

JEFFREY K. BARTON  
Clerk to the Board



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OF BOARD OF COUNTY COMMISSIONERS  
OF MARCH 8, 2011

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**JEFFREY K. BARTON**

Clerk to the Board



**March 8, 2011**

**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, March 8, 2011. Present were Chairman Bob Solari, Vice Chairman Gary C. Wheeler, and Commissioners Wesley S. Davis, Joseph E. Flescher, and Peter D. O'Bryan. Also present were County Administrator Joseph A. Baird, County Attorney Alan S. Polackwich, Sr., and Deputy Clerk Maureen Gelfo.

**1. CALL TO ORDER**

Chairman Solari called the meeting to order at 9:00 a.m.

**2. INVOCATION**

Planning Director Stan Boling delivered the Invocation.

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

Commissioner Joseph E. Flescher led the Pledge of Allegiance to the Flag.

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

Commissioner O'Bryan reported that there had been a request to add a seventh Agreement to the six Grant Renewal Agreements up for approval under Item 8.I. He preferred to have this item placed on the March 15, 2011 agenda to allow time for Board review.

**Louise Hubbard**, Executive Director, Treasure Coast Homeless Services Council, stated that the U.S. Department of Housing and Urban Development (HUD) had made the request, but deferring the item for one week would not adversely affect the agreement.

Commissioner Davis did not want to set a precedent for adding non-emergency items.

MOTION WAS MADE by Commissioner Davis,  
SECONDED by Commissioner Flescher, to approve the  
Agenda as written.

Vice Chairman Wheeler remarked that, as it was identical, the seventh Grant Renewal Agreement could have been included with the six Agreements up for approval today.

The Chairman CALLED THE QUESTION, and the  
Motion carried unanimously. The Board approved the  
Agenda, as written.

### **5. PROCLAMATIONS AND PRESENTATIONS-NONE**

**6. APPROVAL OF MINUTES**

**6.A. REGULAR MEETING OF JANUARY 11, 2011**

**6.B. JOINT MEETING WITH CITY OF VERO BEACH CITY COUNCIL OF JANUARY 11, 2011**

**6.C. REGULAR MEETING OF JANUARY 18, 2011**

The Chairman asked if there were any corrections or additions to the Minutes listed above. There were none.

ON MOTION by Commissioner Flescher, SECONDED by Commissioner Davis, the Board unanimously approved the Minutes of the Regular Meeting of January 11, 2011; the Minutes of the Joint Meeting of January 11, 2011 with the City of Vero Beach City Council; and the Minutes of the Regular Meeting of January 18, 2011, as written.

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

**7.A. 2011 ELECTION OF PLANNING & ZONING COMMISSION CHAIRMAN AND VICE CHAIRMAN**

Noted for the record was the election of Donna Keys as Chairman, and Sam Zimmerman as Vice Chairman, of the Planning & Zoning Commission for the year 2011.

**7.B. JUDGE APPOINTEE TO THE CHILDREN'S SERVICES ADVISORY  
COMMITTEE**

Noted for the record was the replacement of the Honorable Robert Pegg with the Honorable Robert A. Hawley, as the Judge Appointee to the Children's Services Advisory Committee.

**7.C. ELECTION OF TRANSPORTATION DISADVANTAGED LOCAL COORDINATING  
BOARD VICE CHAIRMAN**

Noted for the record was the election of William Lundy Parden as Vice Chairman of the Transportation Disadvantaged Local Coordinating Board (TDLCB) for the year 2011.

**8. CONSENT AGENDA**

Vice Chairman Wheeler requested Item 8.I. be pulled for discussion.  
Commissioner O'Bryan requested Item 8.F. be pulled for discussion.

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



**8.A. APPROVAL OF WARRANTS AND WIRES – FEBRUARY 18, 2011 TO  
FEBRUARY 24, 2011**

ON MOTION by Commissioner Flescher, SECONDED by Commissioner Davis, the Board unanimously approved the list of Warrants and Wires as issued by the Clerk to the Board for the time period of February 18, 2011 to February 24, 2011, as requested in the memorandum of February 18, 2011.

**8.B. APPROVAL OF PAYMENT FOR WORK ORDER NO. 4 FOR SEDIMENTATION  
SYSTEM DREDGING AT PC MAIN**

ON MOTION by Commissioner Flescher, SECONDED by Commissioner Davis, the Board unanimously authorized payment of Work Order No. 4 for a total of \$6,820.00, with EMC Divers, Inc., as recommended in the memorandum of February 23, 2011.

**8.C. FINAL PAY TO CAROLLO ENGINEERING FOR WORK AUTHORIZATION  
No. 1**

ON MOTION by Commissioner Flescher, SECONDED by Commissioner Davis, the Board unanimously approved final payment to Carollo Engineers for Work Authorization No. 1, a Water Quality Review and Evaluation, in the amount of \$1,581.80, as recommended in the memorandum of February 23, 2011.

**8.D. WORK ORDER NO. 22 FINAL PAY AND RELEASE OF RETAINAGE CARTER ASSOCIATES, INC., OLD DIXIE HIGHWAY, 69<sup>TH</sup> STREET TO CR510, RIGHT-OF-WAY MAPPING, IRC PROJECT NO. 0934**

ON MOTION by Commissioner Flescher, SECONDED by Commissioner Davis, the Board unanimously approved payment of Carter Associates, Inc. Invoice No. 09361-4, dated February 22, 2011 in the amount of \$5,125.20 for final payment and release of retainage for Work Order No. 22, as recommended in the memorandum of February 22, 2011.

**8.E. WORK ORDER NO. 1 CARTER ASSOCIATES, INC., OLD DIXIE HIGHWAY RIGHT-OF-WAY MAP FROM OSLO ROAD TO EAST BOUND SR 60 – INDIAN RIVER COUNTY PROJECT NO. 1101**

ON MOTION by Commissioner Flescher, SECONDED by Commissioner Davis, the Board unanimously: (1) approved Work Order No. 1, authorizing Project No. 1101 as outlined in the Scope of Services: and (2) authorized the Chairman to execute Work Order No. 1 with Carter Associates, Inc., for a lump sum fee of \$81,250.00, as recommended in the memorandum of February 16, 2011.

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

**8.F. APPROVAL OF BID AWARD FOR IRC BID NO. 2011033, ASBESTOS  
ABATEMENT AND/OR DEMOLITION OF SIX (6) STRUCTURES**

Commissioner O'Bryan noted that this bid award was for the demolition of Gifford Gardens Apartments. He asked the County Attorney how the demolition of the property might be affected if purchased by a new owner.

Attorney Polackwich stated there has been no change in ownership of the subject property, nor any confirmation of a transfer of ownership. He opined that the Board was still on a legal path to demolition.

**David Leeland**, Riverwind Development, reading from a prepared statement, outlined his proposal to convert Gifford Gardens to condominiums. He asked the Board to delay the bid award for the demolitions for a period of thirty to ninety days, to allow him time to see if he could garner enough support to bring the project to fruition.

Julianne Price, Health Department, and Deputy Roberta Barker, addressed the Board conjointly, entreating the Board to proceed with the demolition of Gifford Gardens. Deputy Barker later added that the building was deteriorating further each year and a danger to the community.

Commissioner Davis spoke to the benefits to the community which would be afforded by the condominium ownership proposed by Mr. Leeland. He was willing to grant Mr. Leeland 30 days in which to gather community support and firm up his proposal.

Commissioner Flescher acknowledged Mr. Leeland's vision; however, he felt that the demolition of the building must proceed for public safety and health.

Vice Chairman Wheeler felt that condominium ownership would have a beneficial impact on the neighborhood and would also save taxpayers \$150,000 in demolition costs. He

therefore favored giving Mr. Leeland 30 days to determine community support, after which he could re-address the Board.

Chairman Solari declared that any delay in demolishing Gifford Gardens would be intolerable.

Commissioner O'Bryan wanted the demolition to proceed, noting that others have tried and failed to rehabilitate Gifford Gardens.

MOTION WAS MADE by Commissioner O'Bryan,  
SECONDED by Commissioner Flescher, to approve  
staff's recommendation.

Commissioner Davis stated that because circumstances have changed, he would not support the Motion for demolition at this time.

**Timothy Conn**, TCN Enterprises, attested that Gifford Gardens was structurally sound and estimated that the rehabilitation could be accomplished for \$35,000 per unit.

The Chairman CALLED THE QUESTION, and by a 3-2 vote (Commissioners Davis and Wheeler opposed), the Motion carried. The Board approved: (1) the **demolition** portion of the bid, for six structures located at 4730 40<sup>th</sup> Avenue (Gifford Gardens) be awarded to ***Cross Environmental Services, Inc.***, in the amount of \$67,220.00, as the lowest most responsive and responsible bidder, meeting the specifications as set forth in the Invitation to Bid; (2) the **asbestos abatement** portion of the bid be awarded to ***All Phase Solutions, LLC***, in the amount of \$12,700.00 as the lowest most responsive and

responsible bidder, meeting the specifications as set forth in the Invitation to Bid; and (3) approved the sample agreement and authorized the Chairman to execute said agreement after receipt and approval of the required certificate of insurance from each company; and (4) approved the Indian River County Building Official recommendation to include the following statement in the agreement: "Demolition Contractor must strictly adhere to section 5.5 "SPECIFIC RECOMMENDATIONS" of the EE&G Construction & Electrical, LLC Pre-Demolition Asbestos Survey Report. The Demolition Contractor is responsible for providing the required airborne fiber monitoring by a properly licensed consultant/contractor", all as stated and recommended in the memorandum of March 1, 2011.

**8.G. F.D.O.T. LOCAL AGENCY PROGRAM (LAP) AGREEMENT – FPN No. 423186-1-58-01 AND RESOLUTION AUTHORIZING THE CHAIRMAN’S SIGNATURE, OLD DIXIE HIGHWAY SIDEWALK FROM 38<sup>TH</sup> LANE TO 65<sup>TH</sup> STREET, IRC PROJECT No. 0845**

ON MOTION by Commissioner Flescher, SECONDED by Commissioner Davis, the Board unanimously approved **Resolution 2011-015**, authorizing execution of a Local Agency Program Agreement for the sidewalk construction on Old Dixie Highway from 38<sup>th</sup> Lane to 65<sup>th</sup> Street, with the State of Florida Department of Transportation, and providing for an effective date.

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

**8.H. WORK ORDER NO. 2 CARTER ASSOCIATES, INC., OLD DIXIE HIGHWAY  
TOPOGRAPHIC SURVEY FROM 8<sup>TH</sup> STREET (GLENDALE ROAD) TO EAST  
BOUND SR 60, INDIAN RIVER COUNTY PROJECT NO. 1102**

ON MOTION by Commissioner Flescher, SECONDED by Commissioner Davis, the Board unanimously approved and authorized the Chairman to execute Work Order No. 2 with Carter Associates, Inc., for a lump sum fee of \$24,540.00, authorizing Project 1102 as outlined in the Scope of Services, as recommended in the memorandum of February 16, 2011.

WORK ORDER ON FILE IN THE OFFICE OF THE CLERK TO THE BOARD

**8.I. APPROVAL OF H.U.D. RENEWAL GRANTS TO INDIAN RIVER COUNTY  
ADMINISTERED THROUGH TREASURE COAST HOMELESS SERVICES  
COUNCIL, INC.**

Vice Chairman Wheeler asked Attorney Polackwich to read aloud the Shelter Plus Care Renewal Agreement (pages 87 and 88 of the Agenda Packet) so the public could see the amount of bureaucracy involved in obtaining federal money. He thereafter commented on the implications of accepting government funding.

MOTION WAS MADE by Vice Chairman Wheeler to DENY the grant applications for federal funding. MOTION DIED for lack of a SECOND.

ON MOTION by Commissioner O'Bryan, SECONDED by Commissioner Flescher, by a 4-1 vote (Vice Chairman Wheeler opposed), the Motion carried. The Board approved and authorized the Chairman to execute the following six new Housing and Urban Development (H.U.D.) Grant Agreements:

- (1) 2010 Alcohope Renewal
- (2) 2010 Transitional Housing Renewal
- (3) 2010 HMIS Expansion Renewal
- (4) 2010 New Chronicles
- (5) 2020 New Horizons 1
- (6) 2010 CoCWIDE HMIS Renewal

AGREEMENTS ON FILE IN THE OFFICE OF THE CLERK TO THE BOARD

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

**10. PUBLIC ITEMS**

**10.A. PUBLIC HEARING FOR AMENDMENT TO SECTION 100.034(4) 100.03(4) OF THE CODE OF INDIAN RIVER COUNTY, CODIFYING AND PUBLISHING THE ORDINANCES TO READOPT THE CODE UP TO AND INCLUDING SUPPLEMENT 84 (LEGISLATIVE)**

PROOF OF PUBLICATION OF ADVERTISEMENT FOR HEARING IS ON FILE IN THE  
OFFICE OF THE CLERK TO THE BOARD

Attorney Polackwich advised that the Public Hearing and readoption of County Code would bring the County into compliance with the State's requirement for an annual update of County Code.

*The Chairman opened the Public Hearing.*

*There being no speakers, the Chairman closed the Public Hearing.*

ON MOTION by Commissioner O'Bryan, SECONDED by Chairman Solari, the Board unanimously adopted **Ordinance 2011-001**, amending Section 100.03(4) of the Code of Indian River County ("The Code"), codifying and publishing the Ordinances up to and including Supplement 84 thereto, readopting the Code, designating the Code as the best evidence of the current law of Indian River County, Florida, and providing for severability, codification, and an effective date.

**10.B. PUBLIC DISCUSSION ITEMS**

**10.B.1. REQUEST TO SPEAK FROM GLENN HERAN, CPA, AND DR. STEPHEN J.**

**FAHERTY, SR. REGARDING REGIONALIZATION OF**

**WATER/SEWER/IRRIGATION IN COUNTY, CITY, AND SHORES**

Dr. Stephen J. Faherty Sr. and Glenn Heran, CPA, gave a PowerPoint presentation (copy on file) of their model for regionalizing the County's Water, Sewer, and Irrigation (WSI) services, which would be accomplished by the County assuming the utility operations for the City of Vero Beach (the City), the Town of Indian River Shores (the Shores), and the South Beach region. They provided background history and analysis, contrasting the financial health of the WSI facilities of the City with the County, and explaining how the rate structures and debt ratios would impact each utility. They conveyed that the City's existing rates are insufficient to



fund the net revenue requirements of the WSI systems through fiscal year 2014, whereas the County's utility rates are sufficient to ensure the continuing financial health of utility operations. Dr. Faherty and Mr. Heran concluded that it would be beneficial for the County to provide consolidated water and sewer service for the City, County, Town of Indian River Shores, and the South Beach area.

Extended discussion ensued wherein Dr. Faherty and Mr. Heran responded to questions and comments from the Board on the presentation data. Topics included, but were not limited to, the benefits that the proposal would generate for the City and ratepayers; the fair market value of the City's utilities system; the rate sufficiency of the City and County; the future of the City's utility due to declining customer base; the need for capital improvements; and current and projected rates for utility customers of all the municipalities.

Commissioner O'Bryan and Chairman Solari acknowledged and commended the City's contributions for the past provision of water services.

Commissioners, staff, and Messrs. Faherty and Heran agreed that the regionalization model seemed like a beneficial move for the City, because utility customers would have lower rates, the risk of losing South Beach customers would be eliminated, and the City's debt would be assumed by the County.

Administrator Baird explained that a similar model had been successfully followed in the past, when the County purchased the City of Sebastian's utility system for its debt. He was confident that the plan proposed by Messrs. Faherty and Heran could be successfully and speedily accomplished, if the City entered into an agreement with the County.

Vice Chairman Wheeler, while acknowledging that the model sounded good, spoke to the necessity to consider Dr. Faherty and Mr. Heran's proposal in detail. He pointed out that, among other things, the Board needed to consider infrastructure and whether the City might be able to

institute a legal challenge pursuant to Florida Statutes Chapter 180, *Municipal Public Works*, which allows the City to do a reach-out of five miles in the unincorporated areas.

Several Commissioners emphasized that it was important for the City to be the one approaching the County about the regionalization, and not the other way around.

**Dr. Faherty** confirmed that he and Mr. Heran would present, later this month, their model to the City and Indian River Shores, and hopefully, it would provide a springboard for interlocal discussions.

Commissioner Davis felt the current focus should be on providing service to the County residents in the unincorporated and South Beach areas.

Discussion continued, after which the Board concluded that the County should let the City know it would not be renewing the existing Franchise Agreement, and would either proceed with a regional system, or assume the provision of water utility services to the South Beach region.

Vice Chairman Wheeler advocated having a joint meeting with the City, so both municipalities could assess what would be the best water utilities program for the ratepayers.

Chairman Solari observed that the County has opened up discussion, but the new City Council needs time to catch up on this issue.

*The Chairman called a recess at 11:03 a.m. and reconvened the meeting at 11:16 a.m., with all members present.*

**10.C. PUBLIC NOTICE ITEMS**

**10.C.1. NOTICE OF SCHEDULED PUBLIC HEARING MARCH 22, 2011:**

**LUISA GARCIA'S REQUEST FOR SPECIAL EXCEPTION USE APPROVAL FOR A  
DEMOLITION DEBRIS FACILITY AND FOR ADMINISTRATIVE PERMIT USE  
APPROVAL FOR AN ASSOCIATED RECYCLING FACILITY TO BE KNOWN AS  
A-1 WALEE RECYCLING CENTER LOCATED AT 6350 OSLO ROAD (QUASI-  
JUDICIAL)**

**10.C.2. NOTICE OF SCHEDULED PUBLIC HEARING MARCH 22, 2011:**

**COUNTY INITIATED REQUEST TO AMEND THE COMPREHENSIVE PLAN'S  
FUTURE LAND USE ELEMENT POLICY 1.16 TO ALLOW UP TO  
TWENTY- FIVE PERCENT (25%) RECREATIONAL VEHICLE USE WITHIN  
SMALL MOBILE HOME RENTAL PARKS OF LESS THAN 20 ACRES IN SIZE  
(LEGISLATIVE)**

County Attorney Alan S. Polackwich, Sr. read the notices into the record.

**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-NONE**

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

**13. COUNTY ATTORNEY MATTERS**

**13.A. PROPOSED SETTLEMENT OF LEWIS BARTON / CITY FIRST MORTGAGE  
CORP. CODE ENFORCEMENT BOARD LIEN**

Attorney Polackwich, through review of his March 2, 2011 memorandum, provided background history on the County's Code Enforcement Board lien on a beachfront property located at 2025 Surfside Terrace and formerly owned by Lewis Barton. He described the terms of the proposed settlement agreement that was reached on February 9, 2011, between the County and the current property owner and title company, City First Mortgage Corporation (City First), and National Title Insurance Company of New York (National Title), respectively. He conveyed that in return for the County's acceptance of \$150,000 to release the lien, City First would remove the partially completed structure from the property. He added that the County would also remove a second lien that was placed on the property in 2006.

MOTION WAS MADE by Commissioner Flescher,  
SECONDED by Vice Chairman Wheeler, to approve  
staff's recommendation.

Relating that former owner Lewis Barton had recently filed a *lis pendens* (which was dismissed), Commissioner Davis said he did not want to reduce the lien amount until he was sure it wasn't going to constitute a reduction for Mr. Barton. He did not believe the lien was interfering with the potential sale of the property, and stated that it sets bad precedent to affect this lien reduction, when it has not been done for other cases. Commissioner Davis emphasized that the lien payment the County would receive from the settlement is not adequate compensation for all the distress this matter has caused staff and taxpayers through the years.

Attorney Polackwich, responding to questions from Vice Chairman Wheeler, described the legal process of recouping lien payment if today's settlement agreement is not approved. He said the lien payment could take up to three years, and that although there is a good likelihood of the County collecting the money, there are no guarantees. He also noted that in the absence of a settlement, City First was not required to remove the structure from the property.

Vice Chairman Wheeler and Commissioner O'Bryan stressed the importance of tearing down the structure and cleaning up the property, on behalf of the neighborhood residents.

Commissioner Davis reiterated that the County should be compensated for the uneasiness which the situation at 2025 Surfside Terrace has caused the County and its residents.

Chairman Solari indicated support for Commissioner Davis's position.

The Chairman CALLED THE QUESTION, and by a 3-2 vote (Commissioners Davis and Solari opposed), the Board approved the proposed Mediation Settlement Agreement with City First Mortgage Corporation and National Title Insurance of New York, as recommended in the memorandum of March 2, 2011.

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

## **14. COMMISSIONER ITEMS**

### **14.A. COMMISSIONER BOB SOLARI, CHAIRMAN**

#### **14.A.1. AMTRAK-FLORIDA EAST COAST RAIL CORRIDOR PROJECT**

Chairman Solari used quotes from the financial magazine *Barron's*, from writer Robert Samuelson, and from the *Financial Plan for the Florida East Coast (FEC) Corridor Amtrak Service High Speed Intercity Passenger Rail (HSIPR)* to substantiate his concerns about the proposed Amtrak-Florida East Coast (FEC) Rail Corridor Project, a Federal initiative that he averred would siphon tax dollars from the citizens. He was apprehensive about the lack of an investment-grade financial plan for funding and maintaining the project, as well as density changes that were being promoted near the train stations. He asked the Board to reverse Resolution 2009-120 (approved on August 18, 2009), supporting inclusion of the Amtrak-FEC Corridor Project as part of the Federal Economic Stimulus package for the State of Florida, and to pass a new Resolution opposing the FEC Rail Corridor Project.

Vice Chairman Wheeler expressed support for Commissioner Solari's proposal.

MOTION WAS MADE by Vice Chairman Wheeler, SECONDED by Chairman Solari, to reverse Resolution 2009-120 by having the County Attorney draft a Resolution of Opposition to the Amtrak-Florida East Coast Rail Corridor Project.

Commissioner Davis acknowledged Chairman Solari's points about funding; however, he noted that the Metropolitan Planning Organization (MPO), representing the local governments, has already, by a 12-1 vote, confirmed its support for the Amtrak Project.

Chairman Solari stated that the financial implications were not there when the MPO first considered this matter, but now that there are more facts, the Board has the authority to do the right thing and pass the Resolution of Opposition.

Commissioner O'Bryan foresaw the Amtrak Project as an economic driver for the area, and spoke of the need to have a paradigm shift away from an automobile-based system to more public transportation. He asserted that such a change would result in fewer carbon emissions, less military presence because of reduced oil dependency, and fewer highway repairs.

Vice Chairman Wheeler advised that, unless it is for a large municipality, the cost-benefit analysis for public transportation shows a poor rate of return. He declared that most people do not want to relinquish their cars; thus, train travel would not be a cost benefit.

Chairman Solari spoke to the great bus system the County has, and voiced fears that any Federal funding for that system might be withdrawn as the Government accrues debt on the Corridor Project.

Commissioner Flescher felt that it was important for the County's future growth and economic development to be included in the Amtrak-FEC Rail Corridor Project.

**Renee Renzi**, Waverly Place, urged the Board to support the Amtrak Project. She maintained that it would be economically beneficial and a great transportation option for County residents and out-of-County tourists.

The Chairman CALLED THE QUESTION, and by a 2-3 vote (Commissioners Davis, Flescher, O'Bryan opposed) the Motion FAILED.

Commissioner Davis invited Chairman Solari to bring up this matter at a future MPO meeting.

#### **14.A.2. PENSIONS FOR ELECTED OFFICIALS**

With the goal of reducing the amount of taxpayer dollars going into the Florida Retirement System (FRS), Chairman Solari suggested that elected officials be required to contribute to their individual investment plans. He stated another means of achieving this would be to put elected officials in the 1.6% (percentage of salary guaranteed per year of service) *general employee* category, rather than in the current 3% *special risk* category.

Commissioner O'Bryan mentioned that the State currently has two proposals that would affect all County employees, including elected officials: (1) the "Governor's Recommendation on Pension Reform" would require all FRS participants to contribute 5% of their salary towards their pension plans; and (2) Senate Bill 1130 would require all employees to contribute 2% towards their pension plans.

Discussion ensued as individual Board members voiced support for Chairman Solari's suggestion for the employee contributions.

Commissioner O'Bryan opined that the State Legislators might agree to remove from the special risk category "local elected officials", but might not want to remove themselves.



ON MOTION by Commissioner Davis, SECONDED by Chairman Solari, the Board unanimously approved supporting the State's efforts to reduce Florida Retirement System's (FRS) contributions to County employee pension plans by requiring County employees, including elected officials, to contribute to their individual FRS retirement funds.

**14.B. COMMISSIONER GARY C. WHEELER, VICE CHAIRMAN-NONE**

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

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

**14.E. COMMISSIONER PETER D. O'BRYAN**

**14.E.1. HIBISCUS FESTIVAL SHOPPING CART FOOD DRIVE**

Commissioner O'Bryan asked fellow Commissioners if they wished to sponsor a shopping cart for the Hibiscus Festival Shopping Cart Parade on Saturday, April 16, 2011, at 3:00 p.m. in downtown Vero Beach. He explained that food donations would be accepted and placed in a decorated shopping cart in the County Administration Building, transported to the Festival site, and after the event, donated to the Harvest Food & Outreach Center.

Chairman Solari sought and received confirmation from Commissioner O'Bryan that no tax dollars would be involved; it would be a Board project. He also mentioned drafting a letter challenging the Municipalities to compete for the most decorative shopping cart.

ON MOTION by Commissioner O'Bryan, SECONDED by Commissioner Davis, the Board unanimously approved for the Board of County Commissioners to sponsor a shopping cart and participate in the Hibiscus Festival Shopping Cart Parade on Saturday, April 16, 2011, at 3:00 p.m. in downtown Vero Beach, to benefit the Harvest Food and Outreach Center, as requested in the memorandum of February 28, 2011.

## **15. SPECIAL DISTRICTS AND BOARDS**

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

### **15.B. SOLID WASTE DISPOSAL DISTRICT**

The Chairman announced that immediately upon adjournment of the Regular Emergency Services District Meeting, the Board would reconvene as the Board of Commissioners of the Solid Waste Disposal District. Those Minutes are being prepared separately.

#### **15.B.1. APPROVAL OF MINUTES MEETING OF DECEMBER 21, 2010**

#### **15.B.2. APPROVAL OF MINUTES MEETING OF JANUARY 11, 2011**

#### **15.B.3. APPROVAL OF BID AWARD FOR IRC BID NO. 2011027, PHASE I – SITE PREPARATION CLASS I LANDFILL SEGMENT 3 LATERAL LANDFILL EXPANSION**

### **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 12:05  
p.m.

ATTEST:

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

\_\_\_\_\_  
Bob Solari, Chairman

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

BCC/MG/2011Minutes