

JEFFREY K. BARTON
Clerk to the Board



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OF BOARD OF COUNTY COMMISSIONERS

MAY 24, 2011

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JEFFREY K. BARTON

Clerk to the Board



May 24, 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 27th Street, Vero Beach, Florida, on Tuesday, May 24, 2011. Present were Chairman Bob Solari, Vice Chairman Gary C. Wheeler, Commissioners Wesley S. Davis, Joseph E. Flescher, and Peter D. O'Bryan. Also present were Assistant County Administrator Michael Zito, County Attorney Alan S. Polackwich, Sr., and Deputy Clerk Leona Adair Allen.

1. CALL TO ORDER

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

2. INVOCATION

Commissioner Davis delivered the Invocation.

3. PLEDGE OF ALLEGIANCE

Chairman Solari led the Pledge of Allegiance to the Flag.

4. ADDITIONS/DELETIONS TO THE AGENDA/EMERGENCY ITEMS

- NONE

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

5. PROCLAMATIONS AND PRESENTATIONS

5.A. PRESENTATION OF PROCLAMATION DESIGNATING MAY 30, 2011 AS MEMORIAL DAY

Commissioner Davis read and presented the Proclamation to Colonel Marty Zickert.

Colonel Zickert thanked the Commissioners for the support they provide to Veterans. He provided information regarding an upcoming August “stand down” event sponsored by the Veterans Administration.

5.B. PRESENTATION OF PROCLAMATION DESIGNATING THE MONTH OF MAY AS CIVILITY MONTH

Chairman Solari read and presented the Proclamation to Deputy County Attorney William K. DeBraal.

5.C. PUBLIC ANNOUNCEMENT FOR HURRICANE PREPAREDNESS – ARE YOU READY?

Managing Director of the Solid Waste Disposal District (SWDD) Himanshu Mehta, and Chief of Emergency Services John King, encouraged residents to start preparing for the June 1, 2011 Hurricane Season. They provided an overview of the measures homeowners should take

prior to a storm, reminded citizens to have their hurricane preparedness kits ready, and spoke about a recent hurricane exercise that Florida Counties participated in. They also encouraged residents to attend the 2011 Hurricane Exposition at the Indian River Mall on Saturday, June 11, 2011, from 10:00 a.m. to 3:00 p.m.

6. APPROVAL OF MINUTES

6.A. REGULAR MEETING OF APRIL 19, 2011

6.B. JOINT MEETING WITH CITY OF VERO BEACH CITY COUNCIL ON APRIL 29, 2011 – REGIONALIZATION OF WATER AND SEWER UTILITIES

The Chairman asked if there were any corrections or additions to the Minutes of the Regular Meeting of April 19, 2011; or the Joint Meeting with the City of Vero Beach City Council, dated April 29, 2011. There were none.

ON MOTION by Commissioner O'Bryan, SECONDED by Commissioner Wheeler, the Board unanimously approved the Minutes of the Regular Meeting of April 19, 2011; and the Minutes of the Joint Meeting with the City of Vero Beach City Council, dated April 29, 2011, as written.

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

**7.A. APPOINTMENT OF GIFFORD COMMUNITY REPRESENTATIVE TO THE
ECONOMIC DEVELOPMENT COUNCIL**

Noted for the record was the appointment of Aundrea Perry, Gifford Community Representative to the Economic Development Council. The position was previously held by Victor Hart.

7.B. INFORMATION ITEM REGARDING NEW UTILITY BILLING SOFTWARE

Assistant Director of Utilities Services Cindy Corrente provided information and an update regarding the benefits and features of the new utility billing software from Advanced Utility Systems.

Discussion and questions ensued regarding the implementation and accommodation of the program, the absorption of credit card fees, using one account for individuals with multiple properties, and possibly offering customer discounts to incentivize the use of the electronic bill pay program.

8. CONSENT AGENDA

Chairman Solari requested to pull Items 8.B., 8.C., and 8.F. from the Consent Agenda.

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

8.A. APPROVAL OF WARRANTS AND WIRES – MAY 6, 2011 TO MAY 13, 2011

ON MOTION by Commissioner Flescher, SECONDED by Commissioner O’Bryan, the Board unanimously approved the list of Warrants and Wires as issued by the Clerk to the Board for the time period of May 6, 2011 to May 13, 2011, as requested in the memorandum of May 13, 2011.

8.B. APPROVAL OF AMENDMENT TO CONSENT ORDER 08-1661 WITH THE FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION (FDEP) AND INDIAN RIVER COUNTY FOR THE SOUTH REVERSE OSMOSIS WATER TREATMENT PLANT

At the request of Chairman Solari, Director of Utility Services Erik Olson explained the details and benefits of the South County brine project (mixing brine with stormwater treated with an algal turf scrubber system) and the request to the Florida Department of Environmental Protection (FDEP) for a two-year extension to accomplish the project. He thereafter confirmed for Chairman Solari that: (1) the Spoonbill Marsh and Egret Marsh projects are renewable permit projects; (2) the projects on the main relief canal are beginning to show positive impacts on the lagoon; (3) there is no need for a deep injection well; and (4) the County would utilize City employee staff for a regionalized system.

ON MOTION by Commissioner O’Bryan, SECONDED by Commissioner Flescher, the Board unanimously approved and authorized the Chairman to execute the Amendment to Consent Order No. 08-1661, with the Florida Department of Environmental Protection (FDEP), as requested in the memorandum of May 17, 2011.

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

8.C. MISCELLANEOUS BUDGET AMENDMENT 016

In response to Chairman Solari's inquiry, Management and Budget Director Jason Brown clarified that the \$5,000 General Fund 2011 Crisis Helpline contribution from Indian River County, is for the current fiscal year.

ON MOTION by Vice Chairman Wheeler, SECONDED by Commissioner Flescher, the Board unanimously approved **Resolution 2011-040**, amending the Fiscal Year 2010-2011 Budget.

8.D. JOINT PARTICIPATION AGREEMENT (JPA), AMENDMENT NO. 1 WITH THE FLORIDA DEPARTMENT OF TRANSPORTATION (FDOT) FOR TRAFFIC SIGNAL SYSTEM ENHANCEMENTS

ON MOTION by Commissioner Flescher, SECONDED by Commissioner O'Bryan, the Board unanimously: (1) approved and authorized the Chairman to execute Amendment No. 1 to the Joint Participation Agreement with the State of Florida Department of Transportation; and (2) approved **Resolution 2011-041**, authorizing a Joint Participation Agreement for traffic signal system enhancements.

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

8.E. AGREEMENT WITH SHERIFF FOR USE OF THE SHOOTING RANGE

ON MOTION by Commissioner Flescher, SECONDED by Commissioner O'Bryan, the Board unanimously approved and authorized the Chairman to execute the Agreement with the County Sheriff's Office, as recommended in the memorandum dated May 10, 2011.

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

8.F. RESOLUTION ESTABLISHING POLICY ON COMMEMORATIVE WORKS AT COUNTY FACILITIES

Chairman Solari pulled this item to bring publicity to it.

Commissioner O'Bryan said he wanted to see an example of a bench or a better description for a standardized type of bench that would be used for dedicated commemorative works at County facilities.

Assistant County Administrator Michael Zito interpreted the Resolution, specifying that the goal for dedicated commemorative works is to be consistent with the existing landscape design and facility improvements. He also noted that the goal is to synergize each request with a preexisting need at existing County parks and facilities, while still matching the desires of the applicant. He felt that typically there would be a commemorative work that matches what is already in place, but if not, then perhaps a standard bench consistent with the design could be proposed. He thereafter explained the process and details for dedicating commemorative works.

ON MOTION by Commissioner Flescher, SECONDED by Commissioner Davis, the Board unanimously approved **Resolution 2011-042**, establishing procedures, general specifications and fees for the installation of commemorative works.

**8.G. WORK ORDER NO. 2 – MASTELLER, MOLER, REED AND TAYLOR, INC.
OLD DIXIE HIGHWAY FROM 69TH STREET TO NORTH OF CR 510 INDIAN
RIVER COUNTY PROJECT NO. 0934A**

ON MOTION by Commissioner Flescher, SECONDED by Commissioner O'Bryan, the Board unanimously approved and authorized the Chairman to execute Work Order No. 2, with Masteller, Moler, Reed and Taylor, Inc., for professional services outlined in the Scope of Services, as recommended in the memorandum of May 9, 2011.

AGREEMENT 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(S) - NONE

10.B. PUBLIC DISCUSSION ITEMS

**10.B.1. REQUEST TO SPEAK FROM TERRY SCHLITT REGARDING 8715 103RD
AVENUE SCHEDULED FOR DEMOLITION**

Terry Schlitt, 6316 7th Street, using a PowerPoint presentation (on file), explained why the structure located at 8715 103rd Avenue, Vero Lake Estates, should be removed from the list of properties that are scheduled for demolition. He felt that rebuilding the structure would require a lot of work, but since he has the resources and ability to rebuild, he wanted the opportunity to do so. He conveyed that demolition contractor Jim Redmond, Redmarq Homes Ltd. Co. d/b/a Redmark Construction Services, had agreed to removing this structure from the demolition list, to abide by the Board's decision, and had expressed an interest in a partial teardown of the structure. Mr. Schlitt thereafter requested the Board to consider forgiveness or reduction of fees/penalties.

County Purchasing Manager Jerry Davis reiterated that Mr. Redmond had agreed to the removal of this structure from the demolition list, and would continue to demolish the other two structures at the price he had bid. In addition, he indicated that if Mr. Schlitt's project falls through, the County could re-contract with Mr. Redmond at the agreed upon price for up to 90 days.

Mr. Schlitt confirmed that he was the owner of this property, which he purchased through a foreclosure process.

Deputy County Attorney William DeBraal informed the Board that the County was named as a defendant in the foreclosure suit and that the lien should have been terminated.

County Attorney Alan Polackwich saw no problem with removing the property from the demolition list as long as there is no problem with the lien.

ON MOTION by Commissioner Davis, SECONDED by Vice Chairman Wheeler, the Board unanimously approved the removal of the subject property from the demolition list.

10.C. PUBLIC NOTICE ITEMS

10.C.1. NOTICE OF SCHEDULED PUBLIC HEARING JUNE 14, 2011: COUNTY INITIATED REQUEST TO AMEND THE COMPREHENSIVE PLAN'S FUTURE LAND USE ELEMENT POLICY 1.16 TO ALLOW UP TO 25% RECREATION VEHICLE USE IN THE MOBILE HOME RENTAL PARK LAND USE CATEGORY FOR PARKS LESS THAN 20 ACRES IN SIZE (LEGISLATIVE)

The County Attorney read the Notice into the record.

11. COUNTY ADMINISTRATOR MATTERS - NONE

12. DEPARTMENTAL MATTERS

12.A. COMMUNITY DEVELOPMENT

12.A.1. CONSIDERATION OF A REQUEST FOR A LOCAL JOBS GRANT

Community Development Director Bob Keating recapped his memorandum dated May 17, 2011. He revealed that a national telecommunications company (COMPANY), that is requesting anonymity at this time, is applying for a local jobs grant. The COMPANY is currently located in the County, and proposes to expand its operations by adding 12 new jobs to their 180 nationwide employees and 45 local employees. He stated that under the Indian River County Local Jobs Grant Program criteria, the COMPANY qualifies for a jobs grant in an amount of up to \$68,000. The jobs will be provided in two phases, and the grant will be provided over a three-year period for each phase. He referenced and requested approval for the sample Jobs Grant

Agreement (pages 97 through 109 of the Agenda Packet) which identifies the phases, timeframes, and the dollar amounts that would be provided to the COMPANY.

Martha White, Representative from the local COMPANY, stressed the excitement of bringing the employment opportunities to Indian River County, and welcomed any financial assistance available.

Bob Johnson, Coral Wind Subdivision, questioned whether the jobs grant would be restricted to only Indian River County hires.

Director Keating clarified that the 12 jobs being created would be for employees who reside in this County, as well as adjacent Counties.

Helene Caseltine, Economic Development Director with the Indian River County Chamber of Commerce, reiterated Chairman Solari's earlier comments regarding Economist Director Bill Fruth's recommendation that due to the current economic conditions, the County should be focusing on business retention and expansion.

Commissioner O'Bryan commended Ms. Caseltine and staff for the due diligence on the application.

ON MOTION by Commissioner O'Bryan, SECONDED by Commissioner Flescher, the Board unanimously approved the local jobs grant of up to \$68,000 for COMPANY, and authorized the Chairman to sign the Jobs Grant Agreement with COMPANY, after approval of the agreement by appropriate County staff and the County Attorney's office, as recommended in the memorandum of May 17, 2011.

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

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 - NONE

14. COMMISSIONER ITEMS

14.A. COMMISSIONER BOB SOLARI, CHAIRMAN - NONE

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 - NONE

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 Board of County Commission 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. NEW OSLO CUSTOMER CONVENIENCE CENTER PROJECT UPDATE

15.C. ENVIRONMENTAL CONTROL BOARD

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

15.C.1. APPROVAL OF MINUTES MEETING OF MARCH 1, 2011

**15.C.2. QUARTERLY REPORT FOR THE 2ND QUARTER – FISCAL YEAR 2010-2011
FOR SUBMISSION TO THE BOARD OF COUNTY COMMISSIONERS**

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
10:17 a.m.

ATTEST:

Jeffrey K. Barton, Clerk

Bob Solari, Chairman

Minutes Approved: _____

BCC/LA/2011 Minutes