

NORTH CENTRAL FLORIDA REGIONAL PLANNING COUNCIL
MINUTES

Holiday Inn Hotel & Suites
Lake City, Florida

June 25, 2015
7:30 p.m.

MEMBERS PRESENT

Ed Braddy, City of Gainesville
LaBarfield Bryant, City of Jasper
Harvey Budd, City of Gainesville
Jim Catron, City of Madison
Charles Chestnut IV, Alachua County
Louie Davis, City of Waldo
Rick Davis, Madison County
Scarlet Frisina, Columbia County
Donnie Hamlin, Lafayette County
William Hunter, Hamilton County
Doug Jones, City of Archer
James Montgomery, Columbia County
Patricia Patterson, Taylor County
Daniel Riddick, Bradford County
DeLoris Roberts, City of Hawthorne
Carolyn Spooner, City of Starke
James Tallman, Union County
Kenrick Thomas, Gilchrist County
Lorene Thomas, Dixie County
Helen Warren, City of Gainesville
Randy Wells, City of Gainesville
Robert Wilford, City of Alachua

NON-VOTING DELEGATE PRESENT

Scott Thomason

EX-OFFICIO MEMBER REPRESENTATIVES
PRESENT

Carlos Herd, Suwannee River Water
Management District

MEMBERS ABSENT

Beth Burnam, Hamilton County
Craig Carter, City of Gainesville
Ken Cornell, Alachua County
Jason Evans, High Springs
Sandra Haas, Suwannee County
Robert Hutchinson, Alachua County
Jason Holifield, Dixie County
Timothy Marden, City of Newberry
Garth Nobles, Jr., City of Live Oak
Everett Phillips, Columbia County
Lee Pinkoson, Alachua County
Larry Sessions, Suwannee County
David Sullivan, City of Perry
Daniel Webb, Union County
Mike Williams, Madison County
Stephen Witt, City of Lake City

OTHERS PRESENT

Tim Bennett
Xavier Bishop
Sandra Buck-Camp
David Cobb
Stew Lilker
John Meeks

COUNCIL ATTORNEY PRESENT

Jonathan Wershow

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 Riddick called the meeting to order at 7:30 p.m. with an invocation given by Commissioner Spooner and a pledge of allegiance to the flag. Chair Riddick stated that there was a quorum of the Council.

Chair Riddick welcomed and introduced John Meeks, County Commissioner from Levy County; Tim Bennett, City Manager from the City of Madison; Xavier Bishop; Interim City Manager from the City of Archer; David Cobb; from Florida Power and Light; Sandra Buck-Camp, member of the Columbia, Hamilton, Suwannee Transportation Disadvantaged Local Coordinating Board; and Stew Lilker, from the Columbia County Observer.

II. PRESENTATION ON ECONOMIC DEVELOPMENT STRATEGIES FOR NORTH CENTRAL FLORIDA

Steven Dopp, Senior Planner, gave a PowerPoint presentation on the Economic Development Strategies for North Central Florida. Mr. Dopp outlined the duties of the Council as an economic development district and gave an overview of the Economic Development Strategy for the North Central Florida Economic Development District. He also discussed the marketing programs, including travel trade shows attended by Task Force members of The Original Florida Tourism Task Force to promote increased tourism as a means of economic development through "Visit Natural North Florida" and "Fish Natural North Florida." Chair Riddick thanked Mr. Dopp for his presentation.

III. APPROVAL OF MINUTES - May 28, 2015

Chair Riddick asked that the minutes of the May 28, 2015 meeting be approved as written.

ACTION: Commissioner Wilford made the motion, with a second by Commissioner Wells, to approve the minutes of the May 28, 2015 meeting as written. The motion carried unanimously.

IV. CONSENT AGENDA

- A. Monthly Financial Report - May 2015
- B. Local Government Comprehensive Planning Services Agreement
Fiscal Year 2014-15 Town of Mayo
- C. Community Planning Technical Assistance Grant Application Fiscal Year 2015-16
- D. Transportation Disadvantaged Program Local Coordinating Board Appointments
- E. Transportation Disadvantaged Program Local Coordinating Board Reappointments

Chair Riddick 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 Commissioner Frisina, to approve the items on the Consent Agenda. The motion carried unanimously.

V. CHAIR'S REPORT

A. Introduction of New Members

Chair Riddick introduced new Council member, Commissioner Harvey Budd, from the City of Gainesville and new Non-Voting Delegate Scott Thomason from the City of High Springs.

B. Transportation Disadvantaged Program Resolutions of Appreciation

1. Patricia Bonsteel
2. Patricia Fountain
3. Matthew Pearson
4. Larry Sessions

ACTION: Councilman Bryant made the motion, with a second by Commissioner Chestnut, to approve the Resolutions of Appreciation for Patricia Bonsteel, Patricia Fountain, Matthew Pearson and Larry Sessions. The motion carried unanimously.

C. 2015-16 Committee Appointments

Chair Riddick asked that the appointments to the Comprehensive Economic Development Strategy Committee, Finance Committee, Clearinghouse Committee, Nominating Committee, Program Committee, Regional Planning Committee and Representatives to the Florida Regional Councils Association be approved as recommended by the Chair.

ACTION: Commissioner Catron made the motion, with a second by Commissioner Jones, to approve the appointments to the Comprehensive Economic Development Strategy Committee, Finance Committee, Clearinghouse Committee, Nominating Committee, Program Committee, Regional Planning Committee and Representatives to the Florida Regional Councils Association as recommended by the Chair. The motion carried unanimously.

VI. COMMITTEE REPORTS

A. 1. Assigned Fund Balance - Capital Reserve

Mr. Koons stated that during Fiscal Year 2013-14, \$43,877 for depreciation of building and equipment was applied to the capital assets of the Council. After adding \$5,853 of purchased furniture fixtures and equipment, it resulted in a net total of \$525,689 accumulated depreciation of fixed assets. He also stated that the Capital Reserve Fund is maintained at an amount approximate to the accumulated depreciation of building and equipment to cover one-time capital expenditures for building improvements/repairs and equipment replacement/upgrades. Mr. Koons further stated that in order to maintain the Capital Reserve Fund at this level, it is recommended that \$25,000 from the Council's unassigned fund balance be encumbered as part of the Capital Reserve Fund assigned fund balance to increase the amount for accumulated depreciation of building and equipment costs from \$500,000 to \$525,000.

ACTION: Commissioner Wells made the motion, with a second by Commissioner Chestnut, to encumber \$25,000 of the Council's unassigned fund balance as part of the assigned fund balance to increase the Capital Reserve Fund balance for accumulated depreciation of building and equipment costs to \$525,000. The motion carried unanimously.

2. Executive Committee - Proposed Interlocal Agreement Amendments

Mr. Koons reported that, Senate Bill 1216 (Chapter 2015-30, Laws of Florida) recently enacted by the Legislature dissolved the Withlacoochee Regional Planning Council and transferred Levy County and Marion County to the north central Florida region. He also stated that the North Central Florida Regional Planning Council was created by an interlocal agreement pursuant to Section 163.01, Florida Statutes, entered into by counties and municipalities located in the north central Florida region. Mr. Koons stated that in order to add Levy County and Marion County to the membership of the Council, the existing member local governments will need to amend the interlocal agreement.

Mr. Koons further stated that the Executive Committee is recommending that the Council consider recommending several amendments to the interlocal agreement to the member local governments, these amendments should include the following provisions: geographic area; governance structure; additional representatives; and dues credit. He stated that the first interlocal agreement amendment that the Executive Committee is recommending would add Levy County and Marion County to the list of counties within the geographic area of the north central Florida region.

Mr. Koons reported that the second amendment would change the governance structure of the Council. The current governance structure provides for representation by member local governments on a population basis. He stated that based upon the current structure, Levy County would be entitled to two local elected representatives and Marion County would be entitled to ten local elected official representatives. He stated that along with one additional gubernatorial representative from Levy County and five additional gubernatorial representatives from Marion County, the total number of representatives to the Council would increase from 48 to 66. He stated that the Executive Committee reviewed three options concerning governance structure and is recommending that the population-based representation be deleted from the interlocal agreement, resulting in 39 representatives to the Council.

Mr. Koons stated that the third amendment that the Executive Committee is recommending would delete the additional representatives provision, the current interlocal agreement provides for a member local government to appoint additional representatives if requested by the Council to ensure representation of minority population.

Mr. Koons stated that the fourth amendment that the Executive Committee is recommending would delete the dues credit provision. The current interlocal agreement includes a provision for a dues credit to certain local governments of an amount equal to one percent of funds expended on planning activities during the preceding fiscal year. He also stated that, however, the dues credit cannot lower the dues assessment to an amount less than \$20,000. He also stated that currently, only Alachua County and the City of Gainesville are eligible for the dues credit. Mr. Koons reported that for Fiscal Year

2015-16, the dues credit for Alachua County would be (\$10,268) and the City of Gainesville would be (\$15,735). In addition, Marion County would also be eligible for a dues credit of (\$12,953).

Mr. Koons stated that the Executive Committee recommends that the Council recommend to the member local governments several other administrative amendments and technical amendments such as statutory and administrative code citations, and aligning the powers and duties of the Council to conform to the powers and duties as listed in Chapter 186, Florida Statutes, as amended.

ACTION: Mayor Davis made the motion, with a second by Commissioner Frisina, to amend the interlocal agreement creating the Council to recommend amendments to the interlocal agreement to the member local governments to (1) add Levy County and Marion County to the geographic area of the Council; (2) delete the population-based formula for determining the number of member local government representatives to the Council provision; (3) delete the additional minority representatives provision; (4) delete the member local government dues assessment credit provision; (5) update statutory and administrative rule citations; and (6) revise the duties and powers to align with Florida Statutes as recommended by the Executive Committee. The motion carried with 17 ayes and 5 nays.

B. Clearinghouse Committee

Vice-Chair James Montgomery, gave the Clearinghouse Committee report. He stated that the Clearinghouse Committee met earlier in the evening and reviewed two local government comprehensive plan amendments.

#50, City of High Springs Comprehensive Plan Draft Amendment
#51, Madison County Comprehensive Plan Draft Amendment

He noted that the Committee finds that the local government comprehensive plan, as amended, is not anticipated to result in significant adverse impact to regional facilities, Natural Resources of Regional Significance or adjoining local governments. Mr. Montgomery also stated that the Committee recommends forwarding this finding to the respective local governments, and the Florida Department of Economic Opportunity.

ACTION: Mr. Montgomery made the motion, with a second by Mayor Davis, to approve the Clearinghouse Committee recommendation concerning Item #50 High Springs Comprehensive Plan Draft Amendment and Item #51, Madison County Comprehensive Plan Draft Amendment. The motion carried unanimously.

C. Regional Planning Committee -Evaluation and Appraisal Report of North Central Florida Strategic Regional 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 of 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 the 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 Regional Transportation Element.

VII. EX-OFFICIO MEMBER REPORTS

Carlos Herd, Water Supply Division Director and Interim Executive Director, Suwannee River Water Management District, reported that the Fiscal Year 2015-16 budget as approved by the Legislature includes \$47.5 million for springs projects.

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 Association's new Director of Intergovernmental Affairs is Martha Lord.

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 June 2015 Scorecard™ included in the Council meeting packet.

C. Legislative Report

Mr. Koons reported that the Governor did not recommend any funding for regional planning councils for Fiscal Year 2015-16 and the House of Representatives adopted budget does not include any funding for regional planning councils for Fiscal Year 2015-16. He also stated that the Senate adopted budget includes \$200,000 in funding for all 11 regional planning councils for Fiscal Year 2015-16 and the Council's share of the \$200,000 in funding would be approximately \$15,000 and the Legislature did not pass the Fiscal Year 2015-16 budget during the regular session. Mr. Koons also stated that the budget was addressed during the recently completed special session. The Fiscal Year

2015-16 budget adopted by the House of Representatives and Senate for Fiscal Year 2015-16 includes \$2.5 million for all 10 regional planning councils. The Council's share of the \$2.5 million in funding would have been approximately \$215,000. He further reported that on June 23, 2015 the Governor vetoed the \$2.5 million appropriation for regional planning councils.

D. Financial Disclosure Report Filing

Mr. Koons reported that all members of the Council are required to file a financial disclosure form by July 1st of each year. He stated the financial disclosure forms filed by county commissioners and city commissioners for their elected offices fulfills this requirement. Gubernatorial members must file a financial disclosure form with the Supervisor of Elections office in their respective counties to fulfill this requirement. Council members should have received a copy of the financial disclosure form in the mail within the past few weeks.

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 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. He also stated that the arbitration hearing that was scheduled for May 11, 2015 was rescheduled and held on June 22, 2015

Mr. Wershow reported on the arbitration hearing held on June 22, 2015 and stated that a decision by the arbitrator is anticipated in approximately 60 days.

Chair Riddick informed the Council that the next Council meeting will be held on July 23, 2015 at the Holiday Inn Hotel & Suites in Lake City. The meeting was adjourned at 9:02 p.m.



Daniel Riddick, Chair

7/23/15

Date