



NORTHEAST FLORIDA REGIONAL COUNCIL  
Board of Directors Meeting  
May 7, 2009

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MINUTES

The regular monthly meeting of the Northeast Florida Regional Council was held on Thursday, May 7, 2009, at 10:00 a.m., at the Northeast Florida Regional Council, 6850 Belfort Oaks Place, Jacksonville, Florida, 32216.

**President Boyle** called the meeting to order with the following members present representing a quorum:

BAKER	Hugh Fish Michael Griffis Darryl Register Craig Thompson
CLAY	Wendell Davis Robert Page Kenneth Smallwood Chereese Stewart Carol Vallencourt
DUVAL	Bill Bishop Elaine Brown Art Graham
FLAGLER	Milissa Holland Jon Netts Bob Sgroi
NASSAU	Michael Boyle Shirley Graham Bob Spaeth Larry Williams
PUTNAM	Nancy Harris Chip Laibl Wes Larson
ST. JOHNS	Ken Bryan Jane Miller Karen Stern Cyndi Stevenson
EX-OFFICIO	Jeff Cole Larry Parks Beth Weatherford for Greg Strong

Excused: Paul Parsons, Catherine Robinson and Don Crichlow

Absent: Mary Lawson-Brown

Others Present: Steve Fitzgibbons, Dan Chitwood, Ray Spofford, Don Smith, Doug Miller, Thomas Jones, Staci Rewis, Lynn Pappas, Holly Parrish, Mike Kloehn, Michael Delcharo, Kevin Plenzler, Walter Fufidio, Ray Tyner, Jose Papa and other members of the public.

Staff Present: Brian Teeple, Mario Taylor, Donna Starling, Ed Lehman, Michael Hadden, Guy Parola, Ameera Sayeed, Valerie Evans, Michael Calhoun, and Sheron Forde.

**President Boyle** welcomed everyone and announced that Mr. Wes Larson has been appointed as a Gubernatorial appointee with full voting rights; and introduced Mr. Craig Thompson as a new County appointee representing Baker County. The **President** asked everyone to stand for the Invocation and Pledge of Allegiance. The Invocation and Pledge was led by **Commissioner Griffis** of Baker County.

\*Approval of Minutes

**Ms. Brown moved approval of the April 2, 2009, meeting's minutes; seconded by Ms. Vallencourt; motion carried unanimously.**

Public Comment

None

\*Consent Agenda

**President Boyle** asked if any items should be removed from the Consent Agenda.

**Mr. Spaeth** mentioned the loss of \$84,000 through the first half of the budget year and inquired about the forecast for the remainder of the year. Mr. Teeple stated that the possibility of having to dip into Council reserves to take us through the year was anticipated at the beginning of this fiscal year. He indicated that the shortfall was due in part to costs related to Reality Check and further anticipates that the balance sheet problems will continue through June. However, with Reality Check taking place on May 21<sup>st</sup>, it is hoped that the losses will begin to minimize afterwards. Mr. Teeple added that a revised budget will be presented to the Board at the next meeting reflective of additional budget cuts that will be made by that time.

**President Boyle** asked if any items should be removed from the Consent Agenda. There being no items to be pulled from the Consent Agenda. **Mr. Fish moved approval of the Consent Agenda; Ms. Brown seconded; motion carried unanimously.**

Discussion Agenda

Planning & Growth Management Committee Continued Meeting Report

Mr. Lehman stated that the recommendation report reflects what the Committee, which was an expanded Committee of the Regional Council, adopted and transmitted to the City of Jacksonville. He highlighted some of the changes that were made from staff's recommendations by the Committee. 1) Future Land Use Amendments: The Committee recognized that there is a balancing of increase and decrease of potential trips for items 3a and 3b, which are industrial changes, and said it off-set the change and therefore there were no net increase in trips, and thus removed staff's concerns about 3a and 3b. The Committee continued to have concerns about item 3c, a proposed change of 153.78 acres from Low Density Residential to Light Industrial and recommended that it was not consistent with the Strategic Regional Policy Plan (SRPP). 2) Timucuan Parcels: Item "C" was totally stricken from staff's recommendation report. The Committee felt that the City had made substantial commitment to complete the roadway to connect I-95 to Lem Turner Road. Mr. Lehman stated that the action taken by the Committee, acting with full powers of the Council, was to recommend that Ordinance 2009-

142-E, which changes 153.78 acres from Low Density Residential to Light Industrial, was not consistent with the SRPP. The Committee also recommended that all others, including the Timucuan parcels, were consistent with the SRPP; and that the City of Jacksonville recognize its obligation to procure adequate funding to timely construct the completion of the road through the Timucuan parcels from the westernmost point of parcels subject to these FLUM amendments to Lem Turner Road. The Committee's recommendations were transmitted to the City of Jacksonville as well as the Department of Community Affairs (DCA). Mr. Lehman added that the City is working with DCA and the City has committed to cap the amount of development for the parcel that the Committee has concerns about, such that potential trips does not exceed what can be developed, in the next round of Comp Plan amendments. Based on this agreement, DCA did not appeal the amendment. No discussion followed.

\*Governors Park DRI Recommendation Report

**Ms. Miller** stated that she had a conflict of interest in this matter as her husband, Doug Miller, is the CEO of England, Thims & Miller, the Engineering firm for this DRI; therefore, she will not be voting on this item.

Mr. Lehman stated that the Governors Park DRI was reviewed extensively in the Planning & Growth Management Committee (P&G Committee) and provided a brief overview of the Recommendation Report. He mentioned that Mr. Doug Miller, Thomas Jones, Staci Rewis, Lynn Pappas, Mike Kloehn and Holly Parrish are here to respond to any questions the Members of the Board may have. Mr. Lehman provided an overview of the location, size, type and build out date for the DRI. He summarized each of the regional recommendations such as Vegetation and Wildlife; Maintenance of Hydroperiods; protection of wetlands; Upland Buffers of 100 feet; Stormwater Pollution Prevention while construction occurs; post construction of a Water Quality Monitoring plant; Floodplains; Water Supply, highlighting WaterStar requirements; Central Water and Sewer to be provided by Clay County prior to any development occurring; Stormwater Management system; Solid Waste; Transportation with two requirements, contribution of right-of-way for the outer beltway and construction of the Green Cove Springs Bypass and Interchange Ramps. The one change in the recommendation 15 is underlined, which basically states that the design of the intersection of the Green Cove Springs Bypass and U.S. Highway 17 must be agreed upon by FDOT. It is recognized that the agreement with FDOT has not been finalized, but should be shortly. He continued on with the remaining recommendations such as Affordable Housing; Fire and Police, it is recognized that additional negotiations with Clay County may be necessary; Recreation and Open Space; Education; Historical and Archaeological Sites. Mr. Lehman stated that the P&G Committee unanimously approved staff's recommendation. Discussion followed.

**Commissioner Holland** inquired about the overall cost for the Fire and Police Protection and whether or not this cost has been factored in. Mr. Lehman responded that it is factored in to the cost.

**Commissioner Holland** also inquired if there was a formula established to determine the donation. Mr. Lehman stated that there is none within DRI law. There may be with individual local governments, but not for DRI reviews. The Council and State recognize that police and fire is more of a local issue and, therefore, try to establish a baseline. However, if Clay County can establish something above that, that's fine. **Commissioner Holland** acknowledged the economic times and stated that it is her desire to ensure that those discussions occurred.

**Mr. Davis moved approval of the Governors Park DRI Recommendation Report; seconded by Ms. Vallencourt; motion carried with Ms. Miller abstaining due to her declared conflict of interest. (Ms. Miller completed the required disclosure, Form 8B, which is attached to these minutes).**

\*Nassau County Transmitted Amendment 09-1

Mr. Lehman stated that Mr. Walter Fufidio is in the audience to respond to any questions and proceeded to provide an overview of the amendment. The first amendment, which is a proposal to

change 151.8 acres from Agricultural to Medium Density Residential, 36.2 acres from Agriculture to High Density Residential, and 15.58 acres to Agriculture and Conservation I. He stated that staff's comment is in agreement with Nassau County staff's comments, in that additional data and analysis is necessary to adequately assess the transportation impacts from the proposed land use change. Therefore, the P&G Committee adopted staff's recommendation that the amendment should not be adopted unless adequate data and analysis are included that support any necessary change to the five-year capital improvements Element for infrastructure needs. The second amendment is a proposal to change 445.71 acres from Agricultural and Conservation I to Industrial and 41.48 acres from Agriculture and Conservation to Commercial. Again, Nassau County staff acknowledges that additional transportation data and analysis is necessary prior to adoption and that the County will work with FDOT on a plan to mitigate impacts of the proposed change to U.S. 90, I-10 and other impacted roadways. The P&G Committee adopted the recommendation that the County should not adopt this amendment unless there is a traffic study approved by FDOT that includes a mitigation plan to address impacts to the external roadway network, particularly I-10 and U.S. 90. No FLUM amendments should be approved without accompanying Schedule of Capital Improvements amendments, as necessary, to address any deficiencies identified in the traffic study. Mr. Lehman added that during the Committee meeting, the Baker County contingent expressed the need for Nassau County to work with Baker County and Mr. Fufidio has made that commitment. The other recommendation that was adopted by the P&G Committee is that the County should not adopt this amendment unless an agreement is reached for the provision of water and wastewater. The County has provided no evidence of Baldwin's commitment or ability to provide such service. Staff's recommendation was approved by the P&G Committee. Discussion followed.

**President Boyle** commented that this truly is a Regional issue as Duval, Nassau and Baker Counties are all affected by this amendment and it's nice to see three counties cooperating toward the same goal. **Commissioner Laibl** inquired whether the Committee addressed the water and wastewater and if there is an agreement with the City of Baldwin. Mr. Lehman stated that the Committee adopted staff's recommendation that Baldwin needs to provide that commitment, if in fact they will be the provider as indicated by Nassau County. Staff has had no discussion with Baldwin on their ability or commitment and asked Mr. Fufidio to respond regarding any discussions they may have had with the Town of Baldwin or any other provider of central water and wastewater. Mr. Fufidio, Nassau County Planning Director, added that he had a brief conversation with Mayor Tottman of the Town of Baldwin who indicated that he was very anxious that the Town is anxious to provide service. Mr. Fufidio stated that Nassau County staff believe this will require a multi-party development agreement with the developer, Nassau County, JEA and the Town of Baldwin and looks forward to making that happen hopefully prior to adoption or as a condition of adoption. **Commissioner Stevenson** inquired if Baldwin qualified as one of the new urban areas. Mr. Teeple stated that it does not.

**Mr. Williams moved approval of the Nassau County Transmitted Amendment 09-1 recommendations; seconded by Ms. Stevenson; motion carried unanimously.**

\*City of Palm Coast Transmitted Amendment 09-D1

Mr. Lehman introduced Mr. Ray Tyner, Planning Director, and Jose Papa, Senior Planner for the City of Palm Coast. Mr. Lehman stated that this is a change corresponding to the Old Brick Township DRI, which was annexed into the City of Palm Coast in late April. Therefore, any impacts that can occur from this project should be mitigated through the Committee and Council. Mr. Lehman stated that the Committee adopted staff's recommendation to approve this amendment. Discussion followed.

**Mrs. Stern** inquired if this project impacted Pellicer Creek area in any way. Mr. Lehman stated that it remains to be seen, however, the applicant has negotiated a conservation easement, which will be a main consideration of the DRI review. Staff anticipates no impacts to Pellicer Creek, but if there are substantial impacts then this project might have to undergo some change to their plan. **Mrs. Stern**

also inquired of the relation to its name, is Old Brick Road on the boundary of this project. Mr. Lehman affirmed that it is and that sand covered Old Brick Road is still open to the public. He further added that Three Lakes DRI and Old Brick Township DRI are both committed to preserving this area as is; there will be no traffic on this road from these projects. **Mayor Netts** agreed with Mr. Lehman that both Three Lakes and Old Brick DRIs are committed to maintaining the historical significance of Old Brick Road. He further stated that discussions have been facilitated between the two DRIs and the neighbors to the south who have concerns about Old Brick Road.

**Mr. Sgroi moved approval of the City of Palm Coast Transmitted Amendment 09-D1 recommendations; seconded by Mr. Larson; motion carried unanimously.**

\*Baker County Adopted Amendment 09-1

**Ms. Miller** stated that she had a conflict of interest in this matter as her husband, Doug Miller, is the CEO of England, Thims & Miller, the Engineering firm for one of these comprehensive plan amendments; therefore, she will not be voting on this item.

Mr. Lehman provided an overview of Baker County Adopted Amendment 09-1, which was reviewed in its transmitted form at the August, 2007 meeting of the Council. He stated that the concerns the Council adopted during the transmittal phase were the continued proliferation of certain types of single family residences in the designated area of the County, it was unclear as to who would provide the water and sewer to the development and a need for transportation impacts data and analysis. In response, Baker County has adequately addressed the Council's concerns. He added that the P&G Committee unanimously adopted staff's recommendation to find the Baker County Adopted Amendment consistent with the SRPP. No discussion followed. **Mr. Register moved approval of the Baker County Adopted Amendment 09-1 as consistent with the SRPP; seconded by Mr. Griffis; motion carried with Ms. Miller abstaining due to a conflict of interest as her husband is the Engineer on this project. (Ms. Miller completed the required disclosure form, FORM 8B, which is attached to these minutes).**

\*City of Jacksonville Beach Adopted Amendment 09CIE-1

Mr. Parola provided an overview of the City of Jacksonville Beach Adopted Amendment 09CIE-1, which is the adoption of their Capital Improvements program as required by State statute. He stated that the P&G Committee unanimously approved staff's recommendations that they find this amendment consistent with the SRPP. No discussion followed. **Mr. Spaeth moved approval of the City of Jacksonville Beach Adopted Amendment 09CIE-1 as consistent with the SRPP; seconded by Ms. Vallencourt; motion carried unanimously.**

\*Resolution 2009-04 – TD Signature Authority

Mr. Lehman stated that the Council, as a Designated Official Planning Agency for the Transportation Disadvantaged program, is responsible for filing the annual Transportation Disadvantaged Trust Fund Grant application with the Florida Commission. In order to do so, staff recommends that the Council adopt this resolution giving Mr. Teeple signature authority to file this application with the Florida Commission for the Transportation Disadvantaged. No discussion followed. **Mayor Netts approval of Resolution 2009-04; seconded by Mr. Williams; motion carried unanimously.**

30-Day Review Period Recommendations

Mr. Teeple stated that at the last meeting, staff was charged with working out a process with the City of Jacksonville to ensure that adequate time for reviewing comprehensive plan amendments that might be brought to the Council prior to a day or two before Council meetings. A three step process has been created with the City's Planning and Development department; step 1) forward to the Council a courtesy copy of all Comp Plan amendment items at the same time that it is sent to the City Council; step 2) City staff will also provide the Council with a summary of any changes that might

occur during deliberations by the City Council at the time it is transmitted to the Mayor, giving Council staff the same amount of time the Mayor has to sign or allow it to become law without a signature; step 3) once signed by the Mayor, City staff will forward the official transmitted package to the Regional Council. Mr. Teeple stated that it's staff belief that this process will provide us with adequate time to review Comp Plan amendment items in a timely fashion. No Discussion followed.

#### 2009 Legislative Session Update

Mr. Teeple congratulated Council representatives from Baker County on the successful defeat of the bill to privatize the Northeast Florida State Hospital, which is now safe for another year. **Mr. Register** thanked the Board for passing Resolution 2009-03, which was distributed widely in Tallahassee and expressed appreciation for the support. He also thanked Mr. Williams for his assistance while in the Capitol. **Mr. Griffis** and **President Boyle** echoed their appreciation as well. Mr. Teeple proceeded with an overview of the Legislative Session, stating that the budget should become available by Friday afternoon. He stated that the enrolled Senate Bill 360, which substantially changes a number of things related to Growth Management, will take affect upon the Governor's signature or expiration of allotted time to sign. Mr. Teeple highlighted some of the items more specific to Northeast Florida such as the definition of densely urbanized land areas (DULA). If an area qualifies as a DULA community, 1) concurrency is gone and 2) DRI program disappears. He added that there is an added requirement that within two years, as a transportation concurrency exception area, a plan must be created, including issues of multi-modal transportation, to take care of the transportation needs. The problem that exists is that there may be communities that do not have the ability to do this. It is Staff's belief that the consolidated City of Jacksonville and the four independent municipalities, as a County, is included in this legislation. Independently, Atlantic Beach, Neptune Beach, Jacksonville Beach, Town of Orange Park, the City of Palatka and the City of St. Augustine, the City of St. Augustine Beach, the City of Macclenny, the City of Flagler Beach and the City of Fernandina Beach also qualifies as DULA communities. Due to a lack of current data, the City of Green Cove Springs may also qualify. Discussion followed.

**Councilman Bishop** inquired if there were any consequences, under the bill, for not producing a transportation plan within two years. Mr. Teeple stated that if the DCA finds that there is not a good reason for creating the plan; they can then go to the Administration Commission who then may impose sanctions on that community such as the withholding of revenue sharing. **Commissioner Bryan** inquired if funding would be determined as a good reason. Mr. Teeple stated that the Statute is unclear on that as the text says reasonable cause. **Mr. Smallwood** read from SB 360, under the concurrency paragraph, quoting that, "The Legislature further finds that the unintended results of the concurrency requirement for transportation facilities is often the discouragement of urban infill development and redevelopment. Such unintended results directly conflict with the goals and policies of the State Comprehensive Plan and the intent of this Plan." He added that the Comprehensive Plan was initially passed in 1985 and is grateful to the State Legislature for finally realizing that the concurrency plan was going to cause urban sprawl. **Commissioner Stevenson** inquired of possible impacts, if any, for counties with DULA cities. Mr. Teeple stated that it then becomes very interesting because if lots of empty lands are annexed, the density goes down. Therefore, as communities begin to annex lands, they will need to be very cautious in order to stay out of concurrency and the DRI process. **Commissioner Holland** inquired if there are any indications that the Governor may veto this bill. Mr. Teeple stated that it is his belief that this bill is close to what Senator Bennett put forward with the blessings of the DCA. Some of the more offensive language to the Department was stripped out of the bill. Mr. Teeple stated that it is his guess that this bill will become law without the Governor's signature. **Mr. Spaeth** inquired about the implications for the Regional Councils. Mr. Teeple stated that he does not believe it will have a substantial impact on this Council. **President Boyle** commented on the density definition, which is defined as one household per acre. Mr. Teeple continued highlighting other aspects of SB 360; it relaxes school concurrency issues for communities, it enables the adoption of TCEAs into comprehensive plans for those communities not one of the

automatic areas. **Ms. Vallencourt** inquired if communities like Orange Park would not need to meet concurrency. Mr. Teeple confirmed that concurrency is no longer applicable once this bill becomes law. Mr. Teeple continued highlighting other aspects of the bill; in the Intergovernmental Coordination elements of local comprehensive plans, there is a requirement that they discuss mediation and that many local governments have adopted the Council's alternative dispute resolution process. This is now mandatory that, in the local governments ICE elements, adopt the Council's alternative dispute resolution process; all permits other than those issued by the federal government were extended by two years, phasing buildout were extended by two years, and with DRIs, this is in addition of multiple extensions that have occurred over the last few years. It also provides for opportunities for concurrent zoning as long as it is contingent upon the adoption of the underlying required land use; it continues to suggest the need to look at mobility fees with the intent for studies currently being done by FDOT and the competing study by the DCA be presented to the Speaker and the President by December 1, 2009, which the Legislature would then set a mobility fee standard for an equitable distribution of the proceeds and would be geared toward the total replacement of transportation concurrency in the State of Florida. **Commissioner Stevenson** inquired if the City of Jacksonville continues to be able to collect mobility fees between now and 2009. Mr. Teeple responded that there is nothing in the bill that prohibits the continued collection of fees that have been appropriated or pursuant to local ordinance, even without concurrency or as a DULA community. **President Boyle** inquired about the future of DCA. Mr. Teeple stated that it is currently unknown as to what has transpired regarding the budget. However, since DCA still has sunset review coming up in the next Legislative Session, DCA's fate it is still unknown at this time. Mr. Teeple indicated that Staff will bring forth more information as it becomes available and hopes to provide more substantive information on the Legislative bills at the next meeting.

#### Reality Check/Regional Visioning Update

Mr. Teeple reported that as game day approaches, May 21<sup>st</sup> at the St. Johns Convention Center, participant selection will be finalized, with over 200 currently committed players, by early next week. The Guide Books are being prepared and should go out by Wednesday of next week. It is looking to be a successful event.

#### FDOT Strategic Intermodal System (SIS) Update

Mr. James Bennett with the Florida Department of Transportation introduced himself and Mr. Barney Bennette, District SIS Coordinator, Lake City Office. Mr. Bennett stated that the FDOT is currently going through an update of the SIS Plan, which is done every five years, provided presentation of the SIS update. This presentation is being presented to all the Regional Councils, County Commissions, TPOs and MPOs to inform as many as possible to keep everyone informed. Mr. Bennette stated that workshops are being scheduled and the Regional Councils will be invited. Further information can be obtained by visiting [www.dot.state.fl.us](http://www.dot.state.fl.us) or [www.sisupdate.org](http://www.sisupdate.org). Discussion followed.

#### Public Comment

None

#### Members/Ex-Officio Members Reports

None

#### President's Report

**President Boyle** expressed his appreciation for those who attended the Planning & Growth Management Committee's continued meeting on April 23<sup>rd</sup>.

#### Chief Executive Officer's Report

Mr. Teeple mentioned that there will be a meeting on May 18<sup>th</sup>, hosted by the Water Management District in Gainesville, related to the water supply assessment. He called to mind Mr. Kirby Green's

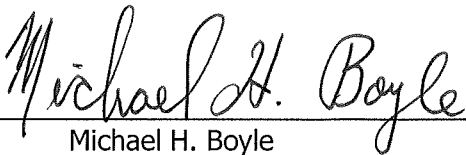
visit in which Mr. Green reminded members that the water assessment, which ultimately ends up in the water supply plan in the year 2010, is being developed and all but three percent of the SJRWMD's jurisdiction that is not currently in the primary water resource caution area will be put into a potential primary water resource caution area and will likely become a primary water resource caution area when the plan is adopted. The Plan is currently scheduled to go to the Water Management District's governing board in December of 2010. Mr. Teeple directed the Members' attention to the TPO's annual report and regional newspaper articles located at the table, the front pocket of their binders contain the Highlights, a new member roster. Mr. Teeple spoke about Council staff's participation in the opening of the new St. Johns County Emergency Operation Center. He further mentioned that the upcoming events will now highlight local events and festivals. **Mr. Page** added that the Green Cove Riverfest on Memorial in honor of veterans and invites all to attend if they can. **Mr. Larson** asked if e-mail addresses could be added to the member rosters. **President Boyle** inquired if there were any objections to placing e-mail addresses on the roster. There were no objections voiced. Mr. Teeple stated that Staff will be happy to comply.

Next Meeting Date

The next Council Board of Director's meeting is scheduled for **Thursday, June 4, 2009** at 10:00 am. at the Northeast Florida Regional Council, 6850 Belfort Oaks Place, Jacksonville, FL 32216.

Adjournment

There being no further business to discuss, the meeting adjourned at 11:40 pm.



Michael H. Boyle  
President



Brian D. Teeple  
Chief Executive Officer

# FORM 8B MEMORANDUM OF VOTING CONFLICT FOR COUNTY, MUNICIPAL, AND OTHER LOCAL PUBLIC OFFICERS

LAST NAME—FIRST NAME—MIDDLE NAME <i>Miller Jane W.</i>	NAME OF BOARD, COUNCIL, COMMISSION, AUTHORITY, OR COMMITTEE <i>NZFR</i>
MAILING ADDRESS <i>2306 Green side Ct</i>	THE BOARD, COUNCIL, COMMISSION, AUTHORITY OR COMMITTEE ON WHICH I SERVE IS A UNIT OF: <input type="checkbox"/> CITY <input type="checkbox"/> COUNTY <input checked="" type="checkbox"/> OTHER LOCAL AGENCY
CITY      COUNTY <i>Ponte Vedra      St Johns</i>	NAME OF POLITICAL SUBDIVISION:
DATE ON WHICH VOTE OCCURRED <i>5-7-09</i>	MY POSITION IS: <input type="checkbox"/> ELECTIVE <input checked="" type="checkbox"/> APPOINTEE

## WHO MUST FILE FORM 8B

This form is for use by any person serving at the county, city, or other local level of government on an appointed or elected board, council, commission, authority, or committee. It applies equally to members of advisory and non-advisory bodies who are presented with a voting conflict of interest under Section 112.3143, Florida Statutes.

Your responsibilities under the law when faced with voting on a measure in which you have a conflict of interest will vary greatly depending on whether you hold an elective or appointive position. For this reason, please pay close attention to the instructions on this form before completing the reverse side and filing the form.

## INSTRUCTIONS FOR COMPLIANCE WITH SECTION 112.3143, FLORIDA STATUTES

A person holding elective or appointive county, municipal, or other local public office **MUST ABSTAIN** from voting on a measure which inures to his or her special private gain or loss. Each elected or appointed local officer also is prohibited from knowingly voting on a measure which inures to the special gain or loss of a principal (other than a government agency) by whom he or she is retained (including the parent organization or subsidiary of a corporate principal by which he or she is retained); to the special private gain or loss of a relative; or to the special private gain or loss of a business associate. Commissioners of community redevelopment agencies under Sec. 163.356 or 163.357, F.S., and officers of independent special tax districts elected on a one-acre, one-vote basis are not prohibited from voting in that capacity.

For purposes of this law, a "relative" includes only the officer's father, mother, son, daughter, husband, wife, brother, sister, father-in-law, mother-in-law, son-in-law, and daughter-in-law. A "business associate" means any person or entity engaged in or carrying on a business enterprise with the officer as a partner, joint venturer, coowner of property, or corporate shareholder (where the shares of the corporation are not listed on any national or regional stock exchange).

\* \* \* \* \*

### ELECTED OFFICERS:

In addition to abstaining from voting in the situations described above, you must disclose the conflict:

PRIOR TO THE VOTE BEING TAKEN by publicly stating to the assembly the nature of your interest in the measure on which you are abstaining from voting; *and*

WITHIN 15 DAYS AFTER THE VOTE OCCURS by completing and filing this form with the person responsible for recording the minutes of the meeting, who should incorporate the form in the minutes.

\* \* \* \* \*

### APPOINTED OFFICERS:

Although you must abstain from voting in the situations described above, you otherwise may participate in these matters. However, you must disclose the nature of the conflict before making any attempt to influence the decision, whether orally or in writing and whether made by you or at your direction.

IF YOU INTEND TO MAKE ANY ATTEMPT TO INFLUENCE THE DECISION PRIOR TO THE MEETING AT WHICH THE VOTE WILL BE TAKEN:

- You must complete and file this form (before making any attempt to influence the decision) with the person responsible for recording the

**APPOINTED OFFICERS (continued)**

- A copy of the form must be provided immediately to the other members of the agency.
- The form must be read publicly at the next meeting after the form is filed.

IF YOU MAKE NO ATTEMPT TO INFLUENCE THE DECISION EXCEPT BY DISCUSSION AT THE MEETING:

- You must disclose orally the nature of your conflict in the measure before participating.
- You must complete the form and file it within 15 days after the vote occurs with the person responsible for recording the minutes of the meeting, who must incorporate the form in the minutes. A copy of the form must be provided immediately to the other members of the agency, and the form must be read publicly at the next meeting after the form is filed.

**DISCLOSURE OF LOCAL OFFICER'S INTEREST**

I, Jane W Miller, hereby disclose that on May 7,, 20 09:

(a) A measure came or will come before my agency which (check one)

- inured to my special private gain or loss;
- inured to the special gain or loss of my business associate, \_\_\_\_\_;
- inured to the special gain or loss of my relative, husband, Doug Miller;
- inured to the special gain or loss of \_\_\_\_\_, by whom I am retained; or
- inured to the special gain or loss of \_\_\_\_\_, which is the parent organization or subsidiary of a principal which has retained me.

(b) The measure before my agency and the nature of my conflicting interest in the measure is as follows:

*Baker County Adopted Admenclment 09-1  
England, Thims & Miller, Inc is the engineering firm for the proj, ect.  
Doug Miller, CEO of England, Thims & Miller, is my husband.*

5-7-09  
Date Filed

Jane W Miller  
Signature

NOTICE: UNDER PROVISIONS OF FLORIDA STATUTES §112.317, A FAILURE TO MAKE ANY REQUIRED DISCLOSURE CONSTITUTES GROUNDS FOR AND MAY BE PUNISHED BY ONE OR MORE OF THE FOLLOWING: IMPEACHMENT, REMOVAL OR SUSPENSION FROM OFFICE OR EMPLOYMENT, DEMOTION, REDUCTION IN SALARY, REPRIMAND, OR A CIVIL PENALTY NOT TO EXCEED \$10,000.



### APPOINTED OFFICERS (continued)

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- The form must be read publicly at the next meeting after the form is filed.

IF YOU MAKE NO ATTEMPT TO INFLUENCE THE DECISION EXCEPT BY DISCUSSION AT THE MEETING:

- You must disclose orally the nature of your conflict in the measure before participating.
- You must complete the form and file it within 15 days after the vote occurs with the person responsible for recording the minutes of the meeting, who must incorporate the form in the minutes. A copy of the form must be provided immediately to the other members of the agency, and the form must be read publicly at the next meeting after the form is filed.

### DISCLOSURE OF LOCAL OFFICER'S INTEREST

I, Jane W Miller, hereby disclose that on May 7, 20 09:

(a) A measure came or will come before my agency which (check one)

- inured to my special private gain or loss;
- inured to the special gain or loss of my business associate, \_\_\_\_\_;
- inured to the special gain or loss of my relative, Doug Miller, husband;
- inured to the special gain or loss of \_\_\_\_\_, by whom I am retained; or
- inured to the special gain or loss of \_\_\_\_\_, which is the parent organization or subsidiary of a principal which has retained me.

(b) The measure before my agency and the nature of my conflicting interest in the measure is as follows:

Governors Park DRI  
England, Thims & Miller, Inc is the engineering firm for the DRI.  
Doug Miller, CEO of England, Thims & Miller, is my husband.

5-7-09  
Date Filed

Jane W Miller  
Signature

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