceeds job requirements" for all evaluation standards, with an overall average score of 4.8 on a 5.0 scale. Chair Spooner stated that, based upon this review, the Executive Committee awarded the Executive Director a five percent merit pay adjustment. She reported that since funds have not been appropriated for any other Council staff to receive merit increases during Fiscal Year 2015, Mr. Koons requested that his merit pay increase for Fiscal Year 2015, along with his Fiscal Year 2010, Fiscal Year 2011, Fiscal Year 2012 Fiscal Year 2013 and Fiscal Year 2014 merit pay increases, be deferred until Fiscal Year 2016. She further reported that the Executive Committee approved Mr. Koons' request concerning his merit pay increase deferment.

No Council action was required on this item.

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 one local government comprehensive plan amendment.

#76 - City of Gainesville Comprehensive Plan Draft Amendment

Mr. Montgomery stated that the Committee found that the local government comprehensive plan, as amended, was 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 City 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 #76 City of Gainesville Comprehensive Plan Draft Amendment. The motion carried unanimously.

C. Finance Committee - Fiscal Year 2013-14 Amended Budget

Secretary-Treasurer Rick Davis, serving as Chair of the Finance Committee, reported that the Finance Committee met on September 17, 2014 and agreed upon a budget amendment for Fiscal Year 2013-14. He stated that this budget amendment takes into account action taken by the Council during the past year to accept work under contracts and additional grants which were not anticipated when the original budget was prepared as well as reductions in anticipated revenues. He reviewed the proposed budget amendment and noted that it contained an overall net decrease of (\$341,300), which represents a (17.3) percent decrease. Secretary-Treasurer Davis stated that the Finance Committee recommended that the Council approve the proposed amended Fiscal Year 2013-14 budget.

ACTION: Commissioner Davis made the motion, with a second by Commissioner Poe, to approve the amendment to the Fiscal Year 2013-14 budget as recommended by the Finance Committee. The motion carried unanimously.

VII. EX-OFFICIO MEMBER REPORTS

Jordon Green, Rural Area Transportation Development Engineer, Florida Department of Transportation District 2 reported on Department activities. Mr. Green stated that in July 2014 there were 93 active projects totaling \$1 billion in the 18 counties of District 2. He also reported that starting November 2014 the Department will be attending Board of County Commissioners meetings in rural counties to discuss potential projects for the Department Tentative Five-Year Work Program. Mr. Green also reported that he would be temporarily serving as the State Transportation Development Administrator for the Department in Tallahassee.

Carlos Herd, Suwannee River Water Management District, gave an update on the last North Florida Regional Water Supply Partnership meeting. He reported that the administrative law judge ruled that the Lower Santa Fe River and Ichetucknee River Minimum Flows and Levels administrative rule adopted by the Florida Department of Environmental Protection is invalid. He also reported that the stakeholders attending the Partnership meeting identified a list of water conservation measures. Finally, Mr. Herd reported that the Florida Department of Agriculture and Consumer Services conducted a weather station briefing to help manage water use and fertilization application.

Roni Jordan, Florida Department of Environmental Protection, stated that Northeast District staff will be participating in a day-long springs water conservation forum at O'Leno State Park on October 9, 2014.

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 July 2013 - June 2014 year in review 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 September 2014 Scorecard™ included in the Council meeting packet.

C. 2013-14 Member Certificates of Outstanding Attendance

Mr. Koons stated that Mr. Charles Williams was unable to attend the September 25, 2014 council meeting.

D. Florida Local Government Coalition Local Works Day

Mr. Koons thanked all the member local governments for their good work and provision of services to enhance communities across the region.

E. Check Fraud Status Report

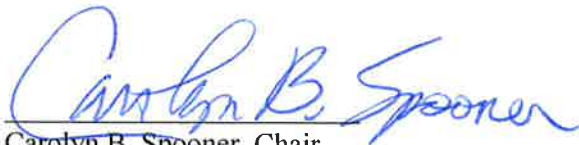
Mr. Koons reported that on March 20, 2013, a fraudulent check in the amount of \$49,523.00 that was written on the Council's bank account was processed and paid by Wells Fargo. Also on March 20, 2013, Council staff filed an affidavit of check fraud concerning this matter with Wells Fargo. On March 25, 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 Stanley 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. 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. Mr. Wershow reported that a Notice of Arbitration and Statement of Claim was filed on behalf of the Council on September 24, 2014.

Chair Spooner informed the Council that the next Council meeting will be held on October 23, 2014 at the Holiday Inn Hotel & Suites in Lake City. The meeting was adjourned at 8:30 p.m.



Carolyn B. Spooner, Chair

10/23/14

Date

RESOLUTION NO. 2014-04

A RESOLUTION OF THE NORTH CENTRAL
FLORIDA REGIONAL PLANNING COUNCIL
RECOGNIZING THE 50TH ANNIVERSARY OF WEST
FLORIDA REGIONAL PLANNING COUNCIL

WHEREAS, the West Florida Regional Planning Council was formed as the third regional planning council in the State of Florida in 1964; and

WHEREAS, the mission of the West Florida Regional Planning Council is to provide professional planning, coordinating and advisory services to local governments, state and federal agencies and the public in order to preserve and enhance the quality of life in northwest Florida; and

WHEREAS, local governments throughout the Region recognize the need for regional coordination to address community issues that extend beyond county and municipal boundaries; and

WHEREAS, the West Florida Regional Planning Council has engaged in strategic regional planning, comprehensive economic development strategic planning, emergency preparedness planning, transportation planning, environmental planning and education and intergovernmental review activities to coordinate planning for the future of the Region; and

WHEREAS, for the past 50 years, the West Florida Regional Planning Council has brought together local governments and gubernatorial appointees to provide a venue for analyzing issues, resolving problems, and sharing solutions among the jurisdictions of Bay, Escambia, Holmes, Okaloosa, Santa Rosa, Walton and Washington Counties.

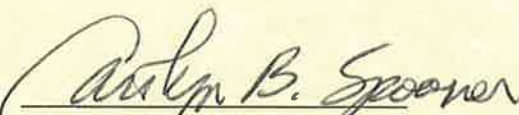
NOW, THEREFORE, BE IT RESOLVED, that the North Central Florida Regional Planning Council congratulates the West Florida Regional Planning Council on its 50th Anniversary and recognizes its contributions in advancing the regional agenda.

DULY ADOPTED by the North Central Florida Regional Planning Council this 25th day of September 2014.

NORTH CENTRAL FLORIDA
REGIONAL PLANNING COUNCIL

Attest:


Scott R. Koons, Executive Director


Carolyn B. Spooner, Chair



PROCLAMATION

DECLARING OCTOBER 2014 AS COMMUNITY PLANNING MONTH

WHEREAS, change is constant and affects all cities, towns, suburbs, counties, rural areas, regions, and other places; and

WHEREAS, community planning and plans can help manage this change in a way that provides better choices for how people work and live; and

WHEREAS, community planning provides an opportunity for all residents to be meaningfully involved in making choices that determine the future of their community; and

WHEREAS, the full benefits of planning requires public officials and citizens who understand, support, and demand excellence in planning and plan implementation; and

WHEREAS, the month of October 2014 is designated as National Community Planning Month throughout the United States of America and its territories; and

WHEREAS, the celebration of National Community Planning Month provides an opportunity to publicly recognize the participation and dedication of the members of planning and zoning boards and other citizen planners who have contributed their time and expertise to the improvement of the north central Florida region; and

WHEREAS, the celebration of National Community Planning Month provides an opportunity to publicly recognize the many valuable contributions made by professional community and regional planners in the north central Florida region and extend our heartfelt thanks for the continued commitment to public service by these professionals.

NOW, THEREFORE, BE IT RESOLVED by the North Central Florida Regional Planning Council that the month of October 2014 is hereby proclaimed as *Community Planning Month* throughout the north central Florida region in conjunction with the celebration of National Community Planning Month.

DULY ADOPTED AND PROCLAIMED this 25th day of September 2014.

ATTEST:

SEAL

Rick Davis, Secretary-Treasurer

Carolyn B. Spooner, Chair



PROCLAMATION

DECLARING OCTOBER 3, 2014 AS LOCAL WORKS DAY

WHEREAS, our nation has a proud history of its local governments providing meaningful services on behalf of the American people; and

WHEREAS, local government is the government closest to its citizens, and the one with the most direct and consistent daily impact upon its residents; and

WHEREAS, local governments assemble throughout leaders from various trades and industries to develop new ideas, spread information and facilitate progress; and

WHEREAS, local governments have traditionally worked with citizens to create a strong sense of community; and

WHEREAS, local governments disseminate important information to citizens and work with them to make better decisions at the local level.

NOW, THEREFORE, BE IT RESOLVED by the North Central Florida Regional Planning Council that October 3, 2014 is hereby proclaimed as *Local Works Day* in the north central Florida region sponsored by the Florida Local Government Coalition to celebrate the trusted services that local governments provide to enhance communities across the region.

DULY ADOPTED AND PROCLAIMED this 25th day of September 2014.

ATTEST:

SEAL

Rick Davis, Secretary-Treasurer

Carolyn B. Spooner, Chair