

JEFFREY K. BARTON  
Clerk to the Board



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**JEFFREY K. BARTON**

Clerk to the Board



**April 13, 2010**

## **REGULAR MEETING OF THE BOARD OF COUNTY COMMISSIONERS**

The Board of County Commissioners of Indian River County, Florida, met in Regular Session at the County Commission Chambers, 1801 27<sup>th</sup> Street, Vero Beach, Florida, on Tuesday, April 13, 2010. Present were Chairman Peter D. O'Bryan, Vice Chairman Bob Solari, and Commissioners Wesley S. Davis, Joseph E. Flescher, and Gary C. Wheeler. Also present were County Administrator Joseph A. Baird, County Attorney Alan S. Polackwich, Sr., and Deputy Clerk Maureen Gelfo.

### **1. CALL TO ORDER**

Chairman O'Bryan called the meeting to order at 9:00 a.m.

### **2. INVOCATION**

Stan Boling, Planning Director, delivered the Invocation.

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

Vice Chairman Bob Solari led the Pledge of Allegiance to the Flag.

#### **4. ADDITIONS/DELETIONS TO THE AGENDA/EMERGENCY ITEMS**

Chairman O'Bryan requested the following changes to today's Agenda:

*MOVE: ITEM 8. CONSENT AGENDA TO BE HEARD FOLLOWING ITEM 5.F. PRESENTATION OF PROCLAMATION DESIGNATING APRIL 16, 2010 AS INDIAN RIVER TEA PARTY DAY OF AWARENESS AND PRIOR TO ITEM 5.G. PRESENTATION BY GLENN HERAN AND DR. FAHERTY ON CITY OF VERO BEACH ELECTRIC SYSTEM*

ON MOTION by Commissioner Davis, SECONDED by Vice Chairman Solari, the Board unanimously approved the Agenda as amended.

#### **5. PROCLAMATIONS AND PRESENTATIONS**

*5.A. PRESENTATION OF PROCLAMATION PROMOTING THE SPRING 2010 MIGHTY MITE BASEBALL SEASON*

Commissioner Wheeler read and presented the Proclamation to Recreation Department Director Cliff Crawford, Assistant Director Mike Redstone, and Athletic Supervisor Bob Wilson.

*5.B. PRESENTATION OF PROCLAMATION HONORING THE RECIPIENTS OF THE 2010 DAN K. RICHARDSON AWARD, DR. HUGH MCCRYSTAL AND MRS. ANN MARIE MCCRYSTAL*

Commissioner Flescher read and presented the Proclamation to Dr. Hugh McCrystal and Mrs. Ann Marie McCrystal.

**Freddie Woolfork**, Administrator of Development and Marketing, Gifford Youth Activity Center (GYAC), thanked the Board for joining with the GYAC in recognizing Dr. and Mrs. McCrystal. He introduced Carter Hopkins, Foundation Chair; Angelia Perry, Executive Director; and Bob Lamont, Foundation Executive Director of the GYAC.

**5.C. PRESENTATION OF PROCLAMATION RECOGNIZING APRIL 11 – 17, 2010, AS NATIONAL TELECOMMUNICATORS’ WEEK**

Commissioner Flescher read and presented the Proclamation to Sheriff Deryl Loar; Sandy Fox, Communications Director; and Public Safety Dispatchers Franny Bertin, Brandi Ooley, and Shelley Wright.

**5.D. PRESENTATION OF PROCLAMATION DESIGNATING APRIL 18 THROUGH APRIL 24, 2010 AS NATIONAL CLEANING FOR A REASON WEEK**

Vice Chairman Bob Solari read and presented the Proclamation to Tom Heveron, President of Beachland Cleaning.

**5.E. PRESENTATION OF PROCLAMATION RECOGNIZING APRIL 18 – 24, 2010 AS CRIME VICTIMS’ RIGHT WEEK IN INDIAN RIVER COUNTY, FLORIDA**

Chairman O’Bryan read and presented the Proclamation to Sheriff Deryl Loar; Shirley Roseman, Victim’s Advocate Director and President of the Victim Right’s Coalition; and Lisa Larson, Vice President Victim Right’s Coalition.

**5.F. PRESENTATION OF PROCLAMATION DESIGNATING APRIL 16, 2010 AS  
INDIAN RIVER TEA PARTY DAY OF AWARENESS**

Commissioner Davis read and presented the Proclamation to Toby Hill, Chairman, Indian River Tea Party.

*The Chairman called a break at 9:36 a.m. and reconvened the meeting at 9:46 a.m., with all members present.*

**5.G. PRESENTATION BY GLENN HERAN AND DR. FAHERTY ON CITY OF VERO  
BEACH ELECTRIC SYSTEM**

*(Clerk's Note: This item was heard following Item 8. Consent Agenda and is placed here for continuity.)*

**Dr. Stephen Faherty** used a PowerPoint presentation to review the situation whereby County residents living outside of the Vero Beach City Limits, whose electric service is provided by the City of Vero Beach Electric Utility, as well as other municipal utility customers, are paying much higher electric utility rates than individuals served by Florida Power & Light (FPL).

**Glenn Heran** presented an interactive PowerPoint (on file) to which he input several different fair market values for the City of Vero Beach Electric System, to outline various scenarios describing the benefits of selling the system to FPL. He reported that a copy of his presentation could be obtained by e-mailing him at [glenn@hfbllc.com](mailto:glenn@hfbllc.com).

Discussion ensued among Commissioners, Dr. Faherty, and Mr. Heran on how the County could help provide relief to the County residents paying Vero Beach Electric; the City's possible motives for holding onto the Utility; how switching to FPL from Vero Electric could be



an economic driver; the County's option to petition the Public Service Commission (PSC) for a change in the Territorial Agreement; the past performance of FPL and Vero Electric post-storm; and whether the City of Vero Beach Electric Utility could offer "green" incentives.

The following persons appeared before the Commission in support of the sale of the City of Vero Beach Electric Utility:

**Charlie Wilson**, 1057 6<sup>th</sup> Avenue

**Renee Renzi**, Waverly Place

**Jim Kirchner**, 24 Seagull Avenue, Vero Isles

**David Gregg**, Moorings

**J. Rock Tonkel**, 5055 North Harbor Drive, Grand Harbor, suggested that the Board invite the City Manager to make a presentation of its economic model for the Vero Beach Electric Utility.

Vice Chairman Solari supported Mr. Tonkel's idea, and suggested having a meeting for the City of Vero Beach to present its economic model, after which a meeting could be held to discuss both models.

Commissioner Wheeler also advocated having the City present its economic model; however, he wanted to have one meeting at which both models were discussed, with public input subsequent to each presentation.

Mr. Heran suggested that the Town of Indian River Shores be invited to the Workshop, and confirmed that he and Dr. Faherty, if the Board desired, would attend the Workshop.

MOTION WAS MADE by Commissioner Wheeler,  
SECONDED by Vice Chairman Solari, to invite the City  
of Vero Beach and the Town of Indian River Shores to a

Public Workshop with the County, for the purpose of having the City give a presentation of their economic model for the Vero Beach Electric Utility, and to have available Mr. Heran, Dr. Faherty, and appropriate County staff.

Commissioner O'Bryan stated, for the record, that the Board needs to give a five-year notice on its decision whether to renew the Franchise Agreement with the Vero Beach Electric Utility, and as such, a decision needs to be made by March 2012.

The Chairman CALLED THE QUESTION, and the Motion carried unanimously. The Board approved to hold a Workshop, inviting the City of Vero Beach and the Town of Indian River Shores, for the purpose of having the City make a presentation of their economic model for the Vero Beach Electric Utility, and to have available Mr. Heran, Dr. Faherty, and appropriate County staff.

Commissioner O'Bryan confirmed that he and Attorney Polackwich would draft the letter of invitation to James Gabbard, Vero Beach City Manager.

Commissioner Davis felt that prior to the Public Workshop, it would be appropriate for the County Attorney to advance his research on the Franchise Agreements with the City of Vero Beach, and on issues relating to FPL.

ON MOTION by Commissioner Davis, SECONDED by Vice Chairman Solari, the Board directed the County Attorney to review the County's Franchise Agreements with the City of Vero Beach, before the Workshop Meeting, and to advance his research on issues pertaining to FPL.

*The Chairman called a break at 11:15 a.m. and reconvened the meeting at 11:25 a.m., with all members present.*

## **6. APPROVAL OF MINUTES**

### **6.A. SPECIAL CALL MEETING OF FEBRUARY 22, 2010**

The Chairman asked if there were any corrections or additions to the Minutes of the Special Call Meeting of February 22, 2010. There were none.

ON MOTION by Vice Chairman Solari, SECONDED by Commissioner Davis, the Board unanimously approved the Minutes of the Special Call Meeting of February 22, 2010, as written.

### **6.B. REGULAR MEETING OF MARCH 2, 2010**

The Chairman asked if there were any corrections or additions to the Minutes of the Regular Meeting of March 2, 2010. There were none.

ON MOTION by Vice Chairman Solari, SECONDED by Commissioner Davis, the Board unanimously approved

the Minutes of the Regular Meeting of March 2, 2010, as written.

**7. INFORMATIONAL ITEMS FROM STAFF OR COMMISSIONERS  
NOT REQUIRING BOARD ACTION**

**7.A. 2010 ELECTION OF PARKS AND RECREATION COMMITTEE (PRC)  
CHAIRMAN AND VICE CHAIRMAN**

Noted for the record was the election of Thomas Johnson III as Chairman, and Councilmember Michael Ochsner as Vice Chairman, of the Parks and Recreation Committee (PRC) for 2010.

**7.B. INDIAN RIVER FARMS WATER CONTROL DISTRICT AUDIT REPORT FOR  
YEAR ENDED SEPTEMBER 30, 2008 IS ON FILE IN THE OFFICE OF THE  
CLERK TO THE BOARD**

**8. CONSENT AGENDA**

*(Clerk's Note: This item was heard following Item 5.F., and is placed here for continuity.)*

ON MOTION by Commissioner Davis, SECONDED by Commissioner Flescher, the Board unanimously approved the Consent Agenda, as presented.

**8.A. APPROVAL OF WARRANTS AND WIRES MARCH 26, 2010 TO APRIL 4, 2010**

ON MOTION by Commissioner Davis, SECONDED by Commissioner Flescher, the Board unanimously approved the list of Warrants and Wires as issued by the Clerk to the Board for the time period of March 26, 2010 to April 4, 2010, as recommended in the memorandum of April 4, 2010.

**8.B. PROCLAMATION HONORING DIANA A. JAGGERS ON HER RETIREMENT FROM INDIAN RIVER COUNTY BOARD OF COUNTY COMMISSIONERS DEPARTMENT OF EMERGENCY SERVICES/FIRE RESCUE WITH FOURTEEN YEARS SERVICE**

ON MOTION by Commissioner Davis, SECONDED by Commissioner Flescher, the Board unanimously approved the proclamation honoring Diana A. Jagers on her retirement from the Department of Emergency Services/Fire Rescue.

**8.C. SECTOR 3 BEACH RESTORATION PROJECT, REVISED CHANGE ORDER NO. 1 AND CHANGE ORDER NO. 2, RANGER CONSTRUCTION INDUSTRIES, INC.**

ON MOTION by Commissioner Davis, SECONDED by Commissioner Flescher, the Board unanimously approved revised Change Order No. 1, Attachment 1 to Change Order No. 1, and revised Change Order No. 2, with Ranger Construction Industries, Inc., increasing the total

contract price from \$7,270,806.90 to \$10,319,233.90, as recommended in the memorandum of March 29, 2010.

**8.D. MISCELLANEOUS BUDGET AMENDMENT 012**

ON MOTION by Commissioner Davis, SECONDED by Commissioner Flescher, the Board unanimously approved **Resolution 2010-029**, amending the fiscal year 2009-2010 budget.

**8.E. REQUEST TO SET A PUBLIC HEARING DATE REGARDING AN APPLICATION FOR A CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY FOR A CLASS B CERTIFICATE FROM COASTAL HEALTH SYSTEMS OF BREVARD TO PROVIDE NON-EMERGENCY ALS/BLS AMBULANCE INTERFACILITY TRANSPORTS**

ON MOTION by Commissioner Davis, SECONDED by Commissioner Flescher, the Board unanimously directed staff to schedule a Public Hearing for May 4, 2010, as the date to consider the application for a Class B Certificate of Public Convenience and Necessity filed by Coastal Health Services of Brevard to provide ALS/BLS Ambulance interfacility transports, as recommended in the memorandum of March 31, 2010.

**8.F. APPROVAL OF EXTENSION FOR FEDERALLY FUNDED HOMELAND  
SECURITY GRANT #08-DS-60-10-40-01-204**

ON MOTION by Commissioner Davis, SECONDED by Commissioner Flescher, the Board unanimously approved and authorized the Chairman to execute the Subgrant Agreement (#08-DS-60-10-40-01-204) extension with the Florida Department of Emergency Management, as recommended in the memorandum of April 1, 2010.

**8.G. APPROVAL OF EXTENSION FOR FEDERALLY FUNDED HOMELAND  
SECURITY GRANT #09-DS-20-10-40-01-421**

ON MOTION by Commissioner Davis, SECONDED by Commissioner Flescher, the Board unanimously approved and authorized the Chairman to execute the Subgrant agreement (#09-DS-20-10-40-01-421) extension with the Florida Department of Emergency Management, as recommended in the memorandum of April 1, 2010.

**8.H. APPROVAL OF AGREEMENT TO HAVE COUNTY MAIL PRE-SORTED AND  
TRANSPORTED TO ORLANDO IN EXCHANGE FOR REDUCED POSTAGE  
CHARGES**

ON MOTION by Commissioner Davis, SECONDED by Commissioner Flescher, the Board unanimously approved the Memorandum of Understanding with Address 'N Mail, Inc., (ANM) and the Addendum to the

Memorandum of Understanding with Address 'N Mail, Inc., and authorized the Chairman to execute the documents and the Postal Services Form 8096, all as recommended in the memorandum of April 5, 2010.

AGREEMENT IS ON FILE IN THE OFFICE OF THE CLERK TO THE BOARD

**8.I. BOARD CONSIDERATION TO APPROVE A RESOLUTION FOR A GRANT APPLICATION TO THE FLORIDA INLAND NAVIGATION DISTRICT FOR PUBLIC ACCESS IMPROVEMENTS ON THE FLINN TRACT OF THE INDIAN RIVER LAGOON GREENWAY**

ON MOTION by Commissioner Davis, SECONDED by Commissioner Flescher, the Board unanimously approved **Resolution 2010-030**, Attachment E-6, Resolution for Assistance under the Florida Inland Navigation District (FIND) Waterways Assistance Program.

**9. CONSTITUTIONAL OFFICERS AND GOVERNMENTAL AGENCIES-NONE**

**10. PUBLIC ITEMS**

**10.A. PUBLIC HEARINGS-NONE**

**10.B. PUBLIC DISCUSSION ITEMS-NONE**

**10.C. PUBLIC NOTICE ITEMS-NONE**



**11. COUNTY ADMINISTRATOR MATTERS-NONE**

**12. DEPARTMENTAL MATTERS**

**12.A. COMMUNITY DEVELOPMENT-NONE**

**12.B. EMERGENCY SERVICES-NONE**

**12.C. GENERAL SERVICES-NONE**

**12.D. HUMAN RESOURCES-NONE**

**12.E. HUMAN SERVICES-NONE**

**12.F. LEISURE SERVICES-NONE**

**12.G. OFFICE OF MANAGEMENT AND BUDGET-NONE**

**12.H. RECREATION-NONE**

**12.I. PUBLIC WORKS**

**12.I.1. STAFF UPDATE – SECTOR 3 BEACH RENOURISHMENT PROJECT**

Public Works Director Christopher Mora presented staff's update (report on file) on the Sector 3 Beach Renourishment Project.

**12.J. UTILITIES SERVICES-NONE**

**13. COUNTY ATTORNEY MATTERS**

**13.A. HOLMAN STADIUM USE GUIDELINES (DEFERRED FROM APRIL 6, 2010  
AGENDA)**

County Attorney Alan S. Polackwich, Sr., through review of the memorandum dated March 30, 2010, provided background information on the Board-initiated request to review the use guidelines with Minor League Baseball (MiLB) for the County's use of Holman Stadium, to determine whether they could be revised to be less restrictive. He stated that the two main proposed changes are: (1) replacement of the 501(c)(3) requirement with a general not-for-profit requirement, and (2) addition of a provision giving the Board discretion to waive any requirements of the guidelines and the County Administrator discretion to waive procedural requirements.

Vice Chairman Solari opposed the revised guidelines under Section A. Eligibility. He cautioned that the Board might be obliged to grant requests from all types of non-profits who would not be allowed under the current policy, which allows only 501(c)(3) designated organizations. He also feared allowing the non 501(c)(3) organizations would impart a political aspect to the use policy, and additionally, that it might be an infringement on the property rights of MiLB.

MOTION WAS MADE by Vice Chairman Solari, SECONDED by Commissioner Davis, for discussion, that the Board DENY the changes to the current Holman Stadium Use Guidelines under Section A. Eligibility, and maintain the wording that requesting user groups must be 501(c)(3) corporations.

Responding to Chairman O'Bryan's inquiry, Attorney Polackwich reviewed the criteria for 501(3)(c) and other 501c organizations.

Commissioner Flescher felt that opening up the use of the stadium to non 501(3)(c) organizations would create an excessive demand for use of the facility.

Commissioner Davis sought input from Attorney Polackwich regarding the other changes to the use policy.

Attorney Polackwich advised that the most important change to the use policy was under Section D, Insurance, which expanded out the indemnity obligation of the user, "...shall contain an indemnity from the user group to the County and MiLB for the costs of any damage or destruction to the Stadium or liabilities associated with personal-injury or death that occurs in connection with the use of the Stadium by the user group." He outlined the remaining changes, under Sections K. Procedures; L. Fiscal Reports; and P. Discretion.

Vice Chairman Solari objected to the first sentence under P. Discretion, "The County Commission shall have discretion to waive any requirement of the Use Guidelines when it determines that such waiver is in the best interests of the County." and asked that it be stricken from the revision.

Commissioner O'Bryan confirmed that the Commissioners were satisfied with all of the remaining changes to the revised guidelines.

MOTION WAS AMENDED by Vice Chairman Solari,  
SECONDED by Commissioner Davis to: (1) deny the changes under Section A. Eligibility and maintain the wording that requesting user groups must be 501(c)(3) corporations; (2) adopt the remaining revised Holman Stadium Use Guidelines for future use, under Sections D.

Insurance; K. Procedures; L. Fiscal Reports; and P. Discretion, with the DELETION of the first sentence from P.

The Chairman CALLED THE QUESTION, and the Amended Motion carried unanimously.

**13.B. DEPUTY COUNTY ATTORNEY AND ASSISTANT COUNTY ATTORNEY  
EMPLOYMENT CONTRACTS (DEFERRED FROM APRIL 6, 2010 AGENDA)**

Attorney Polackwich reviewed the memorandum of March 24, 2010 to provide a synopsis of the proposed changes made to the employment agreements for the Deputy and Assistant County Attorneys, pursuant to a Board directive issued on January 19, 2010 for him to review and make recommendations on the contracts. He thereafter presented staff's recommendation of the proposed contract form, the *Deputy/Assistant County Attorney Employment Agreement*, as presented on pages 88-91 of the backup.

Commissioner Wheeler presented arguments opposing the concept of employment contracts, unless they reflect terms similar to those in Attorney Polackwich's contract, or if the severance package is capped at thirty (30) days.

Attorney Polackwich, responding to Commissioners' questions, divulged that under the existing contract, the Deputy County Attorney would be going into his seventh year of employment, and would be eligible for approximately \$72,000 in severance dollars. He said that under the proposed contract, the Deputy County Attorney's severance would cap out to a maximum of four months' pay at the eighth year, at a cost of approximately \$50,000, but would not escalate in the future.

Commissioner Flescher objected to the severance amounts in both contracts, preferring the employees to have property rights, rather than severance payments.

Bill DeBraal, Deputy County Attorney, discussed the terms of his original employment agreement. He affirmed that he was willing to relinquish the receipt of severance which has been put into the proposed contract under the “termination for cause” clause, but as a matter of fairness, did not wish to go backwards on future contract renewals and bargain away severance already accrued.

Vice Chairman Solari felt that the proposed contract was in line with what the Commission has requested in the past, and gives the County Attorney the leverage he needs to run his office.

MOTION WAS MADE by Vice Chairman Solari, to approve staff’s recommendation. There was no Second. MOTION DIED.

Commissioner Wheeler agreed with the proposed contract because he did not think it was right to take away benefits which have already been anticipated. However, he would like to see contracts not being employed for future hires.

Commissioner Davis supported Attorney Polackwich’s recommendation for the proposed contracts for the Deputy and Assistant County Attorney, but he wanted to take a closer look at the stipulations which had been included in other employees’ contract agreements, which may have not come before the Board.

Vice Chairman Solari acknowledged Commissioner Wheeler’s comments, and offered a new Motion.

MOTION WAS MADE by Vice Chairman Solari, SECONDED by Commissioner Wheeler, to maintain the rights provided to the Deputy and Assistant County Attorneys as set forth in their existing contracts; however,

the severance payout terms would be capped at four (4) months of salary for the Deputy County Attorney, and three (3) months of salary for the Assistant County Attorney, as outlined in the proposed contract form.

Discussion ensued regarding creating policy for future hires.

Commissioner O'Bryan felt the proposed contract form provided the tools which the County Attorney would need to hire quality people, while providing him with some flexibility to dismiss an employee. He asked fellow Commissioners if the proposed template was what they wished to use for future hires.

MOTION WAS AMENDED by Vice Chairman Solari, SECONDED by Commissioner O'Bryan, to accept for future hires, the draft contract form of the Deputy/Assistant County Attorney Employment Agreement.

Commissioners Wheeler and Davis supported the proposed contract form for the current Deputy and Assistant County Attorneys, but did not want to follow it as a template for future hires.

A wide-ranging discussion ensued among Commissioners and staff, which focused upon how to handle future employee contracts.

The Chairman CALLED THE QUESTION, and by a 2-3 vote (Commissioners Flescher, Davis, and Wheeler opposed), the Motion FAILED. The Board DENIED accepting for future hires, the draft contract form of the

Deputy/Assistant County Attorney Employment Agreement.

MOTION WAS MADE by Vice Chairman Solari to approve the proposed contract form for the Deputy/Assistant County Attorney Employment Agreement for the current two attorneys, and to cap the severance to where it is today under the new contract, with no additional accrual of severance. There was no Second. MOTION DIED.

MOTION WAS MADE by Commissioner Wheeler, SECONDED by Commissioner Davis, to approve the proposed contract form as presented, for the current Deputy County Attorney and the Assistant County Attorney.

Discussion continued as Commissioners expressed opinions on liability, the need to avoid costly severance payments in the future, and the Ordinance governing employment contracts.

Commissioner Flescher preferred to see in the Deputy County and Assistant Attorney's contract similar terms such as those in Attorney Polackwich's contract.

The Chairman CALLED THE QUESTION, and by a 4-1 vote (Commissioner Flescher opposed), the Motion carried. The Board approved the proposed Deputy/Assistant County Attorney Employment Agreement contract form for the current Deputy and Assistant County Attorneys.

Further discussion ensued regarding the best way to handle future employment contracts, after which the Board took the following action:

ON MOTION by Vice Chairman Solari, SECONDED by Commissioner Wheeler, the Board unanimously directed staff to present an employment contract policy review, at the May 11, 2010 County Commission Meeting.

**13.C. WHETHER TO PREPARE A PROPOSED ECONOMIC DEVELOPMENT TAX EXEMPTION ORDINANCE IN ADVANCE OF THE NOVEMBER 2010 REFERENDUM**

Attorney Polackwich recalled that on April 6, 2010, the Board had voted to hold a referendum on the issue of economic development ad valorem tax exemptions at the November 2010 General Election. He stated that an Ordinance would be required to implement the tax exemption program, should it be approved, and presented staff's recommendation to prepare the draft Ordinance prior to the referendum.

ON MOTION by Commissioner Wheeler, SECONDED by Commissioner Flescher, the Board unanimously directed staff to prepare the proposed Economic Development Tax Exemption Ordinance.

Vice Chairman Solari asked Attorney Polackwich to bring the draft Ordinance back under County Attorney Matters, and not under the Consent Agenda.



**14.A. COMMISSIONER PETER D. O'BRYAN, CHAIRMAN**

**14.A.1. AN UPDATE OF THE FLORIDA ASSOCIATION OF COUNTIES LEGISLATIVE  
CONFERENCE (DEFERRED FROM APRIL 6, 2010 AGENDA)**

Chairman O'Bryan provided information regarding the Local Savings Act, which was developed by the Florida Association of Counties (FAC) and the Florida League of Cities. The Local Savings Act outlines and reveals the financial impact on local governments of approximately one dozen unfunded state mandates. The Act proposes eliminating, waiving, or postponing the unfunded mandates (presented on pages 98 and 99 of the backup), and putting the money into local budgets for local services.

**14.A.2. RETRACT APPOINTMENT TO THE COUNTY CANVASSING BOARD**

Chairman O'Bryan presented his request to retract the appointment made on March 23, 2010 of Vice Chairman Solari to the Canvassing Board, because Commissioner Solari's involvement in the campaign for one of the candidates conflicts with the statutory requirements.

MOTION WAS MADE by Commissioner Flescher,  
SECONDED by Commissioner O'Bryan, to retract the  
appointment of Vice Chairman Bob Solari to the County  
Canvassing Board, as requested in the memorandum of  
April 13, 2010.

Discussion ensued regarding the dilemma that all of the Commissioners are active, in some capacity, in the upcoming election.

Chairman O'Bryan stated that he would provide written notification to Judge Levin that none of the County Commissioners are able to serve on the Canvassing Board, and ask him to appoint another individual to serve in their stead.

The Chairman CALLED THE QUESTION, and the Motion carried unanimously. The Board approved to retract the appointment of Vice Chairman Bob Solari to the County Canvassing Board, as requested in the memorandum of April 13, 2010.

**14.B. COMMISSIONER BOB SOLARI, VICE CHAIRMAN-NONE**

**14.C. COMMISSIONER WESLEY S. DAVIS-NONE**

**14.D. COMMISSIONER JOSEPH E. FLESCHER-NONE**

**14.E. COMMISSIONER GARY C. WHEELER-NONE**

**15. SPECIAL DISTRICTS AND BOARDS**

**15.A. EMERGENCY SERVICES DISTRICT-NONE**

**15.B. SOLID WASTE DISPOSAL DISTRICT-NONE**

**15.C. ENVIRONMENTAL CONTROL BOARD-NONE**

ALL BACKUP DOCUMENTATION, RESOLUTIONS, AND ORDINANCES ARE ON FILE IN THE OFFICE OF THE CLERK TO THE BOARD AND ARE HEREBY MADE A PART OF THESE MINUTES

**16. ADJOURNMENT**

There being no further business, the Chairman declared the meeting adjourned at 12:50 p.m.

ATTEST:

\_\_\_\_\_  
Jeffrey K. Barton, Clerk

\_\_\_\_\_  
Peter D. O'Bryan, Chairman

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

BCC/MG/2010Minutes