

JEFFREY K. BARTON  
Clerk to the Board



INDEX TO MINUTES OF REGULAR MEETING

OF BOARD OF COUNTY COMMISSIONERS

DECEMBER 20, 2011

1.	CALL TO ORDER.....	1
2.	INVOCATION.....	1
3.	PLEDGE OF ALLEGIANCE.....	1
4.	ADDITIONS/DELETIONS TO THE AGENDA/EMERGENCY ITEMS - NONE.....	2
5.	PROCLAMATIONS AND PRESENTATIONS.....	2
5.A.	PRESENTATION BY MICHAEL KINT, CHIEF EXECUTIVE OFFICER, UNITED WAY OF INDIAN RIVER COUNTY, REGARDING INDIAN RIVER COUNTY MENTAL HEALTH SYMPOSIUM, FRIDAY, JANUARY 6 <sup>TH</sup> , 2012.....	2
5.B.	UPDATE ON SEBASTIAN INLET DISTRICT PROJECTS AND SAND BYPASS STRATEGIES BY MARTY SMITHSON, ADMINISTRATOR, SEBASTIAN INLET DISTRICT.....	2
6.	APPROVAL OF MINUTES.....	2
6.A.	REGULAR MEETING OF OCTOBER 11, 2011.....	2

7.	INFORMATIONAL ITEMS FROM STAFF OR COMMISSIONERS NOT REQUIRING BOARD ACTION.....	3
7.A.	2011 ELECTION OF CHAIRMAN AND VICE-CHAIRMAN FOR THE CONSTRUCTION BOARD OF ADJUSTMENTS & APPEALS.....	3
8.	CONSENT AGENDA .....	3
8.A.	APPROVAL OF WARRANTS AND WIRES – DECEMBER 2, 2011 TO DECEMBER 8, 2011.....	3
8.B.	AUTHORIZATION TO ATTEND GOVERNMENT FINANCE OFFICERS ASSOCIATION ANNUAL CONFERENCE .....	4
8.C.	ACCEPTANCE OF DONATION OF LAND FOR CONSERVATION .....	4
8.D.	SALE OF SURPLUS PROPERTY / HICKMAN PURCHASE AGREEMENT, 8 <sup>TH</sup> STREET AND 24 <sup>TH</sup> AVENUE, NORTHWEST CORNER, OWNER: INDIAN RIVER COUNTY .....	5
8.E.	RELEASE OF RETAINAGE, DIAL CORDY AND ASSOCIATES, INC. – SECTORS 1 & 2 BIOLOGICAL MONITORING .....	5
8.F.	BRIDGE DESIGN SERVICES FOR 82 <sup>ND</sup> AVENUE BRIDGE OVER THE I.R.F.W.C.D. LATERAL D CANAL (4 <sup>TH</sup> STREET) – WORK ORDER NO. 16 WITH BRIDGE DESIGN ASSOCIATES, INC. – RELEASE OF RETAINAGE IRC PROJECT NO. 0208.....	6
8.G.	REQUEST FOR USE OF THE HOLMAN STADIUM FOR HELI-DROP BALL BASH & BBQ ON FEBRUARY 11, 2012 .....	6
8.H.	REQUEST FOR AUTHORIZATION FOR THE COALITION FOR ATTAINABLE HOMES, INC. TO TRANSFER DONATED COUNTY OWNED SURPLUS PROPERTIES TO HABITAT FOR HUMANITY, INC. FOR THE PROVISION OF AFFORDABLE HOUSING .....	7
8.I.	APPROVAL OF BID AWARD FOR IRC BID No. 2012019, SENIOR RESOURCE ASSOCIATION TRANSPORTATION TELEPHONE SYSTEM REPLACEMENT .....	7
8.J.	ACCEPTANCE OF CHILDREN’S SERVICES ADVISORY COMMITTEE’S ANNUAL REPORT FOR OCTOBER 1, 2010 – SEPTEMBER 30, 2011 .....	8
8.K.	INTEREST RATE CHANGE ON ALL COUNTY FINANCING (PETITION PAVING, UTILITY ASSESSMENT PROJECTS, UTILITY IMPACT FEES, ETC.) .....	8
8.L.	CONSIDERATION OF HOURLY RATE INCREASE FOR DAY LABOR SERVICES, IRC BID No. 2012006, PUBLIC WORKS DEPARTMENT / ROAD AND BRIDGE DIVISION.....	8

9.	CONSTITUTIONAL OFFICERS AND GOVERNMENTAL AGENCIES .....	9
9.A.	DERYL LOAR, INDIAN RIVER COUNTY SHERIFF.....	9
	OPTIONAL ONE CENT SALES TAX FUND.....	9
10.	PUBLIC HEARINGS .....	11
10.A.1.	CONSIDERATION OF INEOS NEW PLANET BIOENERGY LLC’S REQUEST FOR AN ECONOMIC DEVELOPMENT AD VALOREM TAX EXEMPTION (TAX ABATEMENT) (LEGISLATIVE).....	11
10.A.2.	INDIAN RIVER COUNTY RECYCLERS, LLC’S REQUEST FOR SPECIAL EXCEPTION USE APPROVAL FOR A CONSTRUCTION/DEMOLITION DEBRIS FACILITY TO BE KNOWN AS INDIAN RIVER COUNTY RECYCLERS (QUASI-JUDICIAL) .....	13
10.B.	PUBLIC DISCUSSION ITEMS .....	21
10.B.1.	REQUEST TO SPEAK FROM ASLEY LEYVA, ASSET MANAGER, KONDAUR CAPITAL CORPORATION REGARDING REDUCTION OF LIEN.....	21
10.C.	PUBLIC NOTICE ITEMS - NONE .....	22
11.	COUNTY ADMINISTRATOR MATTERS - NONE.....	22
12.	DEPARTMENTAL MATTERS .....	22
12.A.	COMMUNITY DEVELOPMENT - NONE.....	22
12.B.	EMERGENCY SERVICES .....	22
12.B.1.	APPROVAL TO PURCHASE E911 CALL-TAKING EQUIPMENT FROM IRC BID NO. 2011052 .....	22
12.C.	GENERAL SERVICES .....	23
12.C.1.	REQUEST FOR AUTHORIZATION TO ISSUE AN INVITATION TO BID THE INDIAN RIVER COUNTY PUBLIC SHOOTING RANGE EXPANSION PROJECT .....	23
12.D.	HUMAN RESOURCES - NONE .....	24
12.E.	HUMAN SERVICES - NONE .....	24
12.F.	LEISURE SERVICES - NONE .....	24
12.G.	OFFICE OF MANAGEMENT AND BUDGET - NONE .....	24
12.H.	RECREATION.....	24
12.H.1.	PURCHASE OF PARK LAND LOCATED NEAR 26 <sup>TH</sup> STREET AND 82 <sup>ND</sup> AVENUE .....	24
12.I.	PUBLIC WORKS – NONE .....	24
12.J.	UTILITIES SERVICES – NONE .....	24

13.	COUNTY ATTORNEY MATTERS.....	25
13.A.	FUND 101 REFUND ISSUES.....	25
14.	COMMISSIONER ITEMS.....	30
14.A.	COMMISSIONER GARY C. WHEELER, CHAIRMAN - NONE .....	30
14.B.	COMMISSIONER PETER D. O'BRYAN, VICE CHAIRMAN - NONE .....	31
14.C.	COMMISSIONER WESLEY S. DAVIS - NONE.....	31
14.D.	COMMISSIONER JOSEPH E. FLESCHER - NONE .....	31
14.E.	COMMISSIONER BOB SOLARI - NONE .....	31
15.	SPECIAL DISTRICTS AND BOARDS .....	31
15.A.	EMERGENCY SERVICES DISTRICT .....	31
15.A.1.	APPROVAL TO PURCHASE ONE MEDIUM-DUTY BRUSH TRUCK WITH EQUIPMENT ....	31
15.B.	SOLID WASTE DISPOSAL DISTRICT .....	31
15.B.1.	APPROVAL OF MINUTES MEETING OF OCTOBER 18, 2011 .....	31
15.B.2.	RETENTION OF SPECIALIZED OUTSIDE COUNSEL FOR ENVIRONMENTAL & SOLID WASTE PROJECTS .....	31
15.B.3.	REQUEST FOR GENERAL FUNDS – PACE PROJECT AND OTHER COMMUNITY PROJECTS .....	32
15.C.	ENVIRONMENTAL CONTROL BOARD - NONE.....	32
16.	ADJOURNMENT.....	32

**JEFFREY K. BARTON**

Clerk to the Board



**December 20, 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, December 20, 2011. Present were Chairman Gary C. Wheeler, Vice Chairman Peter D. O'Bryan, and Commissioners Wesley S. Davis, Joseph E. Flescher, and Bob Solari. Also present were County Administrator Joseph A. Baird, County Attorney Alan S. Polackwich, Sr., and Deputy Clerk Maureen Gelfo.

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

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

### **2. INVOCATION**

Commissioner Davis delivered the Invocation.

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

Chairman Wheeler led the Pledge of Allegiance to the Flag.

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

**- NONE**

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

**5.A. PRESENTATION BY MICHAEL KINT, CHIEF EXECUTIVE OFFICER, UNITED WAY OF INDIAN RIVER COUNTY, REGARDING INDIAN RIVER COUNTY MENTAL HEALTH SYMPOSIUM, FRIDAY, JANUARY 6<sup>TH</sup>, 2012**

Michael Kint, CEO, United Way of Indian River County, and Chairman of the Mental Health Collaborative of Indian River County, provided an overview of the mission, goals, and accomplishments of the Mental Health Collaborative. He announced that on January 6, 2012, from 2:00 to 4:30 p.m., the agency would be hosting the third annual Mental Health Symposium in the County Administration Building.

**5.B. UPDATE ON SEBASTIAN INLET DISTRICT PROJECTS AND SAND BYPASS STRATEGIES BY MARTY SMITHSON, ADMINISTRATOR, SEBASTIAN INLET DISTRICT**

Marty Smithson, Administrator, Sebastian Inlet District, through a short video and a PowerPoint presentation (copy on file), presented a history of the Sebastian Inlet District and an overview of past and future projects relating to sand dredging and dredged materials management. He thereafter responded to the Board's comments and questions.

#### **6. APPROVAL OF MINUTES**

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

The Chairman asked if there were any corrections or additions to the Minutes of the Regular Meeting of October 11, 2011. There were none.

ON MOTION by Vice Chairman O'Bryan, SECONDED by Commissioner Davis, the Board unanimously approved the Minutes of the Regular Meeting of October 11, 2011, as written.

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

**7.A. 2011 ELECTION OF CHAIRMAN AND VICE-CHAIRMAN FOR THE CONSTRUCTION  
BOARD OF ADJUSTMENTS & APPEALS**

Noted for the record was the re-election of Pete Clements as Chairman and Peter Robinson as Vice Chairman of the Construction Board of Adjustments & Appeals for the year 2012.

**8. CONSENT AGENDA**

**8.A. APPROVAL OF WARRANTS AND WIRES – DECEMBER 2, 2011 TO DECEMBER 8, 2011**

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 December 2, 2011 to December 8, 2011, as requested in the memorandum of December 8, 2011.

**8.B. AUTHORIZATION TO ATTEND GOVERNMENT FINANCE OFFICERS ASSOCIATION ANNUAL CONFERENCE**

ON MOTION by Commissioner Davis, SECONDED by Commissioner Flescher, the Board unanimously authorized the County Administrator to attend the 2012 Government Finance Officers Association (GFOA) 106<sup>th</sup> Annual Conference, on June 10 – 13, 2012, in Chicago, Illinois, as requested in the memorandum of December 13, 2011.

**8.C. ACCEPTANCE OF DONATION OF LAND FOR CONSERVATION**

ON MOTION by Commissioner Davis, SECONDED by Commissioner Flescher, the Board unanimously: (1) accepted the Quit-Claim Deed (*for land adjacent to the Cypress Bend Community Preserve, f.k.a. the Russell Grove River Buffer*) from the heirs of the Cecil M. Johnson Trust and authorized the Chairman to execute the Quit-Claim Deed evidencing the Board's acceptance; (2) authorized staff to pay the 2011 taxes in the amount of \$54.75 (less any discount); (3) directed staff to record the Quit-Claim deed in the public records of Indian River County, Florida; and (4) authorized staff to bring back to the Board a Resolution to cancel future taxes, as recommended in the memorandum of December 12, 2011.

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



**8.D. SALE OF SURPLUS PROPERTY / HICKMAN PURCHASE AGREEMENT, 8<sup>TH</sup> STREET AND 24<sup>TH</sup> AVENUE, NORTHWEST CORNER, OWNER: INDIAN RIVER COUNTY**

ON MOTION by Commissioner Davis, SECONDED by Commissioner Flescher, the Board unanimously approved the Purchase and Sale Agreement to sell the 0.23 acre property situated on the northwest corner of 8<sup>th</sup> Street and 24<sup>th</sup> Avenue, to the adjoining parcel owner, Ms. Meredith Hickman, for the price of \$4,500, as recommended in the memorandum of December 8, 2011.

*Lee Michael Canestrari is joint tenant on deed.*

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

**8.E. RELEASE OF RETAINAGE, DIAL CORDY AND ASSOCIATES, INC. – SECTORS 1 & 2 BIOLOGICAL MONITORING**

ON MOTION by Commissioner Davis, SECONDED by Commissioner Flescher, the Board unanimously approved the release of retainage for Amendment No. 4 in the amount of \$7,602.55, thereby fulfilling all the financial obligations to close out the November 2, 2002 contract between the County and Dial Cordy and Associates, Inc., as recommended in the memorandum of December 7, 2011.

**8.F. BRIDGE DESIGN SERVICES FOR 82<sup>ND</sup> AVENUE BRIDGE OVER THE I.R.F.W.C.D. LATERAL D CANAL (4<sup>TH</sup> STREET) – WORK ORDER NO. 16 WITH BRIDGE DESIGN ASSOCIATES, INC. – RELEASE OF RETAINAGE IRC PROJECT NO. 0208**

ON MOTION by Commissioner Davis, SECONDED by Commissioner Flescher, the Board unanimously approved payment of Bridge Design Associates, Inc. Invoice No. 10-540/5R, dated November 12, 2011 for return of retainage in the amount of \$2,999.76, as recommended in the memorandum of November 18, 2011.

**8.G. REQUEST FOR USE OF THE HOLMAN STADIUM FOR HELI-DROP BALL BASH & BBO ON FEBRUARY 11, 2012**

ON MOTION by Commissioner Davis, SECONDED by Commissioner Flescher, the Board unanimously: (1) granted conditional approval of the Indian River County Holman Stadium Use Agreement with The Youth Guidance Donation Fund, subject to verification of the insurance requirements therein by the County Risk Manager; (2) authorized the Chairman to execute the Agreement upon final approval of all insurance requirements by the County's Risk Manager; and (3) granted the User Group's request for use of the stage and lights cart, with waiver of the standard security deposit and deletion of the alcohol prohibition required under Section E of Exhibit 1 to the standard Stadium Use Agreement, as recommended in the memorandum of December 12, 2011.

**8.H. REQUEST FOR AUTHORIZATION FOR THE COALITION FOR ATTAINABLE HOMES, INC. TO TRANSFER DONATED COUNTY OWNED SURPLUS PROPERTIES TO HABITAT FOR HUMANITY, INC. FOR THE PROVISION OF AFFORDABLE HOUSING**

ON MOTION by Commissioner Davis, SECONDED by Commissioner Flescher, the Board unanimously approved **Resolution 2011-108**, authorizing the Coalition for Attainable Homes, Inc. to transfer three donated County owned surplus properties to Indian River County Habitat for Humanity, Inc. for the provision of affordable housing and to allow Habitat for Humanity 3 years to build on those properties.

*4716 33<sup>rd</sup> Avenue (in Smith Plaza subdivision)*

*1865 38<sup>th</sup> Place (in Geoffrey's subdivision)*

*1855 38<sup>th</sup> Place (in Geoffrey's subdivision)*

**8.I. APPROVAL OF BID AWARD FOR IRC BID NO. 2012019, SENIOR RESOURCE ASSOCIATION TRANSPORTATION TELEPHONE SYSTEM REPLACEMENT**

ON MOTION by Commissioner Davis, SECONDED by Commissioner Flescher, the Board unanimously approved: (1) awarding the Bid to NEC Corporation of America, as the lowest most responsive and responsible bidder meeting the specifications as set forth in the Invitation To Bid (ITB) for a telephone system for the new Indian River County Transit Facility; (2) approved the sample agreement; and (3) authorized the Chairman to execute said agreement after receipt and approval of the required certificate of insurance and after the County Attorney has approved the agreement as to form and legal sufficiency,

as recommended in the memorandum of December 14, 2011.

**8.J. ACCEPTANCE OF CHILDREN'S SERVICES ADVISORY COMMITTEE'S ANNUAL REPORT FOR OCTOBER 1, 2010 – SEPTEMBER 30, 2011**

ON MOTION by Commissioner Davis, SECONDED by Commissioner Flescher, the Board unanimously accepted the Children's Services Advisory Committee's Annual Report for 2010-2011, as recommended in the memorandum of December 8, 2011.

**8.K. INTEREST RATE CHANGE ON ALL COUNTY FINANCING (PETITION PAVING, UTILITY ASSESSMENT PROJECTS, UTILITY IMPACT FEES, ETC.)**

ON MOTION by Commissioner Davis, SECONDED by Commissioner Flescher, the Board unanimously: (1) approved the fixed interest rate of 5.75%; and (2) approved for the rate to remain in effect for calendar year 2012 for all County financing with the exception of projects directly affiliated with a bond issue for which the bond covenants dictate a different interest rate, as recommended in the memorandum of December 14, 2011.

**8.L. CONSIDERATION OF HOURLY RATE INCREASE FOR DAY LABOR SERVICES, IRC BID NO. 2012006, PUBLIC WORKS DEPARTMENT / ROAD AND BRIDGE DIVISION**

ON MOTION by Commissioner Davis, SECONDED by Commissioner Flescher, the Board unanimously approved staff's recommendation, Alternative 2, and authorized the

Purchasing Division to issue blanket purchase orders at the new hourly rate (\$10.97 per hour) for the period of January 1, 2012 through September 30, 2012 with MDT Personnel as recommended in the memorandum of December 13, 2011.

## **9. CONSTITUTIONAL OFFICERS AND GOVERNMENTAL AGENCIES**

### **9.A. DERYL LOAR, INDIAN RIVER COUNTY SHERIFF** **OPTIONAL ONE CENT SALES TAX FUND**

Sheriff Deryl Loar recalled previous discussions with the Board about the possibility of using Optional One Cent Sales Tax revenues to upgrade his fleet of patrol cars. He provided background on capital expenditures for Fiscal Years 2009-2010 and 2010-2011, and explained why he does not foresee sufficient funds for major capital expenditures in Fiscal Year 2011-2012. He provided a status report on the current fleet of 165 marked patrol cars, and recommended purchasing the Crown Victoria police vehicles at this time, as they are being discontinued and other types of vehicles would have to be retrofitted at greater cost. Sheriff Loar thereafter asked the Board to authorize the purchase of nineteen marked patrol cars with \$600,000 of the Optional One Cent Sales Tax funds.

Chairman Wheeler objected to the Sheriff's request for the Optional One Cent Sales Tax funds at this time, declaring that capital expense items should have been indicated in the proposed budget. He wanted to see the Sheriff's budget process amended to include capital expenses.

Commissioner Solari requested that the Sheriff provide additional financial information, including actual, as well as projected, expenses in future budget reports. He stressed the need to receive the data in a timely manner so the Board can uphold its fiduciary responsibilities to the public.

In response to the Board's questions, Jason Brown, Director of Management and Budget, and County Administrator Joseph Baird provided specific details on the One Cent Sales Tax revenues. Administrator Baird estimated there would be \$438,969 left in the account after the allocations for projects in the five-year Capital Improvements Program (CIP).

Sheriff Loar elaborated on the need for the new cars and stressed the prudence of buying the Crown Victoria automobiles while they are available. He recalled that at the proposed budget discussions in July 2011, the purchase of new patrol cars had been discussed as a one-time purchase, and asked the Board to support his request. Responding to comments made earlier, he noted that it was difficult to predict the capital expenses in advance.

Discussion ensued regarding the Sheriff's budget proposal at the July 13, 2011 budget Workshop.

Commissioner Davis noted that although capital expenditures had not been included as a line item in the proposed budget, it was understood that the Sheriff would return to the board as the need arose for capital purchases.

Chairman Wheeler inquired what the source of funding would be for the new patrol cars.

Administrator Baird declared that around \$300,000 of the surplus \$438,969 in the Optional One Cent Sales Tax fund could be allocated for the purchase of the vehicles.

Commissioner Flescher suggested the Sheriff consider purchasing eight new patrol cars using the \$300,000 allocation proposed by the County Administrator.

Chairman Wheeler declared that he would not support the request until there is a line item for capital expenditures in the Sheriff's budget.

The Commissioners and Sheriff Loar discussed the ramifications of delaying this item until the County Administrator, Management and Budget Director, and Sheriff can meet and return to the Board with a plan.

Chairman Wheeler suggested tabling this matter until January 10, 2012.

Commissioner Davis observed that postponing this matter would give staff more time to evaluate the suggested \$300,000 appropriation, as well as provide time for the Commissioners to review the Sheriff's quarter-end financial data.

ON MOTION BY Commissioner Davis, SECONDED by Commissioner Flescher, the Board unanimously approved to TABLE this item until the January 10, 2012 Board of County Commission meeting.

## **10. PUBLIC HEARINGS**

### **10.A.1. CONSIDERATION OF INEOS NEW PLANET BIOENERGY LLC'S REQUEST FOR AN ECONOMIC DEVELOPMENT AD VALOREM TAX EXEMPTION (TAX ABATEMENT) (LEGISLATIVE)**

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

Planning Director Stan Boling, through a PowerPoint presentation (copy on file), provided background description and conditions pertaining to INEOS New Planet BioEnergy LLC's (INEOS) request for an economic development ad valorem tax exemption (tax abatement). He presented an analysis and verification of INEOS's eligibility for the tax abatement program which can be granted for up to ten years, with an annual decrease in scale. He outlined the amounts of property taxes projected to be paid by INEOS and abated over a ten-year period, reviewed the safeguards in the tax abatement program, and conveyed that the

Economic Development Council and staff recommend Board approval of the proposed Ordinance granting an economic development ad valorem tax exemption to INEOS New Planet Bioenergy, LLC, with the conditions outlined in staff's recommendation.

*(Clerk's Note: Please see the Board's Motion for conditions referenced above.)*

*The Chairman opened the Public Hearing.*

*There were no speakers, and the Chairman closed the Public Hearing.*

ON MOTION by Commissioner Solari SECONDED by Commissioner Flescher the Board unanimously: (1) found that the INEOS New Planet BioEnergy facility qualifies as a "New Business" under the tax abatement ordinance; (2) found that the application scores in the highest tax abatement award category under the adopted scoring guidelines; (3) granted a tax abatement using the schedule for highest award category, with the 10-year abatement period to begin in 2013; (4) adopted **Ordinance 2011-011**, amending Title XI of the Code of Indian River County (Economic Development Ad Valorem Tax Exemption) by creating a new section 1100.14 granting an economic development ad valorem tax exemption to INEOS New Planet Bioenergy, LLC; making findings and providing for severability and an effective date; and (5) authorized the Chairman to execute the Economic Development Tax Exemption Agreement for INEOS New Planet BioEnergy, LLC facility.

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



The Chairman called a recess at 10:26 a.m., and reconvened the meeting at 10:35 a.m. with all members present.

**10.A.2. INDIAN RIVER COUNTY RECYCLERS, LLC'S REQUEST FOR SPECIAL EXCEPTION USE APPROVAL FOR A CONSTRUCTION/DEMOLITION DEBRIS FACILITY TO BE KNOWN AS INDIAN RIVER COUNTY RECYCLERS (QUASI-JUDICIAL)**

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

The Commissioners, as requested by the Chairman, divulged ex parte site visits, investigations, and communications, and affirmed that their decisions would be based on the evidence presented and applicable law.

Planning Director Stan Boling, through a PowerPoint presentation (on file), provided description, conditions, and analysis relative to the request of Indian River County Recyclers, LLC for the Board to grant a special exception use approval for a Construction & Demolition Debris (C&D) facility to be known as Indian River County Recyclers, located on 74<sup>th</sup> Avenue SW, across from the County's landfill. He explained that Indian River County Recyclers proposes to operate a single facility with a Recycling Center requiring an administrative permit (already granted by the Planning & Zoning Commission); and a Construction and Demolition Debris processing facility, for which they are seeking a special exception use approval. He provided details on the subject site, proposed facility operations, and permitting requirements, and stressed that no concrete crushing is proposed. Director Boling thereafter presented the recommendations of staff and the Planning & Zoning Commission for the Board to approve the special exception use, with the conditions listed in staff's report.

*(Clerk's Note: Please see the Board's Motion for conditions referenced above.)*

Himanshu Mehta, Managing Director Solid Waste Disposal District, provided information for Commissioner Flescher on what would happen should incidental hazardous waste turn up at the County's landfill, or at Indian River County Recyclers' proposed construction and demolition facility. He explained that spotters identify such materials, which if found, must be transported to an approved facility outside of the County.

Vice Chairman O'Bryan expressed concerns about the total amount of concrete that could be stockpiled on site at any one time.

Director Boling discussed further the site plans and relayed that the Department of Environmental Protection (DEP) imposes an 18-month time limit on materials storage.

**Barry Segal, P.A.**, representing Beatrice and Fernando Sartor, Indian River County Recyclers, LLC, recalled that at the March 22, 2011 Board of County Commission meeting, the Sartors' request for a special exception use approval for a Construction & Demolition (C & D) debris processing center, A-1 Walee Recycling Center, had been denied by the Board. He explained that the Sartors were presenting a new proposal for Indian River County Recyclers. In lieu of reviewing his entire presentation, Attorney Segal offered to provide any additional information requested by the Board.

**Jodah Bittle, P.E.**, Schulke, Bittle, and Stoddard, engaged in further discussion with Vice Chairman O'Bryan regarding what the limitations would be on concrete debris stockpiles. Mr. Bittle advised that at this time, he was not prepared to commit to a specific maximum limit.

Vice Chairman O'Bryan stated he could not approve this item without a precise limit on the concrete storage and wondered if, as a condition of approval, the applicant would agree to a maximum storage amount of concrete at any one time. He suggested imposing a limit not to exceed 750 cubic yards.

**Bruce Barkett, Esquire**, co-counsel for Indian River County Recyclers, LLC, relayed the applicant's offer to set a maximum limit of 1,500 cubic yards as a condition of approval today.

Commissioner Flescher's questions about the operations of the proposed facility were addressed as follows:

**Mark C. Hart**, President, Training Consultants, Inc., Kissimmee, Florida, revealed that the largest slab of concrete trucked into the site would be equivalent to approximately one flag (section) of sidewalk.

**Attorney Segal** affirmed there would be no size reduction of the concrete pieces.

**Attorney Barkett** explained that any hazardous materials found by the spotters would be returned to the haulers, or placed in special dumpsters for transport to an authorized facility.

Vice Chairman O'Bryan did not want to see an excess of materials accumulate onsite, and requested further information about the facility's marketing plans for the processed materials, including the concrete.

**Mr. Hart** provided details on the applicant's marketing strategies, noting that the DEP will conduct unannounced inspections to ensure that the materials storage conforms to the permitted amount.

*The Chairman opened the Public Hearing.*

**Matt Morrel**, Esquire, 2850 North Andrews Avenue, Ft. Lauderdale, representing the County's landfill operator, Republic Services of Florida (dba Treasure Coast Refuse), objected to the proposed facility. His concerns included, but were not limited to, the handling and potential mulching of incidental toxic materials like Chinese drywall and contaminated woods, and the

possibility of leachate seeping into the groundwater. He also feared that the proposed facility would have a drastic economic impact on the County, which as a condition of the franchise agreement with Republic, receives a share of the revenues when the recyclables are marketed.

**Renee Renzi**, Waverly Place, asked if there were ready markets for the processed materials, and requested information about employment opportunities with Indian River Recycling.

**Attorney Segal** addressed Ms. Renzi's questions.

**Mary Wood**, 220 Sopwith Drive, reading from a prepared statement (copy on file), outlined conditions she would like to see added to the special exception use approval for the applicant.

**Bob Johnson**, Coral Wind Subdivision, inquired whether a traffic study had been done.

Director Boling informed Mr. Johnson that Traffic Engineering had approved the site plan.

**Todd Westover**, 104 Cache Cay Drive, recalled that when special exception use approval for the A-1 Walee facility was sought, the Board denied the request based on concerns about groundwater and air pollution. He contended that nothing has changed but the facility's location.

Commissioner Solari voiced support for the applicant's new proposal. He felt the facility has been relocated to a much more appropriate site, and the concerns that were raised at the public hearing of March 22, 2011 have been addressed. However, he requested that two additional safeguards be incorporated into the approval conditions: (a) Item No. 4...No concrete crushing...cutting, chopping or similar dust-producing manipulation of concrete...shall be allowed on site; (b) Item 1.a. ...Obtain from the Solid Waste Disposal District either a

franchise or other type of agreement, or a determination that no franchise or other type of agreement is required for the proposed recycling center facility...provided that such agreement or determination does not interfere with any existing contract the County may have.

Vice Chairman O'Bryan requested information on the applicant's plan for mitigating any groundwater impacts.

**James Golden**, Professional Geologist & Principal Hydrogeologist, HSA Golden Engineering, 100 East Pine Street, Suite 605, Orlando, responded that the leachate or other runoff from the piles is of such a minute nature, it is not regulated by the State.

Vice Chairman O'Bryan sought assurance that the applicant would adhere to the material storage limits as the maximum volume at any given time for each category allowed on site, with the concrete piles not to exceed 1,500 cubic yards. He agreed with Commissioner Solari that many concerns have been addressed, but had reservations about the lack of a solid business plan for marketing the recycled materials.

Commissioner Davis sought and received confirmation from Attorney Polackwich that granting the approval today would not constitute a violation of an existing franchise agreement.

Commissioner Flescher related that his concerns regarding incidental hazardous materials have been dispelled. He wanted to make sure, however, that there would be no "soft openings" in the enclosed building (tipping area) mentioned in the site plans.

**Attorney Segal** confirmed that this would be a condition of being able to commence operations, and provided additional details on the tipping and drainage areas.

Chairman Wheeler expressed support for the facility's new location. However, he was concerned about inequities that might arise because Republic Services must share its recycling proceeds with the County, and there is no similar provision for the applicant. He also wondered

whether some type of fee would be factored in should a franchise agreement develop with the applicant.

Attorney Polackwich responded that the processing aspect of Indian River Recyclers' operation is probably the only operation that would fall under the franchise requirement. He also noted that haulers pay a 6% tipping charge to dump C&D materials at the landfill, and it is uncertain how this revenue would be collected if the haulers go to the new facility. He advised that staff would be returning to the Board with a proposed Ordinance changing the requirements for recycling operations that receive C&D materials.

Chairman Wheeler expressed concerns about lost revenues at the landfill resulting in higher tax bills. He wanted to make sure that policies would be fair to both the applicant and the County.

Attorney Polackwich reaffirmed the need for an updated Ordinance more in accord with today's new recycling requirements and conditions.

**Attorney Morrell** requested that the Board table this item until the Ordinance is updated.

**Mr. Bittle** conveyed the applicant's agreement with the 1,500 cubic yard maximum storage amount for the concrete; however, the maximum storage amounts for the other materials are still being worked out.

Vice Chairman O'Bryan declared that he was satisfied with the 1,500 cubic yard maximum for the concrete stockpiles, but could not support the applicant's proposal as long as the maximum storage amounts for the other materials were undetermined.

**Ms. Wood** asked the Board to ensure that the storage piles will be kept covered.

**Attorney Morrell**, referring to an earlier remark, clarified that the DEP does not regulate the amounts of materials that can be brought in and out of the facility.

Chairman Wheeler confirmed with Attorney Polackwich that the financial security clause in the approval conditions would assure that if Indian River Recyclers folds, there would be sufficient funds to clean up the abandoned site.

*There were no additional speakers, and the Chairman closed the Public Hearing.*

ON MOTION by Commissioner Solari, SECONDED BY Commissioner Davis, by a 4-1 vote (Vice Chairman O'Bryan opposed), the Board: (1) finds in conjunction with the recommended conditions: (a) that it is empowered under the provisions of Chapter 971 to review the special exception applied for; (b) that the granting of the special exception will not adversely affect the public interest; (c) that the application satisfies the general and specific criteria required for special exception approval; and (d) that the below conditions are adequate to ensure compatibility between the special exception use and surrounding land uses, and (2) granted special exception use approval for the Indian River County Recyclers construction/demolition debris facility with the conditions, amended as underlined:

(Conditions)

1. Prior to site plan release, the applicant shall:
  - a. Obtain from the Solid Waste Disposal District either a franchise or other type of agreement, or a determination that no franchise or other type of agreement is required for the proposed recycling center/demolition debris facility, provided that such agreement or determination does not interfere with any existing contract with the District;
  - b. Provide financial security for proper disposal of concrete stockpiled on site. The security shall be in an amount acceptable to the County's Solid Waste Division and in a form acceptable to the County Attorney's Office.
2. Prior to issuance of a certificate of occupancy (C.O.), the applicant shall:
  - a. Construct all buffers and berm improvements shown on the project site plan.
3. The following operational conditions shall apply:
  - a. Operation of the facility for recycling and construction/demolition debris related activities (accepting, separating, handling, or processing materials) shall be prohibited from 5:00 pm to 7:00 am Monday – Saturday, all day Sunday, and all day Saturday except from 8:00 am to 12:00 pm. The County may temporarily suspend or modify those hours of operation limitations during clean-up and recovery of a disaster event.
  - b. No materials shall be mulched or chipped on Saturdays or Sundays.
  - c. No pile of material shall exceed 14' in height, as shown on the project site plan.
  - d. A driving/access aisle with a minimum width of 25' shall be maintained between material piles at all times, as shown on the project site plan.
  - e. No hazardous material, as defined by Florida Administrative Code Chapter 62, shall be accepted at the site, except for incidental items that are temporarily stored and transferred from the site in accordance with the project's DEP solid waste permit.



4. No concrete crushing, cutting, or chopping or other similar dust-producing manipulation of concrete shall be allowed on site.
5. No material shall be buried or burned on site, and no tires shall be stockpiled on site.
6. Through the use of sprinklers and other practices and techniques, the facility shall be operated and maintained so as to control dust and emission of particulates off-site.
7. All activities conducted on site shall be subject to the County's Chapter 974 noise requirements for uses in agricultural zoning districts.
  - a. Tipping activities shall be restricted to the tipping building depicted on the project site plan.
8. No junk vehicles shall be accepted for processing or stored at the project site.
9. The applicant/facility operator shall submit to the Community Development Director all annual reports and correspondence with DEP regarding the construction and demolition debris facility, when the reports and correspondence are submitted to or received from DEP.
10. No more than 1,500 cubic yards of concrete shall be stored on site at any given time.

*The Chairman called a break at 12:15 p.m. and reconvened the meeting at 12:26 p.m.*

**10.B. PUBLIC DISCUSSION ITEMS**

**10.B.1. REQUEST TO SPEAK FROM ASLEY LEYVA, ASSET MANAGER, KONDAUR CAPITAL CORPORATION REGARDING REDUCTION OF LIEN**

Asley Leyva, Asset Manager, Kondaur Capital Corporation, 1100 SW St. Lucie West Blvd., provided background on his request for the Board to either eliminate or reduce the County's lien of \$3,456.47 on a property located at 2431 42<sup>nd</sup> Place. He said that the property is

being sold in a short sale, with the highest offer \$12,000, and offered to pay 5% of that value (\$600.00) to satisfy the County's lien. Mr. Leyva thereafter responded to the Board's questions.

Commissioner Davis wanted to ensure that the seller does not receive a deficiency judgment after the transaction.

**Mr. Leyva** advised that when the "No Deficiency" letter is sent to the seller, he will forward a copy to Commissioner Davis.

ON MOTION by Commissioner Davis, SECONDED by Commissioner Solari, the Board unanimously accepted Kondaur Capital Corporation's offer of \$600 (5% of the \$12,000 value of the property) to satisfy the County's lien on the property located at 2431 42<sup>nd</sup> Place; Vero Beach, Florida.

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

**11. COUNTY ADMINISTRATOR MATTERS - NONE**

**12. DEPARTMENTAL MATTERS**

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

**12.B. EMERGENCY SERVICES**

**12.B.1. APPROVAL TO PURCHASE E911 CALL-TAKING EQUIPMENT FROM IRC BID NO. 2011052**

ON MOTION by Vice Chairman O'Bryan, SECONDED by Commissioner Davis, the Board unanimously authorized staff to utilize Bid No. 2011052 InterAct Public

Safety Systems Master Purchase and License Agreement for tag-on purchases related to the E911 Call-Taking equipment needed for the Vero Beach Police Department, Sebastian Police Department, and Indian River County Emergency Operations Center (EOC) Public Safety Answering Points (PSAP), as recommended in the memorandum of December 7, 2011.

**12.C. GENERAL SERVICES**

**12.C.1. REQUEST FOR AUTHORIZATION TO ISSUE AN INVITATION TO BID THE INDIAN RIVER COUNTY PUBLIC SHOOTING RANGE EXPANSION PROJECT**

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

A brief discussion followed, during which several Commissioners expressed support for financing the Shooting Range as an Enterprise Fund, as it formerly was.

County Administrator Michael Zito relayed that the Florida Wildlife Conservation Commission supports the project, and has advised that they will construct a hunter's education facility onsite at the Wildlife Commission's cost.

**Holden Kriss**, Range Manager, confirmed that the hunter safety program at the Shooting Range is well attended.

The Chairman CALLED THE QUESTION, and the Motion carried unanimously. The Board: (1) found that the expansion of the Shooting Range is necessary to accommodate growth in the County, and that such growth

will benefit from the expansion; and (2) authorized the issuance of an Invitation To Bid to construct the Shooting Range Expansion Project, as recommended in the memorandum of December 14, 2011.

**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**

**12.H.1. PURCHASE OF PARK LAND LOCATED NEAR 26<sup>TH</sup> STREET AND 82<sup>ND</sup> AVENUE**

County Administrator Joseph Baird asked the Board to formally deny his offer to Baker Realty for the purchase of a 542.84 acre parcel known as the Wealdon Tract. He noted that an expiration date had not been included in the offer.

ON MOTION by Vice Chairman O'Bryan, SECONDED by Chairman Wheeler, the Board unanimously DENIED the County Administrator's offer to purchase the Wealdon Tract from Baker Realty.

**12.I. PUBLIC WORKS – NONE**

**12.J. UTILITIES SERVICES – NONE**

### **13. COUNTY ATTORNEY MATTERS**

#### **13.A. FUND 101 REFUND ISSUES**

County Attorney Alan S. Polackwich, Sr., recalled that at the September 13, 2011 Board of County Commission meeting, he was asked to research several issues associated with certain impact fees that remain in Fund 101. He explained that \$132,159 and \$991,273 of unexpended impact fees and interest, respectively, remain in Fund 101 (formerly Traffic Impact Fee District II), and the fee payers never received notice of their right to file for a refund within one year. The Board needs to decide whether to issue a refund to the fee payers or use the funds for the A1A/17<sup>th</sup> Street Project (“A1A Project”). He gave an overview of the County’s impact fee ordinance; confirmed the legality of funding the A1A Project with the Fund 101 revenues; described the County’s interest accounting method; and outlined various options for the refund process. Concluding his analysis, he revealed that the City of Vero Beach supports the A1A Project, provided City residents are given 90 days to request a refund.

MOTION WAS MADE by Commissioner Solari, SECONDED by Chairman Wheeler, to refund the entire amount of unexpended Fund 101 traffic impact fee funds to the current property owners, including the principal and the interest, with the refund process to be staff-driven with no application fee.

Vice Chairman O’Bryan relayed that the City of Vero Beach (“the City”) has downgraded the Levels of Service (LOS) on the A1A/17<sup>th</sup> Street intersection, and he felt the greatest benefit to everyone would be to go ahead with the A1A Project.

Chairman Wheeler agreed that the intersection should be fixed, noting that the Fund 101 funds were designated for transportation improvements. However, he believed the current impact fee ordinance is unfair to the public and should be amended to prevent this type of situation in the future.

Commissioner Davis agreed with dispensing the refunds; however, he felt that an application-driven refund process would be fairer.

MOTION WAS AMENDED by Commissioner Solari, SECONDED by Commissioner Davis, to have the Fund 101 impact fee refund process be application-driven, with no application fees.

Discussion ensued regarding whether it would be best to issue the refunds or proceed with the A1A Project.

County Administrator Joseph Baird, with input from Public Works Director Christopher Mora, elaborated on the need for the A1A Project.

**Charlie Wilson**, County resident, maintained that the A1A/17<sup>th</sup> Street intersection was not broken, and advocated giving the refunds to the fee payers.

Commissioner Solari asserted that the County should do what is right for the individual fee payers.

Commissioner Flescher spoke about the original impact fee payers who had reserved capacity but never built their projects, questioning why the County would want to reward them. He voiced support for moving ahead with the A1A Project.

**Annabel Robertson**, Asset Research and Recovery, 3404 Aviation Boulevard, representing 130 homeowners in the old District II, declared that all the homeowners who paid into Fund 101 are owed a refund with interest.

Commissioner Davis pointed out that several issues pertaining to the impact fees were being addressed simultaneously and requested that the issues be discussed individually.

Commissioner Solari WITHDREW his Motion.

MOTION WAS MADE by Commissioner Solari, SECONDED by Commissioner Davis, to refund the entire amount of Fund 101 traffic impact fee funds, consisting of the principal and the interest that has accumulated to date.

**Mr. Wilson** defended the right of the fee payers to receive a refund of their unexpended fees. He wondered why in all the time Fund 101 was in existence, the Commissioners had not been asked to implement a refund policy for the unexpended impact fees not used within the allotted six years.

Administrator Baird explained that staff had followed the refund policy in Ordinance 1986-14, which states a fee payer has one year to apply for a refund.

Commissioner Davis asked the County Attorney to clarify where the ordinance was flawed.

Attorney Polackwich advised that should there be a legal dispute, the refund process would be questioned.

Commissioner Solari observed that as the refund issue is one of equity and not law, the equity should fall to the individual citizens and not the government. He felt the right thing would be to do what is best for the individual citizens and refund the entire amount in Fund 101.

Discussion continued on the policies relating to impact fees as outlined in Ordinance 1986-14 and Ordinance 2005-015.

**Mrs. Robertson** said that the fact that not one individual applied for a refund points to the County's lack of a non-functional refund procedure. She questioned whether the statement in the ordinance about a fee payer having one year to apply for a refund (after the six years) was a valid notice requirement.

Vice Chairman O'Bryan proposed that individuals be given the chance to request through an application process, their impact fee refunds, including the interest tied to the \$132,159 of principal. He also wanted the applicants to sign an affidavit acknowledging the need for the A1A Project, and the probable lack of other funds to effect the intersection improvements.

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

MOTION WAS MADE by Vice Chairman O'Bryan, SECONDED by Chairman Wheeler, to refund to the current property owners, the \$132,159 of unspent Fund 101 (Original Traffic Impact Fee District II Trust Account) traffic impact fees; to request the Clerk of Court compute the interest related only to the \$132,159 impact fees; and to require impact fee refund applicants to sign an affidavit acknowledging the need for the A1A Project, and the probable lack of other funds to effect the intersection improvements.

Director Brown explained that the impact fees that were paid first have already been expended.



Vice Chairman O'Bryan suggested that the refunds begin with the current owner of the property associated with the last impact fee paid into Fund 101, and proceed backwards with the next impact fee paid, until all the fees and associated interest have been expended.

**Ms. Robertson** objected to the County's plan to refund the fees in simple rather than compound interest.

Director Brown discussed the interest accounting procedures, noting that the Clerk of the Court calculates the interest.

**Joseph Paladin**, Black Swan Development and Entitlement, opined that the fees paid into Fund 101 should be used to fix the intersection and benefit everyone.

Discussion ensued, with input from Attorney Polackwich, regarding the legality of funding the A1A Project with the Fund 101 funds. He counseled that if the County was found to have a defective refund process and required to issue the refunds, the defect in the ordinance would not be cured by the ultimate use of the funds for the public good.

The Chairman CALLED THE QUESTION and by a 4-1 vote (Commissioner Solari opposed), the Motion carried. The Board: (1) approved to refund to the current property owners the \$132,159 of unspent Fund 101 (Original Traffic Impact Fee District II Trust Account) traffic impact fees; (2) authorized the Clerk of Court to compute the interest related only to the \$132,159 impact fees; and (3) approved the requirement for impact fee refund applicants to sign an affidavit acknowledging the need for the A1A Project, and the probable lack of other funds to effect the intersection improvements.

ON MOTION BY Vice Chairman O'Bryan, SECONDED by Commissioner Davis, the Board directed staff to begin distributing the Fund 101 (Original Traffic Impact Fee District II Trust Account) traffic impact fee refunds to the eligible applicants, commencing with the last impact fee paid and working backwards until the \$132,159 of unspent fees and accompanying interest is exhausted.

Attorney Polackwich advised that the refund mechanism would have to be implemented through an ordinance amendment, and asked if the process would be staff-driven.

Vice Chairman O'Bryan wanted all the eligible property owners to be sent a written notification with instructions to complete the application and affidavit, in order to get their refund.

**Ms. Robertson** requested that the County's amended ordinance not interfere with her contractual agreements with the 130 clients already seeking refunds.

Attorney Polackwich assured Ms. Robertson the County would honor those prior authorizations.

After further discussion, it was clarified that there would be no application fee for refund applicants.

Attorney Polackwich said he would present for Board review in January 2012, an amendment to the impact fee ordinance providing for refunds, with anticipated final adoption in February 2012.

## **14. COMMISSIONER ITEMS**

### **14.A. COMMISSIONER GARY C. WHEELER, CHAIRMAN - NONE**

**14.B. COMMISSIONER PETER D. O'BRYAN, VICE CHAIRMAN - NONE**

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

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

**14.E. COMMISSIONER BOB SOLARI - NONE**

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

### **15.A. EMERGENCY SERVICES 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 Emergency Services District. Those Minutes are being prepared separately.

#### **15.A.1. APPROVAL TO PURCHASE ONE MEDIUM-DUTY BRUSH TRUCK WITH EQUIPMENT**

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

The Chairman announced that immediately upon adjournment of the 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 OCTOBER 18, 2011**

#### **15.B.2. RETENTION OF SPECIALIZED OUTSIDE COUNSEL FOR ENVIRONMENTAL & SOLID WASTE PROJECTS**

**15.B.3. REQUEST FOR GENERAL FUNDS – PACE PROJECT AND OTHER COMMUNITY PROJECTS**

**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 2:40 p.m.

ATTEST:

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

\_\_\_\_\_  
Gary C. Wheeler, Chairman

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