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**OF BOARD OF COUNTY COMMISSIONERS**

**INDIAN RIVER COUNTY**

**ON SEPTEMBER 6, 2006**

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September 6, 2006

**MEETING OF THE BOARD OF COUNTY COMMISSIONERS**  
**OF INDIAN RIVER COUNTY**

The Board of County Commissioners of Indian River County, Florida, met in the County Commission Chambers, 1840 25<sup>th</sup> Street, Vero Beach, Florida, on Tuesday, September 6, 2006, at 5:01 p.m. to conduct the FY 2006/2007 preliminary budget hearing. Present were Chairman Arthur R. Neuberger, Vice Chairman Gary C. Wheeler, Commissioners Sandra L. Bowden, Wesley S. Davis, and Thomas S. Lowther. Also present were County Administrator Joseph A. Baird, County Attorney William G. Collins II, Executive Aide to the Board Kimberly Massung, Management & Budget Director Jason E. Brown, and Deputy Clerk Patricia Ridgely.

**1. CALL TO ORDER**

Chairman Neuberger called the meeting to order at 5:01 p.m.

**2. INVOCATION**

Reverend Michael Malone, Senior Pastor, Indian River Presbyterian Church, delivered the Invocation.

### **3. PLEDGE OF ALLEGIANCE**

Chairman Neuberger led the Pledge of Allegiance to the Flag.

### **4. BUDGET OVERVIEW**

County Administrator Baird presented an overview of the budget for FY 2006-2007 totaling \$472,520,328, about 5.7% above last year or \$25 million. He listed the reasons for the increase which included 66 new positions proposed and related costs, increased insurance and fuel costs, debt service on a new land acquisition bond, and replacement of fire stations. He noted that there is a possibility that the Sandridge Golf Course might need a new irrigation system and it might be necessary to increase the fee mid-year. There are no increases proposed for the Solid Waste fees.

County Administrator Baird then explained each of the tax funds that appear on tax bills: the general fund (all property owners pay); MSTU (Municipal Service Taxing Unit) taxing funds (unincorporated area property owners pay); and the Emergency Services Taxing District (fire, paramedic, paid by all property owners except Indian River Shores); and debt reduction funds for two land acquisition bonds (paid by all property owners).

**5. AD VALOREM FUNDS**

**A. AD VALOREM MILLAGE AND AD VALOREM BUDGET**

**GENERAL FUND**

County Administrator Baird announced the proposed budget for the general fund is \$85,992,375; and the proposed millage is 3.1973, 10.14% above rollback and 9.7% below current rate of 3.5204. He specified the reasons for the \$7,980,000 increase in the budget, which mainly have to do with the increased number of positions.

Chairman Neuberger opened the floor to public comments.

**Frank Coffey**, on behalf of the Taxpayers Association of Indian River County, narrated a PowerPoint presentation on the Sheriff's proposed budget that he advised was the same as previously presented during the July Budget Workshop. (*Copy of PowerPoint presentation is on file with the backup.*) At the conclusion of his presentation, Mr. Coffey asked for clarification on the (1) appropriateness of using impact fees for existing facilities or only for new facilities; (2) whether the Sheriff's Citizens Review Committee is required to operate under the Sunshine Law; and (3) if the funding appropriated to the Sheriff for capital equipment could be moved from one account to another.

County Attorney Collins explained that funds derived from law enforcement impact fees could not go toward any salary expense. He referred to the ordinance that set up the impact fees, and opined that the revenues should go to capital facilities needed to equip the deputies that would be required to accommodate new growth and maintain the level of service.

County Attorney Collins thought that a law enforcement advisory committee would be subject to Sunshine Law.

As to the question about shifting money, Management & Budget Director Jason E. Brown explained that Florida Statutes govern the budget of the Sheriff and the Sheriff must stay within those limits. The Sheriff must have Board approval to move money between the different categories. The Sheriff received approval earlier this year to make adjustments.

Vice Chairman Wheeler recalled that the Board voted last year to allow the Sheriff to move money by simply notifying the Commission that he had moved that money and it was not required any longer to come before this Board for approval. County Administrator Baird confirmed that Vice Chairman Wheeler was correct. Director Brown recalled that the blanket approval given was just for this current fiscal year.

Sheriff Roy Raymond expressed his frustration with Mr. Coffey's remarks and presentation, and recounted his invitations to Mr. Coffey and the Taxpayers Association to attend his budget preparation meetings and his previous explanations at the Workshop in July.

**Leroy Kelly**, 14020 85<sup>th</sup> Street, appealed to the Board's compassion in regard to the millage rate. He thought property values have increased dramatically, and he thought it was not entirely fair to say the millage rate is down. He pointed out that property values are market driven, but millage rates are not.

Commissioner Davis stated that it appears a resolution of the inequities caused by the "Save Our Homes" initiative may come by a millage cap and a tax cap. He advised that he had been asked to sit on the taxpayers committee of the Florida Association of Counties.

There were no other speakers and the Chairman closed the public comment.

MOTION WAS MADE by Commissioner Lowther,  
SECONDED by Commissioner Davis, for discussion, to  
return the general fund millage rate to rollback.

Under discussion, staff pointed out that the budget would need to be cut \$5.3 million. Discussion ensued on how it could be done.

The Chairman CALLED THE QUESTION and the motion failed 2-3 (Chairman Neuberger, Commissioner Bowden and Vice Chairman Wheeler opposed.)

MOTION WAS MADE by Vice Chairman Wheeler,  
SECONDED by Chairman Neuberger, to work with the  
Constitutional Officers before next Wednesday to cut their  
budgets by \$5 million.

County Administrator Baird asked for clarification on how that could be achieved, saying he would need to advertise and would need time to get with the Constitutional Officers and make a recommendation.

Commissioner Bowden admonished her colleagues saying it seemed they were flying by the seat of their pants. She said that quality of service is expected and the County has



to provide it. She declared that such an action was not appropriate. She also suggested the Commissioners consider lowering their own salaries.

Vice Chairman Wheeler agreed this was a dilemma because the same people who want the service also want the budget cut.

Chairman Neuberger declared that the time to make these kinds of changes was at the workshops in July. He believed that such a change would reduce a taxpayer's bill by about \$100 but it would negatively impact services.

County Administrator Baird agreed it was too late to make such a change; it was not good planning, but was good rhetoric.

Vice Chairman Wheeler agreed the Board had time to do this previously, but now, at the 11<sup>th</sup> hour, was not the time to do it.

Vice Chairman Wheeler WITHDREW his motion.  
MOTION WAS DECLARED dead.

ON MOTION by Commissioner Lowther, SECONDED by Chairman Neuberger, the Board adopted the proposed millage (3.1973) for the General Fund by a 4-1 vote. (Commissioner Davis opposed.)

ON MOTION by Commissioner Bowden, SECONDED by Chairman Neuberger, the Board unanimously adopted

the proposed budget in the amount of \$85,992,375 for the General Fund.

**M.S.T.U.**

County Administrator Baird read into the record the proposed millage and budget. He gave highlights of this budget explaining that this tax is paid by all residents in the unincorporated areas.

The Chairman opened the floor to public comment. There were no speakers and the Chairman closed the public comment.

ON MOTION by Commissioner Davis, SECONDED by Commissioner Bowden, the Board unanimously adopted the proposed millage of 1.1336 for the M.S.T.U.

ON MOTION by Commissioner Davis, SECONDED by Commissioner Bowden, the Board unanimously adopted the proposed budget in the amount of \$31,594,558 for the M.S.T.U.

**TRANSPORTATION FUND**

County Administrator Baird gave details about the proposed Transportation Fund budget; there is no millage rate. The proposed budget is \$18,119,253.

The Chairman opened the floor to public comment. There were no speakers and the Chairman closed the public comment.

MOTION WAS MADE by Commissioner Davis,  
SECONDED by Vice Chairman Wheeler, to adopt the  
proposed millage for the Transportation Fund in the  
amount of \$18,119,253.

Under discussion, Commissioner Davis expressed concerns about unpaved roads and grading and maintenance of unpaved roads.

County Administrator Baird recounted that the heavy dump trucks related to the sand mines are tearing up the unpaved roads. He believed the sand mine company needs to pave their roads because the County receives numerous calls about their condition.

Public Works Director Jim Davis pointed out that Road and Bridge is having difficulty purchasing road material with the strength and bearing value to support the vehicles on unpaved roads and also that the costs of materials has gone up considerably.

Discussion ensued on the problems that the whole state is having in obtaining good road materials.

The Chairman CALLED THE QUESTION, and the motion carried unanimously. (Transportation Fund proposed budget of \$18,119,253 adopted.)

**EMERGENCY SERVICES DISTRICT**

County Administrator Baird read the proposed millage of 1.7639 and the proposed budget amount of \$30,063,673 and gave pertinent information that has affected this budget.

The Chairman opened the floor to public comment. There were no speakers and the Chairman closed the public comment.

ON MOTION by Commissioner Davis, SECONDED by Commissioner Bowden, the Board unanimously adopted the proposed millage of 1.7639 for the Emergency Services District.

ON MOTION by Commissioner Davis, SECONDED by Chairman Neuberger, the Board unanimously adopted the proposed budget of \$30,063,673 for the Emergency Services District.

**ENVIRONMENTALLY SENSITIVE LAND ACQUISITION**

County Administrator Baird announced the proposed millage rate of 0.1406 and the proposed budget of \$2,423,262 for the Land Acquisition Bond.

The Chairman opened the floor to public comment. There were no speakers and the Chairman closed the public comment.

ON MOTION by Commissioner Davis, SECONDED by Vice Chairman Wheeler, the Board unanimously adopted the proposed millage of 0.1406 for the Environmentally Sensitive Land Acquisition Bond fund.

ON MOTION by Commissioner Davis, SECONDED by Commissioner Bowden, the Board unanimously adopted the proposed budget of \$2,423,262 for the Environmentally Sensitive Land Acquisition Bond fund.

**LAND ACQUISITION BONDS – 2004 REFERENDUM**

County Administrator announced the proposed millage rate of 0.2702 and the proposed budget for the debt service as \$4,597,671.

The Chairman opened the floor to public comment. There were no speakers and he closed the public comment period.

ON MOTION by Commissioner Davis, SECONDED by Commissioner Bowden, the Board unanimously adopted the proposed millage rate of 0.2702 for the Land Acquisition Bonds – 2004 Referendum.

ON MOTION by Commissioner Davis, SECONDED by Vice Chairman Wheeler, the Board unanimously adopted the proposed budget of \$4,597,671 for the Land Acquisition Bonds – 2004 Referendum.

**AGGREGATE**

County Administrator Baird announced the proposed aggregate millage is 5.3681 and is 8.82% above rollback. He explained that no one pays this, but it is a figure required by the State to be calculated.

**6. SOLID WASTE DISPOSAL DISTRICT BUDGET (NON-AD VALOREM SPECIAL DISTRICT)**

**A. ANNOUNCE 2006-2007 PROPOSED CHARGE AND BUDGET**

County Administrator Baird announced the proposed SWDD charges and budget.

**B. PUBLIC COMMENTS**

The Chairman opened the floor to public comment. There were no speakers and he closed the public comment period.

**C. CONSIDERATION OF PROPOSED AMENDMENTS**

There was no discussion on the proposed amendments.

**D. ADOPTION OF TENTATIVE NON-AD VALOREM ASSESSMENT RATES**

ON MOTION by Commissioner Davis, SECONDED by Commissioner Bowden, the Board unanimously adopted the proposed \$46.50 per Residential Waste Generation Unit (\$74.40 House).

ON MOTION by Commissioner Davis, SECONDED by Commissioner Wheeler, the Board unanimously adopted the proposed \$31.41 per Commercial Waste Generation Unit.

ON MOTION by Commissioner Davis, SECONDED by Commissioner Wheeler, the Board unanimously adopted the proposed Readiness-to-Use Fee of \$20.02.

***E. ADOPTION OF TENTATIVE BUDGET***

ON MOTION by Commissioner Davis, SECONDED by Commissioner Bowden, the Board unanimously adopted the proposed \$12,231,100 budget for the SWDD.

**7. NON-AD VALOREM ASSESSMENT CHARGES**

***A. PROPOSED NON-AD VALOREM ASSESSMENT DISTRICT CHARGES FOR FY 2006/2007***

County Administrator Baird announced FY 2006/2007 proposed charges for each of the following Non-Ad Valorem Assessment Districts:

- |    |   |         |
|----|---|---------|
| 1. | Vero Lake Estates M.S.B.U.              | \$19.00 |
| 2. | East Gifford Stormwater M.S.B.U.        | \$15.00 |
| 3. | Gifford Street Lighting District        | \$21.00 |
| 4. | Laurelwood Street Lighting District     | \$18.00 |
| 5. | Rockridge Street Lighting District      | \$13.00 |
| 6. | Vero Highlands Street Lighting District | \$23.00 |



7.	Porpoise Point Street Lighting District	\$15.00
8.	Laurel Court Street Lighting District	\$25.00
9.	Tierra Linda Street Lighting District	\$24.00
10.	Vero Shores Street Lighting District	\$21.00
11.	Ixora Park Street Lighting District	\$19.00
12.	Royal Poinciana Street Lighting District	\$28.00
13.	Roseland Road Street Lighting District	\$ 2.00
14.	Whispering Pines Street Lighting District	\$19.00
15.	Moorings Street Lighting District	\$14.00
16.	Walker's Glen Street Lighting District	\$25.00
17.	Glendale Lakes Street Lighting District	\$38.00
18.	Floralton Beach Street Lighting District	\$29.00

***B. PUBLIC COMMENTS***

The Chairman opened the floor to public comment. There were no speakers and he closed the public comment period.

**C. CONSIDER ANY PROPOSED AMENDMENTS AND CALCULATE REVISED CHARGE**

There were no revisions.

**D. ADOPT TENTATIVE CHARGES**

ON MOTION by Commissioner Davis, SECONDED by Commissioner Bowden, the Board unanimously adopted the proposed Non-Ad-Valorem Assessment Charges as listed above.

**8. NON-AD VALOREM DOLLAR BUDGETS**

**A. FY 2006/2007 PROPOSED BUDGETS ANNOUNCED**

County Administrator Baird announced the FY 2006/2007 proposed budgets for the following budgets:

1.	Housing Authority	\$ 222,422
2.	Special Revenue Funds	\$151,070,108
3.	Other Debt Service Fund	\$ 1,244,063
4.	Capital Projects	\$ 58,124,480
5.	Enterprise Funds	\$ 51,761,565
6.	Internal Service Funds	\$ 25,075,798

***B. PUBLIC COMMENTS***

The Chairman opened the floor to public comment. There were no speakers and he closed the public comment period.

***C. CONSIDER ANY PROPOSED AMENDMENTS***

There were no proposed amendments.

***D. TENTATIVE BUDGET ADOPTED***

ON MOTION BY Commissioner Davis, SECONDED by Vice Chairman Wheeler, the Board unanimously adopted the proposed Non-Ad Valorem Budgets as listed above.

**9.A. ANNOUNCE TIME AND PLACE OF FINAL BUDGET HEARING**

Chairman Neuberger announced that the Final Budget hearing would be held at 5:01 P.M. on Wednesday, September 13, 2006, at the County Administration Building, Commission Chambers, 1840 25th Street, Vero Beach, Florida.

ALL BACKUP DOCUMENTATION IS ON FILE  
IN THE OFFICE OF THE CLERK TO THE BOARD  
AND IS HEREBY MADE A PART OF THESE MINUTES

There being no further business, on Motion duly made, seconded and carried, the Board adjourned at 6:22 P.M.

ATTEST:

\_\_\_\_\_

Jeffrey K. Barton, Clerk

\_\_\_\_\_

Arthur N. Neuberger, Chairman

Minutes Approved: \_\_\_\_\_

PR