



NORTHEAST FLORIDA REGIONAL COUNCIL
Board of Directors Meeting
February 4, 2010

MINUTES

The regular monthly meeting of the Northeast Florida Regional Council was held on Thursday, February 4, 2010, at 10:00 a.m., at the Northeast Florida Regional Council, 6850 Belfort Oaks Place, Jacksonville, Florida, 32216.

President Griffis 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
FLAGLER	Jon Netts Bob Sgroi
NASSAU	Bob Spaeth
PUTNAM	Nancy Harris Kenny Eubanks
ST. JOHNS	Don Crichlow Jane Miller Karen Stern Cyndi Stevenson
EX-OFFICIO	Jeff Cole James Bennett for Larry Parks Greg Strong

Excused: Danita Andrews, Michael Boyle, Shirley Graham, Milissa Holland, Mary Lawson-Brown, Paul Parsons, Catherine Robinson and Larry Williams

Absent: Ken Bryan

Others Present: Brandi Vittur, Bill Henderson, Melissa Long, Geoff Sample, and other members of the public

Staff Present: Eric Anderson, Michael Calhoun, Jennifer Hewett-Apperson, Ed Lehman, Margo Moehring, Guy Parola, Ameera Sayeed, Donna Starling, Brian Teeple, Mario Taylor and Sheron Forde

President Griffis welcomed everyone to the meeting and gave a special welcome back to Ms. Vallencourt of Baker County. President Griffis asked everyone to stand for the Invocation and Pledge of Allegiance. The Invocation and Pledge was led by **Mayor Jon Netts** of the City of Palm Coast.

*Approval of Minutes

President Griffis ask for a motion on the January 7, 2010 meeting's minutes.

Mr. Cole asked that the minutes be amended to reflect corrections as follows on page two, under Commissioner Boyle's comment, the number 2,013 is actually the year 2013; page 11, under Mr. Cole's comments, 'Cautionary Area' should be 'cost share program,' and 'EAR reviews' should be 'peer reviews.'

Ms. Brown moved approval of the January 7, 2010 meeting's minutes as amended; seconded by Commissioner Stevenson. Motion carried unanimously.

Public Comment

None.

*CONSENT AGENDA

President Griffis asked if any items should be removed from the Consent Agenda. There being none, Mrs. Stern moved approval of the Consent Agenda; seconded by Mr. Fish. Motion carried unanimously.

DISCUSSION AGENDA

January Comprehensive Plan Amendment Review

Ms. Moehring stated that there was not a meeting of the Planning and Growth Management Committee as staff received very few items and they were received very late. There were a total of three comprehensive plan amendments for review during the month of January; two adopted amendments that are before the Board today and a small scale amendment. The small scale amendment was reviewed by staff and found consistent with the Strategic Regional Policy Plan.

*Town of Orange Park Adopted Amendment 10-1ER

Mr. Parola provided an overview of the Town of Orange Park Adopted Amendment 10-1ER, which are the adopted amendments in response to the Town's Evaluation and Appraisal Report. He highlighted two items of regional significance; the adoption of military height and hazard zones, stating that the Town will seek written correspondence from the military along with their input for any proposed cell towers and other tall structures. Secondly, it was recommended by Staff that the Town, as a DULA community, should involve their neighboring local governments as well as other stakeholders such as the NEFRC, as they adopt their mobility fees. This recommendation was incorporated into the Town of Orange Park's Comprehensive Plan. Therefore, Staff recommends that the Board finds this amendment consistent with the Strategic Regional Policy Plan. No discussion followed.

President Griffis called for a motion. Councilman Bishop motioned to find the Town of Orange Park's Adopted Amendment 10-1ER consistent with the Strategic Regional Policy Plan; seconded by Ms. Brown. Motion passed unanimously.

*Flagler County Adopted Amendment 10-CIE1

Ms. Sayeed provided an overview of the Flagler County Adopted Amendment 10-CIE1. The Capital Improvement Element (CIE) requires only one adoption hearing by local governments, which is why this is the first time the Board is seeing this item. Flagler County provided a 5-year schedule and after review, Staff recommends that there are no changes required to the CIE schedule. Therefore, it is Staff's recommendation that the Board finds the Flagler County Adopted Amendment 10-CIE1 consistent with the Strategic Regional Policy Plan. No discussion followed.

President Griffis called for a motion. Commissioner Eubanks motioned to find the Flagler County Adopted Amendment 10-CIE1 consistent with the Regional Policy Plan; seconded by Mr. Sgroi. Motion carried unanimously.

*Florida Power & Light Natural Gas Pipeline

Ms. Sayeed provided an overview of the Florida Power & Light (FPL) Natural Gas Pipeline, which is a proposed 300 mile underground pipeline. The project is proposed to begin in Bradford County and ends in Martin County. Ms. Sayeed provided a summary of Council Staff's actions and recommendations to DEP over the past year regarding the FPL proposed pipeline. She highlighted a meeting in which staff was informed that the potential impacts would not be available until post-certification. Ms Sayeed stated that Staff has since been informed that the project has been placed into abeyance for a period of one year. Staff's recommends that there be continued cooperation and that staff receive all documents related to the listed natural resources of regional significance, including invitations to meetings. Ms. Sayeed stated that staff request that the Board accepts this recommendation regarding the FPL proposed Pipeline and authorize transmittal to the DEP. A Brief discussion ensued.

Commissioner Eubanks stated that in reviewing the process and in speaking with FP&L, he is aware that FPL is trying to deviate from areas of concern. However, they were coming forth with studies that he would like to see it put before this Regional Council.

President Griffis called for a motion. Commissioner Stewart moved approval of staff's recommendation regarding the FPL Pipeline and transmittal to the Florida Department of Environmental Protection; seconded by Ms. Vallencourt. Motion carried unanimously.

January Development of Regional Impact (DRI) Report

Mr. Lehman stated that the report is provided for informational purposes. He further stated that staff anticipates that the Board will review five DRIs this year; Hunter's Ridge Substantial Deviation, Neoga Lakes, Old Brick Township, Watermark and Cordova Palms.

Intergovernmental Coordination and Review (IC&R) Report

Mr. Lehman stated that during the month of January, staff reviewed 26 applications and that the report is provided for informational purpose only. He added that many of the Transportation Disadvantaged grants are being reviewed by staff, who also serves on a task force with FDOT later this month. Although these grants don't appear in this month's report, they are a part of the ICR review process.

*Baker County TD Local Coordinating Board (LCB) Appointment

Mr. Lehman stated that the Board, in its role as the Designated Official Planning Agency for the Transportation Disadvantaged Program for Baker County, is responsible for all non-agency membership appointments to LCB. Staff is recommending Ms. Kerry Dunlavey be appointed to the Baker County LCB as a representative of the medical community. The proposal to appoint Ms. Dunlavey has been reviewed by the members of the Council from Baker County and have expressed no concerns. Therefore, staff recommends approval of the appointment of Ms. Dunlavey to the Baker County Transportation Disadvantaged Local Coordinating Board.

President Griffis called for a motion. Mr. Register moved approval of the appointment of Ms. Kerry Dunlavey to the Baker County Transportation Disadvantaged Local Coordinating Board; seconded by Mr. Thompson. Motion carried unanimously.

*Resolution 2010-04 Wes Larson

Mr. Teeple stated that he received notice from Mr. Wes Larson of his resignation from the Board. Mr. Teeple presented proposed Resolution 2010-04 honoring Mr. Larson for his years of service to the Northeast Florida Regional Council. A brief discussion ensued.

Commissioner Eubanks conveyed Mr. Larson's best wishes for the Members of the NEFRC Board of Directors.

President Griffis called for a motion. Mayor Netts moved approval of Resolution 2010-04 honoring Mr. Wes Larson; seconded by Mr. Register. Motion carried unanimously.

*Resolution 2010-05 Supporting Florida Regional Councils Association's (FRCA) Position on Amendment 4

Mr. Teeple introduced Proposed Resolution 2010-05 supporting the position of the FRCA opposing Constitutional Amendment 4. This proposed resolution is based on previous discussions by this Board and educational efforts occurring around the State of Florida seeking opportunities to better understand both the pros and cons of the issues. Mr. Teeple stated that this proposed resolution is not meant to preempt those efforts and, if it is not the will of the Board, it can be placed in abeyance. Staff offers this resolution due to an intervening action that occurred, which is that FRCA met and passed a resolution that staff's proposed resolution supports

Mrs. Stern noted that there are several bodies that have passed similar resolution and that she emphatically supports this resolution.

Ms. Brown stated that she is not sure that we need to go further by having someone from the Amendment 4 pro side to speak to the Board. If this Board is indeed putting this forward, that speaks very loudly. She believes that as we go along, the biggest challenge is not whether people agree on this, but how we're going to stop information from being distorted. She believes the education that is needed and the proactiveness that takes place would be how we get that word out. Ms. Brown stated that she too feels that this resolution is a very positive thing to do and feels that she will no longer work on seeking to get speakers to come before the Board on the pros of Amendment 4, but believes the Board should definitely hear how we can be in the loop as to how we can help to defeat this.

Mr. Fish stated that while all the Members of the Board are in favor of the resolution, he emphasized that the Amendment has a very good chance of passing and that everyone needs to take it very seriously.

Commissioner Davis commented on the cost for some local elections. He added that the group, Floridians for Smarter Growth, has revised their name through focus groups to something along the line of 'Floridians for Lower Taxes and for Economic Development.' He stated that the polling started at about 70 percent for last summer with the most recent poll at 58 percent. Commissioner Davis added that only approximately 41 percent is needed to defeat it and it is at approximately 42 percent. He stated that he is aware of activities currently taking place in both Duval and Clay Counties via their Chambers that are directed at getting information out to the communities regarding Amendment 4 and invites all who are interested to contact their local Chambers for further information.

Commissioner Stevenson stated that this Council does have a unique role to play in educating the public on Amendment 4. However, if we approve the resolution, it is like we've already picked sides and is the only downside she sees in doing it this way.

Mr. Spaeth suggested that the Council move forward with the presentation that was discussed at the last meeting because he would like to learn what the comprehensive pitch is, even if the resolution passes.

Councilman Page inquired of Mr. Teeple what they, as a Council, can do under the new election law that sort of inhibits the body from spending monies, etc.

Mr. Teeple stated that, based upon the legal opinions he's read from other Regional Councils, we can pass this resolution, we can talk about it, but cannot, as the NEFRC, go out and publicly support or oppose Amendment 4 because you would be advocating at that point. We can disseminate information. Mr. Teeple stated that he will continue to provide the Members with information on Amendment 4 as they become available. He mentioned a recent Economic Study by a group out of Coral Gables Florida that talked about the cost of Amendment 4 that he will make available to the Council; also a slide presentation done by the Florida Planning Association that he can make available or present it to the Council. These are not advocating Amendment 4, but informational items. However, the Members cannot go out and identify themselves as a member of the NEFRC, that we passed a resolution against this and then go on to advocate against Amendment 4. Staff has a very narrow window in which we can work in; any advocating for or against would have to be done as private citizens. Further discussion ensued.

Mayor Netts stated that most of the objections that he's heard on Amendment 4 are that it turns over the planning process to the masses that don't have sufficient education. He suggested that there is another opposite, but equally undesirable possibility. He provided an example of an incident in Palm Coast where a developer purchased about 300 yellow T-Shirts with 'Save Our Jobs' on it and had everyone in the construction industry show up at the Council meeting. Therefore, the opposite is possible where the development community may railroad through what you might not otherwise want by appealing to the masses for jobs.

President Griffis stated that if it does pass, it just becomes a marketing campaign of whoever has the most money wins.

President Griffis called for a motion. Ms. Stern moved approval of Resolution 2010-05 supporting the position of the Florida Regional Councils Association Opposing Constitutional Amendment 4; seconded by Commissioner Davis. Motion carried unanimously.

St. Johns River Crossing Presentation

Ms. Vittur provided an overview of the St. Johns River Crossing, which entailed the project location, purpose and process. Ms. Vittur stated that four public hearings have been scheduled; February 22nd in St. Johns County, February 25 and March 2nd in Clay County and March 4th in Duval County. She also stated that the additional information can be obtained by visiting the project web site at

www.sjrbridge.com. This presentation will be posted on the Council's web site www.nefrc.org following the meeting.

FRCA – State Growth Management Delegation Pilot Update

Mr. Teeple stated that Commissioner Boyle, Mr. Williams, Mario Taylor and he attended the Florida Regional Councils Association meeting in Tallahassee and received more information with regard to this Council's proposed Growth Management Delegation Pilot program recently. He stated that discussions were held with the Directors of each of the 11 Regional Councils, including our Lobbyist. Mr. Teeple stated that the Lobbyist recommended that this Council not do this. Likewise, discussion amongst the members of the Policy Board indicated concerns, which is related to some of the activities that have occurred. Mr. Teeple stated that the concerns involve the recommendation of the Florida Department of Community Affairs had recommend to the Governor level funding from last year, \$2.5 million Statewide. When the Governor's budget came out a few days ago, the Regional Councils were in the Governor's budget for half a million dollars. He stated that the other Councils are concerned and believes that was the instructions from FRCA to come back and give you the sense of the other bodies. Mr. Teeple stated that the Committee Meeting tape was played for FRCA Directors regarding the Secretary's comments. With the Governor's budget, the other Regional Councils are very concerned that the activities of this Council, at this point in time, put them in jeopardy. Mr. Teeple recommended that the Members do not stop what we're doing, that we continue to work with our Legislators in a 'slow walk' posture with an eye towards the 2011 session. Some reasons for recommending this is the potential loss of the money, new administration and presumably new leadership at the DCA at the 2011 session. This is a year in which Amendment 4 supporters are watching very closely and could be considered and add fuel to the fire that this was an attack on Growth Management and might recruit additional voters to make the selection of supporting Amendment 4. Finally, he believes that there is a risk that we could be thrown up into the maelstrom of sunset review and that we would be offered as reasons and/or excuses to either sunset or not sunset DCA. Mr. Teeple stated that it his opinion that we don't want to be involved in that. Because he doesn't believe we can win. Mr. Teeple concluded his update and asked the Members for guidance on his recommendation. A brief discussion ensued.

Inquiry was made regarding the 'go slow' strategy. Mr. Teeple stated that the Florida League of Cities did a poll of all our municipalities and reported that they were overwhelmingly in favor of doing this; there is support for this concept and he continues to receive positive feedback. Mr. Teeple stated that he believes time is needed to gather support and to speak with our Legislators to get this on their radar screens. It continues to build support. However, it will require resourcing, which may push legislative action beyond the 2011 Session.

Mr. Mario Taylor stated that the approach is a matter of timing. The "slow walk" will allow regional consistency and support that, which can be emphasized through the Legislative Priorities process and well in advance of the 2011 Session. Provisions for the Legislative draft proposal should be prepared in the very front end of the Legislative Process so when the filing time comes we're ready with everything; currently we don't have several of these items.

Mayor Netts motioned to accept the recommendation to continue work on the Growth Management Delegation Pilot program and continue speaking with our Legislators and making sure they're aware of regional cooperation and the concept for the 2011 session; seconded by Commissioner Stevenson. Motion carried unanimously.

JTA/FDOT Regional Transportation Authority Study Update

Mr. Teeple stated the Members have been provided a revised copy of JTA's study. He then provided a summary of JTA's recommendation to the Legislature. The main recommendation is the creation of a

Regional Transportation Study Commission and report back to the Legislature by December 31, 2012. The Commission would be made up of two representatives from each of the six Counties, not including Duval County, with four representatives from Duval County. The Chairman of the JTA will be the Chair of the Study Committee. It was also recommended that there be three ex-officio non-voting members including the chairman of the NFTPO, Secretary of FDOT Dist. II and the President of NEFRC. He stated that the Study is available on the JTA website. Mr. Teeple stated that he obtained a commitment from the JTA that they would share with the Advisory Committee any draft piece of legislation that they came up that would implement this next step and he also asked them not to offer and actively oppose any other legislation which went further into creating an RTA except for the Study part. Mr. Teeple stated that staff will track it very closely. He supports the concept of going forward and looking at a RTA and encourages Flagler County to stay engaged and participate through this phase.

President Griffis asked when the Commission will be formed. Mr. Teeple stated that it will require Legislation to approve this so it may not be until after the Session is over, which means it may be as late as September of 2010.

2009 DRAFT Annual Report

Ms. Jennifer Hewett-Apperson directed the members' attention to the draft copy of the NEFRC's 2009 Annual Report. She stated that the report is a compilation of the Council's activities over the past calendar year. Corrections or suggestions were requested to be submitted by Friday, February 12, 2010.

Regional Visioning Update

Ms. Moehring stated that Generation Check, the youth-only exercise, was held on January 30th at the St. Augustine High School. Ms. Moehring thanked everyone who helped to make the exercise a success. The additional data obtained from this exercise will be made available on February 15th. Ms. Moehring stated that a copy of the Reality Check First Cost final report has been provided to the Members and is located at their desks. Region First 2060 Sustainability Workshop has been scheduled for May 25th at the University of North Florida; a River Summit is currently being worked on and is planned as a two-day meeting in September at the Prime Osborne Center. Ms. Moehring informed the Members that the Regional Community Institute Board will be meeting on March 4th following the NEFRC Board meeting. The focus is now on First Coast Vision and members are encouraged to use that phrase when describing our efforts.

Florida Surface Water Quality Standards

Mr. Greg Strong, District Director, NE District of the Florida Department of Environmental Protection, provided background and an overview of the Numeric Nutrient Criteria. Prior to beginning his presentation, Mr. Strong made two points; first, they are only two weeks away from the Environmental Protection Agency proposing Numeric Nutrient Criteria for the State, but that it is a long way from being over and that much will undoubtedly happen before it becomes final. Secondly, he stated that it is really difficult, if not impossible, to predict or estimate the net impact this will have for the regulated community such as wastewater treatment plants, utilities, municipalities, agricultural communities and the like. He then proceeded with his presentation. A brief discussion ensued.

Mr. Smallwood stated, for the record, that there are a few citizens in Florida who believe that this is a Federal usurpation of State authority to come in and regulate a State, which could cost this local region a huge sum of money to conform or comply with the edicts. He stated that, if he was a local elected official, which he's not, he would take umbrage at being forced to spend taxpayer money to comply with Federal regulations that the State of Florida is perfectly capable of handling for themselves.

Public Comment

None.

Members/Ex-Officio Members Reports

Mr. Bennett, DOT, stated that the Florida Department of Transportation (FDOT) is beginning its Florida Transportation Plan update, typically done on a 20-year horizon; however, this one will be done on a 50-year horizon. He stated that more information can be obtained at the www.2060FTP.org website. There will be various workshops throughout the State of Florida. Mr. Bennett announced that the new FDOT Secretary for District II is Mr. Alan Mosely, of the City of Jacksonville, and they look forward to working with him.

Mr. Cole, St. Johns River Water Management District, stated that the WMD's Board will hold a budget workshop on February 8th to discuss the 2010 water supply planning process. Mr. Cole also shared information about Northeast Florida and the regional effort ongoing regarding the water supply plan. There are committees made up of local government representatives, water suppliers, WMD etc, who are making recommendations evaluating potential alternative water supplies and encourages the involvement of all local governments in this process. Mr. Cole added that he would provide Council Staff a link to their website where these meeting dates and times are listed.

President Griffis inquired if Mr. Cole would be willing to do a presentation at commission meetings. **Mr. Cole** stated he would be happy to do so.

Chief Executive Officer's Report

Mr. Teeple introduced the Employee of the Year, Ms. Donna Starling and a new Employee, Mr. Eric Anderson. Mr. Teeple stated that each member have been provided copies of the 2010 NEFRC Legislative Priorities with Palm Cards. He stated that the Highlights is located in the inside pocket of their binders. Mr. Teeple informed the Council that the City of Jacksonville has a proposed resolution in the works to replace former Councilman Graham with Councilman Crescimbeni and looks forward to introducing the Councilman, hopefully, at the next meeting. Mr. Teeple reminded the Members of the Elected Officials Reception scheduled for February 24th at the University of North Florida at 6pm and directed their attention to a green sheet located in the inside pocket of their binders highlighting sponsorship opportunities for the event. Mr. Teeple informed the Members of a Conservation Design and Commercial Corridors Workshop with Randall Arendt scheduled for Monday, February 8th at the St. Johns County Emergency Operations Center.

President's Report

President Griffis congratulated Ms. Donna Starling on being recognized as the NEFRC's Employee of the Year. He further stated that he is very proud of Baker County's representation on the Board and the Council and thanks them for the services they provide to Baker County and the Region.

Next Meeting Date

The next Council Board of Director's meeting is scheduled for **Thursday, March 4, 2010** at 10:00 a.m. 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 12:10 pm.

Michael W. Griffis
President

Brian D. Teeple
Chief Executive Officer

