

NORTH CENTRAL FLORIDA REGIONAL PLANNING COUNCIL
MINUTES

Holiday Inn Hotel & Suites
Lake City, Florida

September 26, 2013
7:30 p.m.

MEMBERS PRESENT

Stephen Bailey, Columbia County
Susan Bottcher, City of Gainesville
Ed Braddy, City of Gainesville
LaBarfield Bryant, City of Jasper
Beth Burnam, Hamilton County
Jim Catron, City of Madison
Charles Chestnut IV, Alachua County
Don Cook, City of Perry
Karen Cossey, Union County
Rick Davis, Madison County
Rusty DePratter, Columbia 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
DeLoris Roberts, City of Hawthorne
Daniel Riddick, Bradford County
Carolyn Spooner, City of Starke
Lorene Thomas, Dixie County
Wesley Wainwright, Suwannee County
Robert Wilford, City of Alachua
Charles Williams, Hamilton County

NON-VOTING DELEGATE

None

STAFF PRESENT

Steve Dopp
Scott Koons
Carol Laine

MEMBERS ABSENT

Susan Baird, Alachua County
Bob Barnas, City of High Springs
Louie Davis, City of Waldo
Sandra Haas, Suwannee County
Thomas Hawkins, City of Gainesville
Jason Holifield, Dixie County
Timothy Marden, City of Newberry
Lee Pinkoson, Alachua County
Kenrick Thomas, Gilchrist County
Randy Wells, City of Gainesville
Mike Williams, Madison County
Stephen Witt, City of Lake City

COUNCIL ATTORNEY PRESENT

Jonathan Wershow

OTHERS PRESENT

Dave Cobb, Florida Power and Light
Brian Delburn, Florida Dept. of Transportation
Jordan Green, Florida Dept. of Transportation
Doug Jones, Archer City Commissioner
Sarai King, Suwannee Valley Transit Authority
Ralph Kitchens, Columbia, Hamilton & Suwannee
Transportation Disadvantaged Board
Joseph Riddick

Board Members names are bolded

Gubernatorial Members names are italicized

I. INVOCATION, PLEDGE OF ALLEGIANCE AND INTRODUCTIONS

Chair Nobles called the meeting to order at 7:32 p.m. with an invocation given by Commissioner Spooner and a pledge of allegiance to the flag. Chair Nobles stated that there was a quorum of the Council.

Chair Nobles welcomed and introduced Dave Cobb, Florida Power and Light, Sarai King, Suwannee Valley Transit Authority, Ralph Kitchens, a member of the Columbia, Hamilton and Suwannee Transportation Disadvantaged Coordinating Board and Joe Riddick, past member and former Council Chair from Bradford County. Mayor Ogborn then introduced Commissioner Doug Jones from the City of Archer.

Chair Nobles asked that Item V.B.4., #80 - Town of White Springs Comprehensive Plan Draft Amendment and Item V.B.5., #81 - City of Gainesville Comprehensive Plan Draft Amendment, be added to the agenda.

ACTION: Commissioner Wainwright made the motion, with a second by Commissioner Wilford to add Item V.B.4., #80 - Town of White Springs Comprehensive Plan Draft Amendment and Item V.B.5., #81 - City of Gainesville Comprehensive Plan Draft Amendment, to the agenda. The motion carried unanimously.

II. APPROVAL OF MINUTES - August 22, 2013

Chair Nobles asked that the minutes of the August 22, 2013 meeting be approved as written.

ACTION: Mayor Ogborn made the motion, with a second by Commissioner Patterson to approve the minutes of the August 22, 2013 meeting as written. The motion carried unanimously.

III. CONSENT AGENDA

- A. Monthly Financial Report - August 2013
- B. Transportation Disadvantaged Program - Appointments to Bradford, Madison and Union County Coordinating Boards
- C. U.S. Economic Development Administration Short-Term Planning and State Planning Grant Amendment

Chair Nobles asked if there were any questions regarding the items on the Consent Agenda and requested that these items be approved.

ACTION: Councilman Bryant 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

Chair Nobles introduced and welcomed returning member Commissioner Susan Bottcher from the City of Gainesville.

B. Transportation Disadvantaged Program Resolutions of Appreciation

1. E. W. Hodges
2. Danny Johnson
3. Jean Rosebrock
4. Myrtle Webb

Chair Nobles asked that Resolutions of Appreciation for past services be approved for E. W. Hodges, who served as the Florida Association for Community Action Representative on the Bradford County Transportation Disadvantaged Coordinating Board from July 2000 to August 2013; Danny Johnson, who served as the Citizen Advocate on the Hamilton County Transportation Disadvantaged Coordinating Board from June 2013 to September 2013; Jean Rosebrock, who served as the Citizen Advocate on the Bradford County Transportation Disadvantaged Coordinating Board from April 2012 to August 2013 and Myrtle Webb, who served as the Florida Association for Community Action Representative on the Madison County Transportation Disadvantaged Coordinating Board from December 2000 to August 2013.

ACTION: Commissioner Patterson made the motion, with a second by Commissioner Bailey, to approve the Resolutions of Appreciation for past services for E. W. Hodges, Danny Johnson, Jean Rosebrock and Myrtle Webb. The motion carried unanimously.

C. Resolutions of Appreciation

1. Todd Chase
2. Yvonne Hinson-Rawls

Chair Nobles asked that Resolutions of Appreciation for past services to the Council be approved for Commissioners Todd Chase and Yvonne Hinson-Rawls from the City of Gainesville.

ACTION: Commissioner Poe made the motion, with a second by Commissioner Bailey, to approve the Resolutions of Appreciation for Commissioner Chase and Commissioner Hinson-Rawls. The motion carried unanimously.

D. Executive Director Appointed to National Association of Development Organizations Comprehensive Economic Development Strategy Steering Committee

Chair Nobles reported that Scott Koons, Executive Director, has been appointed to the National Association of Development Organizations Comprehensive Economic Development Strategy Steering Committee. He stated that the National Association of Development Organizations promotes programs and policies that strengthen local governments, communities and economies through regional cooperation, program delivery and comprehensive strategies as well as provides advocacy, education, networking and research for the national network of 540 regional development organizations. He stated that the Steering Committee will make recommendations to the U. S. Economic Development Administration concerning the Comprehensive Economic Development Strategy Content Guidelines. He added that the Council, serving as a federally designated economic development district adopted the most recent five-year update of the North Central Florida Comprehensive Economic Development Strategy on September 2012 using the Florida Chamber Foundation Six Pillars for Securing Florida's Future as the organizing framework.

No Council action was required on this item.

V. COMMITTEE REPORTS

A. Executive Committee

1. Amendment to the Council's Organization Policy

Mr. Koons stated that the Florida Legislature enacted Chapter 2013-227, Laws of Florida, relating to public comment at public meetings. The Chapter creates Section 286.0114, Florida Statutes, requiring that a member of the public be given a reasonable opportunity to be heard at a public meeting before any official action is taken on a proposition. He further stated that the Chapter also provides for the Council to establish policies concerning the amount of time an individual has to address the Council, procedures for representatives of groups to address the Council, procedures or forms for an individual to use in order to inform the Council of a desire to be heard. The Chapter does not preclude the Council from maintaining orderly conduct or proper decorum at a public meeting. Mr. Koons stated that the Executive Committee recommended that the Council adopt an amendment to the Organization Policies adding a new Section 18, entitled Public Participation, which is attached to and made a part of these minutes.

ACTION: Mayor Ogborn made the motion, with a second by Commissioner Cossey, to approve an amendment to the Organization Policies of the Council by adding a new Section 18, entitled Public Participation, which is attached to and made a part of these minutes. The motion carried unanimously.

2. Proclamation Declaring October 2013 as Community Planning Month

Mr. Koons stated that the month of October 2013 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 2013 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 Ms. Thomas, to adopt a Proclamation proclaiming October 2013 as Community Planning Month, which has been attached hereto and made a part of these minutes. The motion carried unanimously.

3. Executive Director Annual Performance Evaluation

Chair Nobles 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. He 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 Nobles 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 26, 2013 Council meeting. He reported that the review resulted in "exceeds job requirements" for all evaluation standards, with an overall average score of 5.0 on a 5.0 scale. Chair Nobles stated that, based upon this review, the Executive Committee awarded the Executive Director a five percent merit pay adjustment. He reported that since funds have not been appropriated for any other Council staff to receive merit increases during Fiscal Year 2014, Mr. Koons requested that his merit pay increase for Fiscal Year 2014, along with his Fiscal Year 2010, Fiscal Year 2011, Fiscal Year 2012 and Fiscal Year 2013 merit pay increases, be deferred until Fiscal Year 2015. He 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 and Vice-Chair Thomas Hawkins, Committee member James Montgomery gave the Clearinghouse Committee report. He stated that the Clearinghouse Committee met earlier in the evening

and reviewed three local government comprehensive plan amendments and one development order proposed amendment.

#71 - Alachua County Comprehensive Plan Adopted Amendment
#78 - Alachua County Comprehensive Plan Adopted Amendment
#79 - City of Gainesville Comprehensive Plan Draft Amendment
Advent Christian Village Local Government Development Order Amendment

Mr. Montgomery further reported that subsequent to the distribution of the Council meeting packets, Council staff received two late-arriving items which require action prior to the next Council meeting.

#80 - Town of White Springs Comprehensive Plan Draft Amendment (added to agenda)
#81 - City of Gainesville Comprehensive Plan Draft Amendment (added to agenda)

Mr. Montgomery stated that the items would be grouped for presentation purposes. He stated 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 recommended forwarding these findings to the respective local governments and the Florida Department of Economic Opportunity as regional comment.

ACTION: Mr. Montgomery made the motion, with a second by Commissioner Patterson, to approve the Clearinghouse Committee recommendations concerning Item #71, Alachua County Comprehensive Plan Adopted Amendment, Item #78, Alachua County Comprehensive Plan Adopted Amendment, Item #79, City of Gainesville Comprehensive Plan Draft Amendment, Item #80, Town of White Springs Comprehensive Plan Draft Amendment (added to agenda) and Item #81, City of Gainesville Comprehensive Plan Draft Amendment (added to agenda). The motion carried unanimously.

Mr. Montgomery stated that with regards to the Advent Christian Village Local Government Development Order Amendment, the Committee found that the proposed development order amendment is minor in nature and is not anticipated to result in additional regional impacts. He stated that the Clearinghouse Committee recommended forwarding this finding to Advent Christian Village, Suwannee County and the Florida Department of Economic Opportunity as regional comment.

ACTION: Mr. Montgomery made the motion, with a second by Commissioner Hamlin, to approve the Clearinghouse Committee recommendation concerning the Advent Christian Village Local Government Development Order Amendment. The motion carried unanimously.

C. Finance Committee - Fiscal Year 2012-13 Amended Budget

Secretary-Treasurer Daniel Riddick, serving as Chair of the Finance Committee, reported that the Finance Committee met on September 18, 2013 and agreed upon a budget amendment for Fiscal Year 2012-13. 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 (\$76,400), which represents a (3.9) percent decrease. Secretary-Treasurer Riddick stated that the Finance Committee recommended that the Council approve the proposed amended Fiscal Year 2012-13 budget.

ACTION: Commissioner Riddick made the motion, with a second by Commissioner Spooner, to approve the amendment to the Fiscal Year 2012-13 budget as recommended by the Finance Committee. The motion carried unanimously.

VII. EX-OFFICIO MEMBER REPORTS

Jordan Green, Rural Area Transportation Development Engineer, Florida Department of Transportation District 2, reported that the Department is currently developing its five-year work program and is in the phase where projects can be added or removed without requiring a program amendment. He further stated that meetings will be scheduled with each county during November 2013 to discuss their five-year work program. He requested that a presentation on the five-year work program be scheduled for the December 2013 Council meeting.

VIII. EXECUTIVE DIRECTOR'S REPORT

Mr. Koons thanked the Executive Committee for their favorable evaluation of his performance and also thanked the Council for the honor and privilege to continue to serve the Council and the north central Florida region as executive director.

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 August 2013 monthly activity report that was 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 2013 Scorecard™ that was included in the Council meeting packet.

C. North Florida Water Working Group

Mr. Koons reported that the goal of the North Florida Water Working Group is to restore, promote and maintain water flow and quality with a focus on legislation. The first meeting of the Working Group was held in Lake City on July 14, 2013. He stated that the Group outlined their goals and objectives, which were later refined at their second meeting held on July 24, 2013 where they also discussed potential water conservation legislation ideas. The Working Group met with representatives of several law firms to discuss general strategies for addressing various water supply, conservation and allocation concerns on September 11, 2013 in Lake City. The law firm team will propose a legislative strategy which addresses the concerns of the Working Group for the 2014 Legislative Session.

D. North Florida Regional Water Supply Partnership

Mr. Koons reported that in September 2011, the St. Johns River Water Management District, the Suwannee River Water Management District and the Florida Department of Environmental Protection entered into an agreement that formalizes the coordination of water resource management in north Florida and establishes the North Florida Regional Water Supply Partnership. He stated that ensuring sustainable water supplies and protecting north Florida's waterways and natural systems is a collaborative effort among the water management districts, Florida Department of Environmental Protection, local elected officials and area stakeholders.

Mr. Koons reported that the Partnership met on August 19, 2013 in Lake City and was updated by Suwannee River Water Management District staff on the Prevention and Recovery Plan for the Lower Santa Fe River, Ichetucknee River and Priority Springs. The Committee was also heard presentations on aquifer recharge projects, the role of evapotranspiration in the water cycle and water use data methodologies.

E. Florida Local Government Coalition Local Works Day

Mr. Koons stated that Local Works Day, sponsored by the Florida Local Government Coalition, is a day to bring attention to the hard work that local government employees do for millions of Floridians each day and about the public works that are easy to take for granted, but which knit our communities together. He then presented a three-minute

video on Local Works Day, which can also be found on the Council website at www.ncfrpc.org.

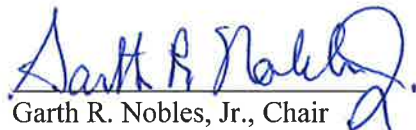
F. Check Fraud Status Report

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. Wershow then reported that on September 9, 2013, Wells Fargo responded to the complaint by filing a Motion to Compel Arbitration. He stated that he 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. He added that a hearing date has not yet been set.

Chair Nobles informed the Council that the next Council meeting will be held on October 24, 2013 at the Holiday Inn Hotel & Suites in Lake City. The meeting was adjourned at 8:14 p.m.


Garth R. Nobles, Jr., Chair

10/24/13
Date



Section 18: Public Participation.

Members of the public shall be given a reasonable opportunity to be heard on a proposition before the Council. The opportunity to be heard need not occur at the same meeting at which the Council takes official action on the proposition if the opportunity occurs at a meeting that is during the decisionmaking process and is within reasonable proximity in time before the meeting at which the Council takes the official action. This provision does not prohibit the Council from maintaining orderly conduct or proper decorum in a public meeting. The opportunity to be heard is subject to policies adopted by the Council as provided herein.

- (1) Policies of the Council which govern the opportunity for members of the public to be heard at public meetings are, as follows:
 - (a) Members of the public shall be allowed three minutes to address the Council;
 - (b) The Council may, at its discretion, require representatives of groups or factions on a proposition to address the Council, rather than allowing all members of such groups or factions to address the Council, at meetings in which a large number of individuals wish to be heard;
 - (c) Forms shall be provided at meetings of the Council for citizens and groups to use in order to inform the Council of a desire to be heard; to indicate support, opposition or neutrality on a proposition; and to indicate designation of representatives to speak for members of the public, groups or factions on a proposition if desired; and
 - (d) The Council shall include an item on the agenda of public meetings for public comment offering members of the public and representatives of groups or factions an opportunity to comment or to be heard on any matter pertinent to the Council not included as an agenda item at such public meeting.



PROCLAMATION

DECLARING OCTOBER 2013 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 2013 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 2013 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 26th day of September 2013.

ATTEST:

SEAL

Daniel Riddick, Secretary-Treasurer

Garth R. Nobles, Jr., Chair