

JEFFREY K. BARTON  
Clerk to the Board



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OF BOARD OF COUNTY COMMISSIONERS

JANUARY 10, 2012

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**JEFFREY K. BARTON**

Clerk to the Board



**January 10, 2012**

**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, January 10, 2012. 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 Leona Adair Allen.

**1. CALL TO ORDER**

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

**2. INVOCATION**

Jeff Smith, Chief Deputy Clerk of Circuit Court, delivered the Invocation.

**3. PLEDGE OF ALLEGIANCE**

Administrator Baird led the Pledge of Allegiance to the Flag.

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

Chairman Wheeler requested the following changes to the Agenda:

**TABLED TO JANUARY 17, 2012: ITEM 13.A. INITIAL CONSIDERATION OF  
PROPOSED FUND 101 REFUND ORDINANCE**

**TABLED TO JANUARY 17, 2012: ITEM 13.B. INITIAL CONSIDERATION OF  
PROPOSED SIX YEAR IMPACT FEE REFUND ORDINANCE**

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

**5. PROCLAMATIONS AND PRESENTATIONS**

**5.A. PRESENTATION OF PROCLAMATION FOR INDIAN RIVER COUNTY  
CELEBRATING CHILDREN'S WEEK**

Commissioner Davis read and presented the Proclamation to Jacki Jackson, Executive  
Director of the Early Learning Coalition.

**5.B. PRESENTATION OF PROCLAMATION OF APPRECIATION TO BERNIE &  
MARGE GRALL**

Chairman Wheeler read and presented the Proclamation to Bernie and Marge Grall.

**5.C. PRESENTATION OF PROCLAMATION HONORING DARLENE SILVERSTEIN  
ON HER RETIREMENT FROM THE PROPERTY APPRAISER'S OFFICE OF  
INDIAN RIVER COUNTY**

Vice Chairman O'Bryan read and presented the Proclamation to Darlene Silverstein.

**5.D. PRESENTATION BY STEPHANIE AUSTIN, COALITION FOR HEALTH  
AGAINST SMART METERS**

**Stephanie Austin**, 6250 Arrowhead Lane, Coalition for Health Against Smart Meters, read portions of a 2011 commentary on the California Council of Sciences and Technology (CCST) report, "Health Impacts of Radio Frequency from Smart Meters" (on file). She voiced concerns over the proposal by Florida Power and Light (FP&L) to replace the County's analog electric meters with post microwave transmitting smart meters. She questioned claims that smart meters would save energy, the authority that mandates smart meters in Florida, and radiation exposure. She asked the Board to protect local citizens and call for an emergency halt to smart meter deployment.

Commissioner Davis asked if individuals could opt out of the smart meter program.

**Ms. Austin** revealed that according to the Florida Public Service Commission (PSC) and FP&L, individuals cannot opt out of the program. She urged individuals having difficulties or health issues with their smart meters, to contact her or visit the following websites for additional information and assistance: [smartmetermatrix.org](http://smartmetermatrix.org), [nosmartmeters.blogspot.com](http://nosmartmeters.blogspot.com), or [microwavecasm.com](http://microwavecasm.com).

Commissioner Solari reported that FP&L would be providing the Board with a presentation on smart meters in February.



Chairman Wheeler questioned the Federal Law and Regulations relating to the smart meters. **Ms. Austin** suggested reading the Energy Policy Act (EPACT) of 2005.

**6. APPROVAL OF MINUTES**

**6.A. MINUTES OF REGULAR MEETING OF OCTOBER 18, 2011**

**6.B. MINUTES OF REGULAR MEETING OF NOVEMBER 1, 2011**

**6.C. MINUTES OF REGULAR MEETING OF NOVEMBER 8, 2011**

**6.D. MINUTES OF REGULAR MEETING OF NOVEMBER 15, 2011**

The Chairman asked if there were any corrections or additions to the minutes of October 18, November 1, November 8, or November 15, 2011. There were none.

ON MOTION by Vice Chairman O'Bryan, SECONDED by Commissioner Davis, the Board unanimously approved the minutes of the meetings of October 18, 2011; November 1, 2011; November 8, 2011; and November 15, 2011, as written.

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

**7.A. RESIGNATION OF THE MEDICAL DOCTOR APPOINTEE TO THE  
ENVIRONMENTAL CONTROL HEARING BOARD**

Noted for the record was the resignation of Dr. Matthew S. Zoffer as the Medical Doctor Appointee to the Environmental Control Hearing Board.

## **8. CONSENT AGENDA**

Vice Chairman O'Bryan requested to pull Item 8.D., and Commissioner Solari requested to pull Item 8.M., from the Consent Agenda for discussion/comments.

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 – DECEMBER 9, 2011 TO DECEMBER 15, 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 December 9, 2011 to December 15, 2011, as requested in the memorandum of December 15, 2011.

### **8.B. APPROVAL OF WARRANTS AND WIRES – DECEMBER 16, 2011 TO DECEMBER 28, 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 December 16, 2011 to December 28, 2011, as requested in the memorandum of December 28, 2011.

**8.C. BLANKET AUTHORIZATION FOR COMMISSIONERS TO TRAVEL OUT OF COUNTY**

ON MOTION by Commissioner Flescher, SECONDED by Commissioner Davis, the Board unanimously granted approval for Board members to travel out-of-County for all current and any future assigned committee meetings, including travel to Tallahassee, Florida, as requested in the memorandum of December 30, 2011.

**8.D. APPLICATIONS FOR BOARD OF COUNTY COMMISSIONER APPOINTEE TO THE BEACH AND SHORE PRESERVATION ADVISORY COMMITTEE**

Vice Chairman O'Bryan noted that there were two applicants (Christian Hendricks and David Washington) for the vacant position on the Beach and Shores Preservation Advisory Committee. He nominated Christian Hendricks for the position due to his familiarity and experience with the applicant.

ON MOTION by Vice Chairman O'Bryan, SECONDED by Commissioner Solari, the Board unanimously appointed Christian Hendricks to the Beach and Shore Preservation Advisory Committee, as recommended in the memorandum of January 3, 2012.

**8.E. RESOLUTION CANCELLING TAXES ON PROPERTY DONATED FOR CONSERVATION**

ON MOTION by Commissioner Flescher, SECONDED by Commissioner Davis, the Board unanimously approved **Resolution 2012-001**, cancelling certain taxes upon publicly owned lands, pursuant to Section 196.28, Florida Statutes.

(Rosemary V. Johnson, Tamara K. Boetch, Amy J. Higgins, Marnie K. Elmore, the heirs of the Cecil M. Johnson Trust)

**8.F. RESOLUTION CANCELLING TAXES ON CONSERVATION PROPERTY PURCHASED WITH GRANT FUND**

ON MOTION by Commissioner Flescher, SECONDED by Commissioner Davis, the Board unanimously approved **Resolution 2012-002**, cancelling certain taxes upon publicly owned lands, pursuant to Section 196.28, Florida Statutes.

(Pressley Ranch, Inc.)

**8.G. PURCHASE OF CORNER CLIP RIGHT-OF-WAY AT 17<sup>TH</sup> STREET AND A-1-A**

ON MOTION by Commissioner Flescher, SECONDED by Commissioner Davis, the Board unanimously approved the purchase of the needed right-of-way at 1700 Highway A-1-A, at a price of \$2,484, as recommended in the memorandum of January 3, 2012.

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

**8.H. APPROVAL OF THE COMMUNITY EMERGENCY RESPONSE TEAM  
FEDERALLY-FUNDED SUBGRANT AGREEMENT #12-CI-24-10-40-01-XXX  
AND EXPENDITURES**

ON MOTION by Commissioner Flescher, SECONDED by Commissioner Davis, the Board unanimously approved the Federally Funded Subgrant Agreement #12-CI-24-10-40-01-XXX, and approved the expenditures as outlined in the grant, as recommended in the memorandum of December 28, 2011.

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

**8.I. MISCELLANEOUS BUDGET AMENDMENT 004**

ON MOTION by Commissioner Flescher, SECONDED by Commissioner Davis, the Board unanimously approved **Resolution 2012-003**, amending the fiscal year 2011-2012 budget.

**8.J. ACCEPTANCE OF 2011 AWARD LETTER FOR STATE HOMELAND SECURITY  
GRANT PROGRAM**

ON MOTION by Commissioner Flescher, SECONDED by Commissioner Davis, the Board unanimously accepted the State Homeland Security grant in the amount of \$16,500, and authorized the Chairman to execute the grant agreement, as recommended in the memorandum of December 30, 2011.

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

**8.K. APPROVAL OF RESOLUTION ADOPTING THE 2012 INDIAN RIVER COUNTY  
COMPREHENSIVE EMERGENCY MANAGEMENT PLAN**

ON MOTION by Commissioner Flescher, SECONDED by Commissioner Davis, the Board unanimously approved: (1) the appointment of John King as the Plan Manager for Indian River County; and (2) **Resolution 2012-004**, adopting a comprehensive emergency management plan for Indian River County.

DOCUMENT AND CD ON FILE IN THE OFFICE OF THE CLERK TO THE BOARD

**8.L. APPROVAL OF FINAL PAYMENT TO HYDROMENTIA, INC. FOR WORK  
ORDER NO. 3**

ON MOTION by Commissioner Flescher, SECONDED by Commissioner Davis, the Board unanimously approved the final invoice for Work Order No. 3, with HydroMentia, Inc., for water quality monitoring and reporting at Egret Marsh Stormwater Park, in the amount of \$11,500, as recommended in the memorandum of December 14, 2011.

**8.M. RFP 2012016 – IRC JAIL FIRE ALARM REPLACEMENT – CONTRACT**

**AWARD**

Commissioner Solari pointed out that the fire alarm replacement for the jail would be funded with another \$143,877 from the Optional One-Cent Sales Tax, and he wanted fellow Commissioners to keep in mind that if this is approved, it would reduce the amount in the Optional One-Cent Sales Tax fund (which will be addressed in Item No. 9 Constitutional Officers and Governmental Agencies).

Commissioner Davis asked whether the Optional One-Cent Sales Tax revenue and projected expenditures balance included the \$143,877 for the jail fire alarm. Administrator Baird announced that a spreadsheet would be shown later in the meeting under Item No. 9.

ON MOTION by Commissioner Solari, SECONDED by Commissioner Davis, the Board unanimously approved: (1) the proposal from Siemens Industries, Inc.; (2) the Agreement; and (3) the budget amendment in the amount of \$143,877 from Optional Sales Tax/Cash Forward, as recommended in the memorandum of December 28, 2011.

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

**8.N. DECLARE EXCESS EQUIPMENT SURPLUS FOR SALE OR DISPOSAL**

ON MOTION by Commissioner Flescher, SECONDED by Commissioner Davis, the Board unanimously: (1) declared the items listed on pages 150 – 164 of the Agenda Packet, as surplus; (2) authorized the sale and/or proper disposal; and (3) authorized the excess equipment to be delivered to the Indian River County Fairgrounds to be sold at public auction on January 28, 2012, at 10:00 a.m., as recommended in the memorandum of January 3, 2012.

**8.O. VERO BEACH SPORTS VILLAGE QUADRANGLE SOFTBALL FIELDS, WORK ORDER NO. 1 TO DESIGN/BUILD PART 1 AGREEMENT, PART 2 AGREEMENT AND AMENDMENT NO. 1 TO AGREEMENT, RFP NO. 2011035 – IRC PROJECT NO. 1105**

ON MOTION by Commissioner Flescher, SECONDED by Commissioner Davis, the Board unanimously: (1) approved Work Order No. 1 to the Design/Build Agreement; (2) approved Design/Build Part 2 Agreement with Bill Bryant and Associates, Inc. for \$2,492,000 for the construction of the Vero Beach Sports Village Quadrangle Softball Fields; and (3) Amendment No. 1 to the Agreement to allow for direct purchases, all as recommended in the memorandum of December 30, 2011.

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



**9. CONSTITUTIONAL OFFICERS AND GOVERNMENTAL AGENCIES**

**9.A.1. INDIAN RIVER COUNTY SHERIFF, DERYL LOAR – OPTIONAL ONE-CENT SALES TAX FUND**

Sheriff Deryl Loar recalled and addressed previous discussions with the Board regarding the use of the Optional One-Cent Sales Tax revenue to purchase marked patrol vehicles, and capital expenditures not being included in his budget. He spoke briefly about the “Two-Year Budget versus Actual Comparison” list and the “Indian River County Sheriff’s Office (IFCSO) Fleet Mileage Report” (in the Agenda Packet); and answered questions regarding his budget. He requested that \$600,000 of the Optional One-Cent Sales Tax be used to purchase marked patrol vehicles. Sheriff Loar thereafter reported that the fire alarm replacement project in the jail has been in operation for over two years.

Chairman Wheeler objected to the Sheriff’s request for Optional One-Cent Sales Tax funds, and stressed that capital expense items should have been identified in his proposed 2011-2012 budget instead of using a blanket concept. He suggested the Sheriff include capital expenses in his proposed budget next year.

Sheriff Loar noted that the Optional One-Cent Sales Tax was presented during the Budget Workshops, and was an idea that was presented by the Board.

Discussion ensued among the Sheriff and Commissioners regarding the budget process and its transparency; the transferring of accounts; accounting practices and procedures; capital expenditures; the current status of patrol vehicles; and maintaining an aging vehicle fleet.

MOTION WAS MADE by Commissioner Solari,  
SECONDED by Chairman Wheeler, to deny the Sheriff’s  
request.

The Commissioners suggested the Sheriff bring this back to the Board in three to six months, and that he reflect the capital expenses in his budget for next year.

The Chairman CALLED THE QUESTION, and the Motion carried. The Board unanimously denied the Sheriff's request to use \$600,000 of the Optional One-Cent Sales Tax revenue for the purchase of marked patrol vehicles.

## **10. PUBLIC ITEMS**

### **10.A. PUBLIC HEARING(S) - NONE**

### **10.B. PUBLIC DISCUSSION ITEMS**

#### **10.B.1. LAWRENCE A. BARKETT AND TENANTS OF COMMERCIAL PLAZA AT 21<sup>ST</sup> COURT SW AND OSLO ROAD REGARDING REPAIR OF CULVERT AT 21<sup>ST</sup> COURT SW AND OSLO ROAD**

Attorney Bruce Barkett, on behalf of his brother Lawrence A. Barkett, sister-in-law Rebecca Barkett, and tenants of the commercial plaza at 21<sup>st</sup> Court SW and Oslo Road, provided background and details regarding the substantial disrepair (due to the culvert collapse) of the private access road/bridge that serves as the sole ingress and egress to the commercial plaza and townhouse development known as Vero South Property Owners Association, Inc. (POA). He clarified that the POA has the maintenance responsibility for the private road, not the commercial plaza owners. He reported that in the interest of expediting the road repair, so the commercial businesses in the plaza can survive, his brother and sister-in-law offered to pay one-half of the cost for repair (\$11,000). Attorney Barkett said that staff had taken steps to obtain

consent from the POA to conduct the repair work, and at a later date his brother would assess the POA for the costs through a recorded lien on the property. He felt the decision would be just and proper since it would be protecting public safety and welfare, as well as investing in the benefit of the businesses.

**Rebecca Barkett** described the deteriorating condition of the road/bridge, and the events that had taken place. She sought an immediate solution for public safety, as well as economic survival for the plaza businesses.

Public Works Director Chris Mora addressed the Commissioners' questions and concerns regarding available options and cost estimates for repairing the bridge.

Commissioner Solari urged the Barketts to work with the County Attorney for a plan that would help retrieve the County's repair costs, and minimize County exposure.

Commissioner Davis believed that if the Barketts wanted to commit \$11,000 towards fixing the project, then the County should allow a temporary fix so customers could access the businesses and the POA tenants could get to their residences.

Commissioner Davis, Deputy County Attorney William DeBraal, and Attorney Barkett discussed proposed solutions, and whether the fix should be temporary or permanent.

Director Mora discouraged a temporary fix to the road/bridge.

Chairman Wheeler wanted the bridge fixed as quickly as possible, and rationalized why he supported a permanent fix.

MOTION WAS MADE by Commissioner Davis, to give the County Administrator direction to install something temporary, and move forward with the Barkett's agreement. Motion FAILED for lack of a second.

Director Mora recommended installing an asphalt (millings) apron off of 20<sup>th</sup> Avenue, as long as the culvert is replaced by the County in a timely manner.

MOTION WAS MADE by Commissioner Solari, SECONDED by Chairman Wheeler, to: (1) move forward with the condition that this is being worked out within the next week or so with the County Attorney; (2) enter into an agreement with Mr. Barkett to correctly fix the culvert whereby Mr. Barkett pays half of the cost, and in doing so the County notes that there is a fallen Property Owners' Association; and (3) find that with the significant auto traffic on Oslo Road, it makes it appropriate for the Board of County Commissioners to address the health, safety, and welfare problem for the County's citizens.

**Jennifer Boksmati**, owner of Fillin' N' Chillin, a business in the plaza that is being affected by this situation, asked that the action be immediate because her shop is losing business and cannot survive much longer.

The Board engaged in a lengthy discussion regarding possible solutions, expediting the project, and the dangers of using a single lane to ingress/egress the plaza.

**Bob Johnson**, Coral Wind Subdivision, encouraged the Board to make a permanent repair to the road/bridge. He supported the Barkett's offer to pay \$11,000 towards its repair, and felt the County should pay the remainder with contingency funds.

MOTION WAS AMENDED by Commissioner Solari, SECONDED by Chairman Wheeler, to include the installation of an asphalt apron off of 20<sup>th</sup> Avenue, with the understanding that the County will replace the culvert in a timely manner.

The Chairman CALLED THE QUESTION and by a unanimous vote, the Motion carried. The Board approved to: (1) move forward with the condition that this is being worked out within the next week or so with the County Attorney; (2) enter into an agreement with Lawrence Barkett to correctly fix the culvert whereby Mr. Barkett pays half of the cost, and in doing so the County notes that there is a fallen Property Owners' Association; (3) note that with the significant auto traffic on Oslo Road, it makes it appropriate for the Board of County Commissioners to address the health, safety, and welfare problem for the County's citizens; and (4) include the installation of an asphalt apron off of 20<sup>th</sup> Avenue, with the understanding that the County will replace the culvert in a timely manner.

*The Chairman called a break at 10:45 a.m., and reconvened the meeting at 10:53 a.m., with all members present.*

**10.C. PUBLIC NOTICE ITEMS**

**10.C.1. NOTICE OF SCHEDULED PUBLIC HEARING JANUARY 17, 2012: INDIAN RIVER COUNTY'S REQUEST FOR SPECIAL EXCEPTION USE APPROVAL TO CONSTRUCT A WIRELESS COMMUNICATIONS TOWER AT 7235 4<sup>TH</sup> STREET (QUASI-JUDICIAL)**

Chairman Wheeler read the notice 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**

**12.C.1. APPROVAL OF BID AWARD FOR IRC BID # 2012015 CONTRACT SERVICES FOR BEACH PARKS MAINTENANCE**

Assistant County Administrator Michael Zito recapped his memorandum dated January 4, 2012 to provide background and analysis on the privatization of janitorial maintenance and landscaping maintenance for the County's beach parks and beach access points. He also used a PowerPoint presentation (on file) to review the bid results of each function. He divulged that staff's recommendation was for the Board to award the janitorial maintenance portion of the bid to Boro Building and Property Maintenance, Inc., of Sarasota, in the amount of \$56,641.61 annually; awarding the landscape maintenance portion of the bid to Integrity Lawn and Landscaping, of Okeechobee, in the amount of \$15,120 annually; and approving the sample agreement on pages 222 and 223 of the Agenda Packet.

**Chad Carter**, Integrity Lawn and Landscaping, Okeechobee, said he had owned his landscaping business for seven years, and currently maintains numerous properties from Okeechobee to Fort Pierce. He felt he could provide a good landscaping service at the agreed price due to the cost savings in drive time and fuel, which would be absorbed through other clients in the local area.

The Board and staff discussed local preference not being used in the award of the bids, what the contracts would include, the broad range in submitted bid amounts, the loss of four full-time County positions in the Park Division, and gaining efficiency.

ON MOTION by Commissioner Solari, SECONDED by Chairman Wheeler, the Board unanimously: (1) approved bid award to Boro Building and Property Maintenance, Inc., Sarasota, for the janitorial maintenance portion of the bid, in the amount of \$56,641.61 annually, as the most responsive and responsible bidder meeting the specifications as set forth in the Invitation to Bid; (2) approved the bid award to Integrity Lawn and Landscaping, Okeechobee, for the landscape maintenance portion of the bid, in the amount of \$15,120 annually, as the most responsive and responsible bidder meeting the specifications as set forth in the Invitation to Bid; (3) approved the sample agreement; and (4) 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, all as recommended in the memorandum of January 4, 2012.

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

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

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

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

**12.G. OFFICE OF MANAGEMENT AND BUDGET**

**12.G.1. VERO BEACH SPORTS VILLAGE SOCCER FIELD COST ESTIMATE**  
**INCREASE**

Management and Budget Director Jason Brown recapped his memorandum dated January 4, 2012, providing background and conditions relating to the facility lease agreement that the County originally entered into with Minor League Baseball (MiLB), now Verotown, LLC, on May 1, 2009, and amended on May 3, 2011. He revealed that MiLB had requested that the soccer field be increased from the original agreement of a regulation size soccer field of 54,000 square feet, with a 20-foot perimeter, totaling 74,800 square feet, to a larger field that would measure about 134,400 square feet. He thereafter provided cost estimates for both fields, and recommended that staff proceed with the regulation size field in accordance with the original agreement, and revise the budget from \$122,291 to \$130,000.

**Craig Callan**, MiLB Vice President, Vero Beach Sports Village, stated that he is very satisfied with how MiLB and the County had been working together. He believed the larger field would maximize usage opportunities for lacrosse, soccer, football, and rugby.

Vice Chairman O'Bryan wanted to know if MiLB's contribution would come from the Capital Reserve Account.



**Mr. Callan** conveyed that it would not come from the Capital Reserve Account, but from staffing, planning, and possibly using man hours for irrigation.

**Bob Johnson**, Coral Wind Subdivision, questioned whether the \$130,000 would come from County taxpayer money, and was informed that it was not; this was money that had already been approved and was part of the original estimate of \$3,120,500.

Administrator Baird further clarified that ad valorem taxes were not used for this, optional sales tax was, and it had already been allocated in the budget.

ON MOTION by Commissioner Solari, SECONDED by Commissioner Flescher, the Board unanimously authorized staff to: (1) proceed with the regulation sized field in accordance with the agreement; and (2) proceed working with MiLB to spend up to the revised budget amount of \$130,000, keeping the original estimate of \$3,120,500 unchanged.

**12.H. RECREATION - NONE**

**12.I. PUBLIC WORKS - NONE**

**12.J. UTILITIES SERVICES**

**12.J.1. WORK ORDER NO. 1 – PROFESSIONAL SERVICES TO KIMLEY-HORN & ASSOCIATES, INC. FOR MEMBRANE REPLACEMENT FOR NORTH RO SKIDS #1 AND #2 AND PRODUCT WATER QUALITY EVALUATION AT NORTH AND SOUTH RO WATER TREATMENT PLANT**

ON MOTION by Commissioner Flescher, SECONDED by Commissioner Davis, the Board unanimously approved Work Order No. 1 to Kimley-Horn and Associates in the amount of \$42,300, as recommended in the memorandum of December 20, 2011.

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

**12.J.2. CONSIDERATION OF CONSULTANT CONTRACT FOR UTILITIES DEPARTMENT COMMUNITY DEVELOPMENT BLOCK GRANT NEIGHBORHOOD REVITALIZATION ADMINISTRATIVE SERVICES FOR SANITARY SEWER AND DRAINAGE IMPROVEMENTS IN THE WEST WABASSO COMMUNITY**

Commissioner Solari pointed out that the County had received a letter from the Department of Economic Opportunity (DEO) stating that Community Development Block Grant (CDBG) funding was approved for the project.

MOTION WAS MADE by Vice Chairman O'Bryan, SECONDED by Commissioner Davis, to approve the proposed contract, in form, with Guardian Community Resource Management, Inc., for administration of a Neighborhood Revitalization Community Development Block Grant, and authorize the Chairman to execute same upon formal written acknowledgement from the Department of Economic Opportunity (DEO), as recommended in the memorandum of December 16, 2011.

Capital Projects Manager Michael Hotchkiss reiterated that the letter stating that Indian River County would be funded for the project was received on January 3, 2012. He said he would be bringing the contract for the Board to accept the grant back in about two weeks.

The Chairman CALLED THE QUESTION and the Motion carried unanimously

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

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

**13.A. TABLED UNTIL JANUARY 17, 2012 - INITIAL CONSIDERATION OF PROPOSED FUND 101 REFUND ORDINANCE**

**13.B. TABLED UNTIL JANUARY 17, 2012 - INITIAL CONSIDERATION OF PROPOSED SIX YEAR IMPACT FEE REFUND ORDINANCE**

**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 - NONE**

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

The Chairman announced that immediately upon adjournment, 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 NOVEMBER 1, 2011**

**15.B.2. APPROVAL OF MINUTES – MEETING OF NOVEMBER 15, 2011**

**15.B.3. WORK ORDER No. 2 GEOSYNTEC TO UTILIZE KESSLER CONSULTING  
FOR TECHNICAL ASSISTANCE WITH RECYCLABLES PROCESSING  
PROCUREMENT**

**15.B.4. FINAL PAY FOR AMENDMENT 1 TO WORK ORDER No. 13, TO CAMP,  
DRESSER & MCKEE, INC. FOR INDIAN RIVER COUNTY ANNUAL PERMIT  
COMPLIANCE AND MONITORING FOR 2010 AND 2011**

**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  
11:36 a.m.

ATTEST:

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

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

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

BCC/LA/2012 Minutes

January 10, 2012