

NORTH CENTRAL FLORIDA REGIONAL PLANNING COUNCIL
MINUTES

Holiday Inn Hotel & Suites
Lake City, Florida

October 23, 2014
7:30 p.m.

MEMBERS PRESENT

Ed Braddy, City of Gainesville
LaBarfield Bryant, City of Jasper
Craig Carter, City of Gainesville
Jim Catron, City of Madison
Charles Chestnut IV, Alachua County
Louie Davis, City of Waldo
Rick Davis, Madison County
Sandra Haas, Suwannee County
Donnie Hamlin, Lafayette County
Robert Hutchinson, Alachua County
James Montgomery, Columbia County
Garth Nobles, Jr., City of Live Oak
Frank Ogborn, City of Archer
Patricia Patterson, Taylor County
Lauren Poe, City of Gainesville
Daniel Riddick, Bradford County
Carolyn Spooner, City of Starke
David Sullivan, City of Perry
Kenrick Thomas, Gilchrist County
Lorene Thomas, Dixie County
Wesley Wainwright, Suwannee County
Helen Warren, City of Gainesville
Robert Wilford, City of Alachua
Stephen Witt, City of Lake City

NON-VOTING DELEGATE PRESENT

None

EX-OFFICIO MEMBER REPRESENTATIVES
PRESENT

Brian Delburn, Florida Department of
Transportation
Russell Simpson, Florida Department of
Environmental Protection

MEMBERS ABSENT

Stephen Bailey, Columbia County
Susan Baird, Alachua County
Bob Barnas, City of High Springs
Beth Burnam, Hamilton County
Mike Byerly, Alachua County
Rusty DePratter, Columbia County
Jason Holifield, Dixie County
Timothy Marden, City of Newberry
DeLoris Roberts, City of Hawthorne
M. Wayne Smith, Union County
Randy Wells, City of Gainesville
Charles Williams, Hamilton County
Mike Williams, Madison County

OTHERS PRESENT

Tim Bennett
Diana Davis
Thomas Hawkins
David Pieklik
Joe Riddick

COUNCIL ATTORNEY PRESENT

Jon Wershow

STAFF PRESENT

Steven Dopp
Scott Koons
Carol Laine
Lynn Godfrey
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 7:32 p.m. with an invocation given by Commissioner Patterson and a pledge of allegiance to the flag. Chair Spooner stated that there was a quorum.

Chair Spooner welcomed and introduced Thomas Hawkins, past Council member and Alachua County ADCO member, David Pieklik, from Nature Coast Business Development Council and Levy County ADCO member, Tim Bennett, City Manager for the City of Madison, Joe Riddick, past member and former Council Chair from Bradford County and Diana Davis, wife of Council member Mayor Davis.

Chair Spooner asked that Item VI.A., Executive Committee Appoint members for two-year terms to the North Central Florida Areawide Development Co., Inc., Item VI.B.2., Clearinghouse Committee City of Hawthorne Adopted Amendment and Item VI.B.3. Clearinghouse Committee City of Gainesville Draft Amendment, these items were received by staff after the meeting packets were distributed, be added to the committee reports.

ACTION: Commissioner Poe made the motion, with a second by Commissioner Hutchinson to add Item VI.A., Executive Committee Appoint members for two-year terms to the North Central Florida Areawide Development Co., Inc., Item VI.B.2., Clearinghouse Committee City of Hawthorne Adopted Amendment and Item VI.B.3. Clearinghouse Committee City of Gainesville Draft Amendment to the committee reports. The motion carried unanimously.

II. PRESENTATION ON TRANSPORTATION DISADVANTAGED PROGRAM IN NORTH CENTRAL FLORIDA

Scott Koons, Executive Director, introduced Lynn Franson-Godfrey, Senior Planner, for the Transportation Disadvantaged. Ms. Franson-Godfrey gave a presentation concerning the activities of the Council relating to the Transportation Disadvantaged Program in north central Florida. Chair Spooner thanked Ms. Franson-Godfrey for her presentation.

III. APPROVAL OF MINUTES - September 25, 2014

Chair Spooner asked that the minutes of the September 25, 2014 meeting be approved as written.

ACTION: Commissioner Wilford made the motion, with a second by Councilman Bryant to approve the minutes of the September 25, 2014 meeting as written. The motion carried unanimously.

IV. CONSENT AGENDA

- A. Transportation Disadvantaged Local Coordinating Board Appointments
- B. National Association of Development Organizations Membership

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

V. CHAIR'S REPORT

A. Introduction of New Members

Chair Spooner introduced new Council member, Councilman David Sullivan from the City of Perry.

VI. COMMITTEE REPORTS

A. Executive Committee

1. Appointment of North Central Florida Areawide Development Co., Inc. Members

Mr. Koons reported that the Articles of Incorporation of the small business loan company, the North Central Florida Areawide Development Co., Inc., require that the Council make appointments of its members. These appointments are to be made on even numbered years for two-year terms.

ACTION: Councilman Bryant made the motion, with a second by Commissioner Chestnut, to appoint Ed Braddy, Alachua County, LaBarfield Bryant, Hamilton County, Craig Carter, Alachua County, Jim Catron, Madison County, Louie Davis, Alachua County, Rick Davis, Madison County, Sandra Haas, Suwannee County, Curtis Hamlin, Lafayette County, Robert Hutchinson, Alachua County, Tim Marden, Alachua County, James Montgomery, Columbia County, Garth Nobles, Jr., Suwannee County, Frank Ogborn, Alachua County, Patricia Patterson, Taylor County, David Pieklik, Levy County, Lauren Poe, Alachua County, Daniel Riddick, Bradford County, Kevin Sheilley, Marion County, M. Wayne Smith, Union County, Carolyn Spooner, Bradford County, David Sullivan, Taylor County, Kenrick Thomas, Gilchrist County, Lorene Thomas, Dixie County, Robert Wilford, Alachua County, Charles Williams, Hamilton County, and Stephen Witt, Columbia County for two-year terms to the North Central Florida Areawide Development Co., Inc. The motion carried unanimously.

B. Clearinghouse Committee

Chair Sandra Haas gave the Clearinghouse Committee report. She stated that the Clearinghouse Committee met earlier in the evening and reviewed three local government comprehensive plan amendments.

- #1 - Columbia County Comprehensive Plan Draft Amendment
- #2 - City of Hawthorne Comprehensive Plan Adopted Amendment
- #3 - City of Gainesville Comprehensive Plan Draft Amendment

Ms. Haas 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. Ms. Haas stated that the Clearinghouse Committee recommended forwarding these findings to the local governments and the Florida Department of Economic Opportunity as regional comment.

ACTION: Ms. Haas made the motion, with a second by Commissioner Poe, to approve the Clearinghouse Committee recommendation concerning Item #1 Columbia County Comprehensive Plan Draft Amendment, Item # 2 City of Hawthorne Comprehensive Plan Adopted Amendment and Item #3 City of Gainesville Comprehensive Plan Draft Amendment. The motion carried unanimously.

VII. EX-OFFICIO MEMBER REPORTS

Russell Simpson, Florida Department of Environmental Protection, stated that Northeast District staff will be holding a Hazardous Waste training in there office in Jacksonville on November 5, 2014.

Brian Delburn, Florida Department of Transportation, stated that in 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.

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 September 2014 monthly 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 October 2014 Scorecard™ included in the Council meeting packet.

C. National Association of Regional Councils Award

Mr. Koons stated that the National Association of Regional Councils serves as a national voice for regionalism by advocating for regional cooperation as the most effective way to address a variety of community planning and development opportunities and issues. He also stated that the National Association of Regional Councils member organizations are composed of multiple local governments that work together to serve American communities, large and small, urban and rural. Mr. Koons stated that for nearly 50 years, the National Association of Regional Councils has represented the interests of its members and has advanced regional cooperation through effective interaction and advocacy with Congress, Federal officials and other related agencies and interest groups. He stated the National Association of Regional Councils focus includes, but is not limited to, transportation and the economic and community development, environment, homeland security and regional preparedness, and a variety of community issues undertaken by its member organizations.

Mr. Koons stated that at the National Association of Regional Councils 48th Annual Conference and Exhibition, the North Central Florida Regional Planning Council received the 2014 Medium Metro Achievement Award. The Association recognized the Council for developing a standard set of reporting that was used for the preparation coordinated statewide comprehensive economic development strategies prepared by each of the 11 regional planning councils in Florida, serving as U.S. Department of Commerce designated economic development districts. He also stated the project was recognized for having significant impact on regional cooperation, coordination and excellence.

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. On September 24, 2014 a Notice of Arbitration and Statement of Claim was filed with the American Arbitration Association by Co-Counsel Stanley Cushman on behalf of the Council. On October 14, 2014 attorneys from Wells Fargo filed a Respondent's Answering Statement to the Statement of Claim.

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

F. Employee Retirements

Mr. Koons informed the Council that two employees will be retiring on October 31, 2014. He stated that Tony Marshall, Finance Director, who has been employed by the Council for 10 years, will be retiring. He then stated that Carol Laine, Executive Assistant to the Executive Director, who has been employed with the Council for 28 years, will also be retiring. He then informed the Council that a new hire, John Theimann, will begin serving as Finance Director on October 27, 2014 and Jean Strong will be promoted to the position of Executive Assistant to the Executive Director and will begin serving in that capacity starting November 3, 2014.

Chair Spooner informed the Council that the next Council meeting will be held on December 11, 2014 at the Holiday Inn Hotel & Suites in Lake City. The meeting was adjourned at 8:05 p.m.


Carolyn B. Spooner, Chair

12/11/14
Date