

NORTH CENTRAL FLORIDA REGIONAL PLANNING COUNCIL
MINUTES

Holiday Inn Hotel & Suites
Lake City, Florida

December 11, 2014
7:30 p.m.

MEMBERS PRESENT

LaBarfield Bryant, City of Jasper
Beth Burnam, Hamilton County
Louie Davis, City of Waldo
Rick Davis, Madison County
Donnie Hamlin, Lafayette County
Timothy Marden, City of Newberry
James Montgomery, Columbia County
Garth Nobles, Jr., City of Live Oak
Patricia Patterson, Taylor County
Daniel Riddick, Bradford County
DeLoris Roberts, City of Hawthorne
Larry Sessions, Suwannee County
Carolyn Spooner, City of Starke
David Sullivan, City of Perry
James Tallman, Union County
Kenrick Thomas, Gilchrist County
Lorene Thomas, Dixie County
Charles Williams, Hamilton County
Stephen Witt, City of Lake City

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

Ed Braddy, City of Gainesville
Mike Byerly, Alachua County
Craig Carter, City of Gainesville
Jim Catron, City of Madison
Charles Chestnut IV, Alachua County
Rusty DePratter, Columbia County
Sandra Haas, Suwannee County
Jason Holifield, Dixie County
Robert Hutchinson, Alachua County
Frank Ogborn, City of Archer
Lauren Poe, City of Gainesville
Helen Warren, City of Gainesville
Randy Wells, City of Gainesville
Robert Wilford, City of Alachua
Mike Williams, Madison County

OTHERS PRESENT

Sandra Buck-Camp
Allen Cherry
David Cobb
Diana Davis
Jamie Driggers
Ralph Kitchens
Stew Lilker
Roosevelt Petithomme
Lawrence Taylor

COUNCIL ATTORNEY PRESENT

Jon Wershow

STAFF PRESENT

Steven Dopp
Scott Koons
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 Commissioner Riddick and a pledge of allegiance to the flag. Chair Spooner stated that there was a quorum.

Chair Spooner welcomed and introduced Allen Cherry, County Coordinator, Madison County and member of the Comprehensive Economic Development Strategy Committee, Sandra Buck-Camp and Ralph Kitchens, members of the Columbia, Hamilton, Suwannee Transportation Disadvantaged Local Coordinating Board and Diana Davis, wife of Council member Mayor Davis. She also introduced Lawrence Taylor and Jaime Driggers from the Florida Department of Transportation, Stew Lilker, Columbia Observer and David Cobb from Florida Power and Light.

Chair Spooner asked that Item VI.B.2., Clearinghouse Committee City of Gainesville Adopted Amendment, a late arriving item received by staff after the meeting packets were distributed, be added to agenda. She also asked that Item V.B.4. Resolution of Appreciation and Item V.C.2. Resolution of Appreciation for Transportation Disadvantaged be deleted from the agenda.

ACTION: Commissioner Marden made the motion, with a second by Councilman Bryant to add Item VI.B.2., Clearinghouse Committee City of Gainesville Adopted Amendment to the committee reports and to delete Item V.B.4. Resolution of Appreciation and Item V.C.2. Resolution of Appreciation for Transportation Disadvantaged from the agenda. The motion carried unanimously.

II. GUEST SPEAKER - Roosevelt Petithomme, District Local Program Administrator
Florida Department of Transportation, District Two

Scott Koons, Executive Director, introduced Roosevelt Petithomme, District Local Program Administrator, Florida Department of Transportation, District Two. Mr. Petithomme made a presentation to the Council concerning the Florida Department of Transportation Local Agency Program.

III. APPROVAL OF MINUTES - October 23, 2014

Chair Spooner asked that the minutes of the October 23, 2014 meeting be approved as written.

ACTION: Commissioner Patterson made the motion, with a second by Commissioner Roberts to approve the minutes of the October 23, 2014 meeting as written. The motion carried unanimously.

IV. CONSENT AGENDA

- A. Monthly Financial Report - October 2014
- B. Second Amended Agreement with Florida Division of Emergency Management for Additional Training Funds for Hazardous Materials Emergency Preparedness - Fiscal Year 2013-14
- C. Purchase Order with the Northeast Florida Regional Council to Assist with Updating the Statewide Hurricane Evacuation Study

D. 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: Councilman Bryant made the motion, with a second by Mayor Witt, 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 members, Commissioner Larry Sessions from Suwannee County and Commissioner James Tallman from Union County.

B. Resolutions of Appreciation

Stephen Bailey
Susan Baird
Bob Barnas
M. Wayne Smith
Wesley Wainwright

Chair Spooner asked that Resolutions of Appreciation for past services be approved for Stephen Bailey, who served as a Council member since January 2007, Susan Baird, who served as a Council member since January 2011, Bob Barnas, who served as a Council member since March 2012, M. Wayne Smith, who served as a Council member since December 2013 and Wesley Wainwright, who served as a Council member since January 2009.

ACTION: Councilman Bryant made the motion, with a second by Commissioner Roberts to approve the Resolutions of Appreciation for Stephen Bailey, Susan Baird, Bob Barnas, M. Wayne Smith and Wesley Wainwright. The motion carried unanimously.

C. Transportation Disadvantaged Program Resolutions of Appreciation

Kathy Baars
M. Wayne Smith
John Rance Thomas

ACTION: Commissioner Patterson made the motion, with a second by Councilman Sullivan, to approve the Transportation Disadvantaged Program Resolutions of Appreciation for past services for Kathy Baars, M. Wayne Smith and John Rance Thomas. The motion carried unanimously.

D. Employee Certificate of Service - Dwayne Mundy - 30 Years

Scott Koons, Executive Director, introduced Dwayne Mundy, who joined the Council staff on October 22, 1984. Mr. Mundy currently serves as the Council's Public Safety and Regulatory Compliance Director. Chair Spooner presented a 30-year Certificate of Service and a 30-year service pin to Mr. Mundy. Mr. Koons and Chair Spooner thanked him for his dedicated service to the Council.

VI. COMMITTEE REPORTS

A. Executive Committee

1. Clearinghouse Committee Procedures

Mr. Koons reported that at its October 23, 2014 meeting, the Clearinghouse Committee voted to recommend that the Council amend the Clearinghouse Committee Procedures. He stated that the proposed amendment to the Clearinghouse Committee Procedures authorizes the Committee to review and prepare recommendations to the Council for its consideration concerning environmental impact statements, gas pipeline applications, electric transmission line applications and electrical power generating plants equal to or exceeding 75-megawatts in capacity applications. Mr. Koons reported that review of these items is currently delegated to staff with the Clearinghouse Committee providing oversight review of staff comments.

Mr. Koons stated that the proposed amendment also authorizes staff to schedule, arrange and conduct scoping meetings for sector plans pursuant to Section 163.3245(2), Florida Statutes, as amended. He also stated that in addition, the proposed amendment also includes a number of editorial changes to the Clearinghouse Committee Procedures.

ACTION: Mayor Witt made the motion, with a second by Commissioner Patterson to approve an amendment to Policy 1998-2 Clearinghouse Committee Procedures providing for the Committee to review and recommend comments to the Council concerning environmental impact statements, gas pipeline applications, electric transmission line applications and electrical power generating plants equal to or exceeding 75-megawatts in capacity applications. 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 previously on November 19, 2014 and reviewed one local government comprehensive plan amendment.

#5 - City of Starke Comprehensive Plan Draft Amendment

Mr. Montgomery stated that this item was reviewed on behalf of the Council as per Council procedures for local government comprehensive plan amendments with a response deadline prior to the next regularly-scheduled Council meeting. He noted that a copy of the Committee report concerning this amendment was distributed prior to the Council meeting.

Mr. Montgomery further stated that the Clearinghouse Committee met earlier in the evening and reviewed two local government comprehensive plan amendments.

#6 - Alachua County Comprehensive Plan Draft

#7 - City of Gainesville Comprehensive Plan Draft Amendment (added to agenda)

Mr. Montgomery stated that the Committee found that the local government comprehensive plans, as amended do not create significant adverse impacts to Natural Resources of Regional Significance, regional facilities or adjacent local governments. He stated that the Clearinghouse Committee recommends forwarding these findings to the respective local governments and the Florida Department of Economic Opportunity.

ACTION: Mr. Montgomery made the motion, with a second by Ms. Thomas, to approve the Clearinghouse Committee recommendations concerning #6 Alachua County Comprehensive Plan Draft and #7 City of Gainesville Comprehensive Plan Draft Amendment (added to agenda). The motion carried unanimously.

VII. EX-OFFICIO MEMBER REPORTS

Carlos Herd, Suwannee River Water Management District, reported that they are continuing to work on agricultural well and river projects. He stated that the Suwannee River Management District has received state funding for spring projects.

Russell Simpson, Florida Department of Environmental Protection, stated that Governor Scott has appointed Jon Steverson as Secretary of the Department of Environmental Protection. He also stated that the Northeast District staff will be holding a free large quantity generators of hazardous waste training workshop in there office in Jacksonville on January 16, 2015.

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 October 2014 and November 2014 monthly review reports 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 December 2014 Scorecard™ included in the Council meeting packet.

C. National Association of Development Organizations Innovation Award

Mr. Koons stated that the National Association of Development Organizations is a Washington, D.C.-based association that promotes programs and policies that strengthen local governments, communities and economies through regional cooperation, program delivery and comprehensive strategies. He stated that the Association's Innovation Awards program recognizes regional development organizations and partnering organizations for improving the economic and community competitiveness of local communities throughout the region.

Mr. Koons reported that the Association recently awarded the North Central Florida Regional Planning Council a 2014 Innovation Award. He further stated that the 2014 slate of awardees includes 100 projects representing the Association of members from 27 states. Mr. Koons also stated that the Association recognized the Council for developing a method to use geographic information system data to evaluate the success of safety improvements on the highway system for a technical report completed by Council staff for the Metropolitan Transportation Planning Organization for the Gainesville Urbanized Area entitled Incorporating Safety into Transportation Planning.

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.

Mr. Koons awarded a Certificate of Outstanding Attendance to Charles Williams, gubernatorial appointee from Hamilton County, in recognition of his attendance at every scheduled Council Meeting during Program Year 2013-14.

Chair Spooner informed the Council that the next Council meeting will be held on January 22, 2015 at the Holiday Inn Hotel & Suites in Lake City. The meeting was adjourned at 8:45 p.m.


Carolyn B. Spooner, Chair

1/22/15

Date