

NORTH CENTRAL FLORIDA REGIONAL PLANNING COUNCIL
MINUTES

Holiday Inn Hotel & Suites
Lake City, Florida

March 26, 2015
7:30 p.m.

MEMBERS PRESENT

Ed Braddy, City of Gainesville
LaBarfield Bryant, City of Jasper
Beth Burnam, Hamilton County
Charles Chestnut IV, Alachua County
Louie Davis, City of Waldo
Rick Davis, Madison County
Bill Hunter, White Springs
James Montgomery, Columbia County
Garth Nobles, Jr., City of Live Oak
Lauren Poe, City of Gainesville
Daniel Riddick, Bradford County
DeLoris Roberts, City of Hawthorne
Carolyn Spooner, City of Starke
David Sullivan, City of Perry
James Tallman, Union County
Kenrick Thomas, Gilchrist County
Lorene Thomas, Dixie County
Daniel Webb, Union County
Randy Wells, City of Gainesville
Mike Williams, Madison County

NON-VOTING DELEGATE PRESENT

None

EX-OFFICIO MEMBER REPRESENTATIVES
PRESENT

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

COUNCIL ATTORNEY PRESENT

Jon Wershow

MEMBERS ABSENT

Craig Carter, City of Gainesville
Jim Catron, City of Madison
Ken Cornell, Alachua County
Jason Evans, City of High Springs
Scarlet Frisina, Columbia County
Sandra Haas, Suwannee County
Donnie Hamlin, Lafayette County
Jason Holifield, Dixie County
Robert Hutchinson, Alachua County
Doug Jones, City of Archer
Timothy Marden, City of Newberry
Patricia Patterson, Taylor County
Everett Phillips, Columbia County
Lee Pinkoson, Alachua County
Larry Sessions, Suwannee County
Helen Warren, City of Gainesville
Robert Wilford, City of Alachua
Stephen Witt, City of Lake City

OTHERS PRESENT

Sandra Buck-Camp
David Cobb
Diana Davis
Stew Lilker
Jim Wood

STAFF PRESENT

Steven Dopp
Carmelita Franco
Scott Koons
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 Sandra Buck-Camp member of the Columbia, Hamilton, Suwannee Transportation Disadvantaged Local Coordinating Board; Dave Cobb from Florida Power and Light; Stew Lilker; from the Columbia County Observer; and Diana Davis, wife of Council member Louis Davis.

II. GUEST SPEAKER - Jim Wood, State Transportation Planning Administrator
Florida Department of Transportation

Scott Koons, Executive Director, introduced Jim Wood, State Transportation Planning Administrator, Florida Department of Transportation. Mr. Wood gave a presentation on the Department of Transportation update on the long-range transportation plan for Florida, as well as the Strategic Intermodal System Policy Plan and the Future Corridors Initiative. Chair Spooner thanked Mr. Wood for his comments.

III. APPROVAL OF MINUTES - February 26, 2015

Chair Spooner asked that the minutes of the February 26, 2015 meeting be approved as written.

ACTION: Commissioner Chestnut made the motion, with a second by Councilman Bryant to approve the minutes of the February 26, 2015 meeting as written. The motion carried unanimously.

IV. CONSENT AGENDA

- A. Monthly Financial Report - February 2015
- B. U.S. Economic Development Administration Short Term Planning and State Grant Agreement
- C. Florida Department of Transportation Joint Participation Agreement and Resolution
- D. Transportation Disadvantaged Program Local Coordinating Board Membership Certifications
- E. Transportation Disadvantage Program Local Coordinating Board Appointment

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 Wells 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 members, Gubernatorial Appointees William Hunter from Hamilton County and Daniel Webb from Union County.

B. Resolution of Appreciation - Charles Williams

Chair Spooner asked that a Resolution of Appreciation for past services be approved for Charles Williams, who served as a gubernatorial appointee since January 2010.

ACTION: Councilman Bryant made the motion, with a second by Commissioner Chestnut to approve the Resolution of Appreciation for Charles Williams. The motion carried unanimously.

C. Transportation Disadvantaged Program Resolutions of Appreciation

Jeanne d'Eauede
Alicia Fowler
Casey Ladd

ACTION: Commissioner Roberts made the motion, with a second by Councilman Bryant, to approve the Transportation Disadvantaged Program Resolutions of Appreciation for the past services for Jeanne d'Eauede, Alicia Fowler and Casey Ladd. The motion carried unanimously.

VI. COMMITTEE REPORTS

A. Executive Committee - None

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 three local government comprehensive plan amendments.

#37, Columbia County Comprehensive Plan Adopted Amendment;
#38, City of High Springs Comprehensive Plan Draft Amendment, and
#39, City of Perry Comprehensive Plan Draft Amendment.

He noted that the Committee finds that the local government comprehensive plans, as amended, are not anticipated to result in significant adverse impacts to regional facilities, Natural Resources of Regional Significance or adjoining local governments. Mr. Montgomery also stated that the 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 Commissioner Poe, to approve the Clearinghouse Committee recommendation concerning #37, Columbia County Comprehensive Plan Adopted Amendment; #38, City of High Springs Comprehensive Plan Draft

Amendment, and #39, City of Perry Comprehensive Plan Draft Amendment. The motion carried unanimously.

C. Regional Planning Committee - Evaluation and Appraisal Report of
North Central Florida Regional Planning Policy Plan

Commissioner Wells, Regional Planning Committee Chair, reported that, every five years the North Central Florida Regional Planning Council is required by State law to prepare an Evaluation and Appraisal Report on its regional plan. He also stated that the Report is due by the end of 2015.

Commissioner Wells reported that the purpose of an Evaluation and Appraisal Report is to evaluate the successes and failures of the regional plan and to identify possible future amendments, revisions or updates to the plan. He also stated that to report serves as a basis for future amendments to the regional plan.

Commissioner Wells stated that the Regional Planning Committee met tonight and continued its review of the regional plan focusing on the Economic Development Element.

D. Program Committee - 2015-16 Overall Program Design

Commissioner Riddick reported that the Program Committee met earlier in the evening to review a draft of the Overall Program Design for the coming year. He stated that this document is to be use as the basis for the development of a budget and is also to give instructions to staff as to work which is to be done this year.

Commissioner Riddick also stated that there are no changes proposed in the Overall Program Design which include new programs not previously discussed and/or approved by the Council. He also reported that except for editorial changes, the document is essentially the same as the current year edition.

Commissioner Riddick stated that the Committee anticipates recommending the Overall Program Design to the Council for adoption at the May 28, 2015 Council meeting.

VII. EX-OFFICIO MEMBER REPORTS

Jordan Green, Florida Department of Transportation, District 2 stated that they held a Construction Career Day in Jacksonville. He stated that the event focused on construction workers, utilities testing workers, industry and design consultants and inspection consultants.

Carlos Herd, Suwannee River Water Management District, reported that the Lower Santa Fe and Ichtecuknee River Minimum Flows and Levels rule recently became effective. He also mentioned that local cost share grants for water quantity and quality were available from the District.

Russell Simpson, Florida Department of Environmental Protection, stated that the Northeast District is working on redevelopment of contaminated sites.

VIII. CITIZEN COMMENTS - None

E. Congressman Yoho Letter Concerning Innovation Award

Mr. Koons stated that as you know, the Council received a National Association of Development Organizations 2014 Innovation Award in cooperation with partner organization the Metropolitan Transportation Planning Organization for the Gainesville Urbanized Organization for developing a method to use geographic information system data to evaluate the success of safety improvements on the highway system. He reported Congressman Ted Yoho recently sent a letter to the Council congratulating the Council for receiving the Innovation Award.

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 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.

Council Attorney Wershow reported that an agreement has been reached with Wells Fargo concerning a mutually acceptable arbitrator, Robert Cowles from Jacksonville, FL. He further reported that a preliminary arbitration conference was held on February 2,

2015 and that the parties have agreed to schedule the arbitration hearing for May 11, 2015 in Gainesville.

Mr. Koons reported that a press release was sent to state and regional news media on March 3, 2015 concerning the fraudulent check matter.

Chair Spooner informed the Council that the next Council meeting will be held on April 23, 2015 at the Holiday Inn Hotel & Suites in Lake City. The meeting was adjourned at 8:40 p.m.



Carolyn B. Spooner, Chair

4/23/15

Date