

JEFFREY K. BARTON  
Clerk to the Board



INDEX TO MINUTES OF REGULAR MEETING

OF BOARD OF COUNTY COMMISSIONERS

APRIL 10, 2012

1.	CALL TO ORDER.....	1
2.	INVOCATION .....	1
3.	PLEDGE OF ALLEGIANCE .....	1
4.	ADDITIONS/DELETIONS TO THE AGENDA/EMERGENCY ITEMS .....	2
	DELETION: ITEM 8.F. LEASE EXTENSION, LITTLE MERMAID CAR WASH, 1935 43 <sup>RD</sup> AVENUE, TIMOTHY E. AND JOSHANA TYNES, 43 <sup>RD</sup> AVENUE/SR60 INTERSECTION WIDENING AND IMPROVEMENTS .....	2
5.	PROCLAMATIONS AND PRESENTATIONS .....	2
5.A.	PRESENTATION OF PROCLAMATION HONORING DR. MATHEW S. ZOFFER FOR OUTSTANDING SERVICE ON THE INDIAN RIVER COUNTY ENVIRONMENTAL CONTROL HEARING BOARD .....	2
5.B.	PRESENTATION OF PROCLAMATION DESIGNATING THE MONTH OF APRIL, 2012, AS CHILD ABUSE PREVENTION MONTH .....	2
5.C.	PRESENTATION OF PROCLAMATION FOURTH ANNUAL INDIAN RIVER COUNTY DAY OF SERVICE.....	3
5.D.	PRESENTATION OF PROCLAMATION RECOGNIZING APRIL 8 – 14, 2012 AS NATIONAL TELECOMMUNICATORS WEEK.....	3

6.	APPROVAL OF MINUTES .....	4
6.A.	MEETING OF FEBRUARY 14, 2012 .....	4
7.	INFORMATIONAL ITEMS FROM STAFF OR COMMISSIONERS NOT REQUIRING BOARD ACTION - NONE.....	4
8.	CONSENT AGENDA .....	4
8.A.	APPROVAL OF WARRANTS AND WIRES – MARCH 23, 2012 TO MARCH 29, 2012.....	5
8.B.	REQUEST FOR AUTHORIZATION TO ADVERTISE FOR A PUBLIC HEARING TO CONSIDER AN ORDINANCE ESTABLISHING AN ALTERNATIVE METHOD OF SELLING REAL PROPERTY THROUGH THE NEIGHBORHOOD STABILIZATION PROGRAM (NSP).....	5
8.C.	APPROVAL OF AN AMENDMENT TO THE SEXTON RANCH WEST CONSERVATION EASEMENT TO RELOCATE AND RECONFIGURE RESIDENTIAL PARCEL NUMBER 1 .....	6
8.D.	CHANGE ORDER NO. 1 – RELEASE OF RETAINAGE INDIAN RIVER BOULEVARD SIDEWALK IMPROVEMENTS FROM 12 <sup>TH</sup> STREET TO 17 <sup>TH</sup> STREET BID NO. 2011012 – IRC PROJECT NO. 0745.....	6
8.E.	DECLARATION OF SOLE SOURCE FOR PURCHASE OF CLAY TARGET THROWERS FOR THE INDIAN RIVER COUNTY PUBLIC SHOOTING RANGE EXPANSION PROJECT .....	7
8.F.	LEASE EXTENSION, LITTLE MERMAID CAR WASH, 1935 43 <sup>RD</sup> AVENUE, TIMOTHY E. AND JOSHANA TYNES, 43 <sup>RD</sup> AVENUE/SR60 INTERSECTION WIDENING AND IMPROVEMENTS – DELETED .....	7
9.	CONSTITUTIONAL OFFICERS AND GOVERNMENTAL AGENCIES .....	7
9.A.1.	INDIAN RIVER COUNTY SHERIFF DERYL LOAR - FISCAL YEAR 2012 EDWARD BYRNE MEMORIAL JUSTICE ASSISTANCE GRANT (JAG) FORMULA PROGRAM: LOCAL SOLICITATION .....	7
10.	PUBLIC ITEMS.....	8
10.A.	PUBLIC HEARING(S) .....	8

10.A.1.	ENCLAVE AT VERO BEACH, LLC’S REQUEST FOR RE-APPROVAL OF THE BLOOMFIELD AT VERO BEACH PLANNED DEVELOPMENT (PD) CONCEPTUAL PLAN (LEGISLATIVE).....	8
10.A.2.	DIVOSTA HOMES, L.P.’S NOTICE OF PROPOSED CHANGE (NOPC) REQUEST TO MODIFY THE WATERWAY VILLAGE DRI DEVELOPMENT ORDER EMERGENCY SHELTER SPACE CONDITION (QUASI-JUDICIAL).....	10
10.B.	PUBLIC DISCUSSION ITEMS .....	12
10.B.1.	REQUEST TO SPEAK FROM JOEL MOLINARI REGARDING BUILDING PERMIT FEES AND CONTRACTOR LICENSING/UNLICENSED CONTRACTING .....	12
10.B.2.	REQUEST TO SPEAK FROM JOE WIGGINS REGARDING SIDEWALK ON 11 <sup>TH</sup> STREET, S.W., AND STOP SIGN ON 11 <sup>TH</sup> STREET S.W. ....	13
10.C.	PUBLIC NOTICE ITEMS .....	13
10.C.1.	NOTICE OF SCHEDULED PUBLIC HEARING FOR MAY 15, 2012:.....	13
10.C.1.A.	ORCHID QUAY, LLC; TC PROPERTY VENTURE, LLC; AND WILLIAM HUNTER REQUEST: TO AMEND THE COMPREHENSIVE PLAN’S FUTURE LAND USE MAP TO REDESIGNATE ± 28.56 ACRES, LOCATED APPROXIMATELY ±900 FEET SOUTH OF C.R. 510 AND EAST OF 46 <sup>TH</sup> AVENUE AND U.S. #1, FROM M-1, MEDIUM-DENSITY RESIDENTIAL-1 (UP TO 8 UNITS/ACRE), TO C/I, COMMERCIAL/ INDUSTRIAL; AND SIMULTANEOUSLY CHANGE THE LAND USE DESIGNATION OF ±9.21 ACRES, LOCATED SOUTH OF C.R. 510, AND EAST OF 46 <sup>TH</sup> AVENUE, FROM C/I, COMMERCIAL/INDUSTRIAL, TO M-1, MEDIUM DENSITY RESIDENTIAL – 1 (UP TO 8 UNITS/ACRE); AND CHANGE THE LAND USE DESIGNATION OF ±20.11 ACRES, LOCATED APPROXIMATELY ±1300 FEET SOUTH OF 65 <sup>TH</sup> STREET AND WEST OF THE FEC RAILROAD, FROM C/I, COMMERCIAL AND INDUSTRIAL, TO L-2, LOW DENSITY RESIDENTIAL-2 (UP TO 6 UNITS/ACRE); AND TO REZONE SEVERAL ASSOCIATED PROPERTIES (LEGISLATIVE).....	13
10.C.1.B.	COUNTY INITIATED REQUEST: TO AMEND TEXT OF SEVERAL ELEMENTS AND SUB-ELEMENTS OF THE COUNTY’S COMPREHENSIVE PLAN (LEGISLATIVE) .....	14
11.	COUNTY ADMINISTRATOR MATTERS - NONE.....	14
12.	DEPARTMENTAL MATTERS .....	14
12.A.	COMMUNITY DEVELOPMENT - NONE.....	14

12.B.	EMERGENCY SERVICES - NONE.....	14
12.C.	GENERAL SERVICES - NONE .....	14
12.D.	HUMAN RESOURCES - NONE.....	15
12.E.	HUMAN SERVICES - NONE .....	15
12.F.	LEISURE SERVICES - NONE.....	15
12.G.	OFFICE OF MANAGEMENT AND BUDGET.....	15
12.G.1.	APPROVAL OF RESOLUTION TO REDEEM LAND ACQUISITION G.O. BONDS, SERIES 2001 BUDGET AMENDMENT 010.....	15
12.G.2.	HUMANE SOCIETY – ANIMAL SHELTER SERVICES FUNDING WITHIN MUNICIPALITIES .....	16
12.H.	RECREATION - NONE.....	17
12.I.	PUBLIC WORKS - NONE.....	17
12.J.	UTILITIES SERVICES - NONE.....	18
13.	COUNTY ATTORNEY MATTERS.....	18
13.A.	INITIAL CONSIDERATION OF PROPOSED ORDINANCE AMENDING CHAPTER 204 OF THE IRC CODE (SOLID WASTE DISPOSAL).....	18
13.B.	PROPOSED SMART METER RESOLUTION.....	19
14.	COMMISSIONER ITEMS.....	19
14.A.	COMMISSIONER GARY C. WHEELER, CHAIRMAN - NONE .....	19
14.B.	COMMISSIONER PETER D. O’BRYAN, VICE CHAIRMAN - NONE .....	19
14.C.	COMMISSIONER WESLEY S. DAVIS - NONE.....	19
14.D.	COMMISSIONER JOSEPH E. FLESCHER - NONE .....	19
14.E.	COMMISSIONER BOB SOLARI - NONE .....	19
15.	SPECIAL DISTRICTS AND BOARDS .....	20
15.A.	EMERGENCY SERVICES DISTRICT - NONE.....	20
15.B.	SOLID WASTE DISPOSAL DISTRICT .....	20
15.B.1.	RECOMMENDATION TO AWARD PHASE 2 CELL 1 SEGMENT 3 LANDFILL EXPANSION PROJECT TO COMANCO ENVIRONMENTAL CORPORATION (BID No. 2012025).....	20

15.B.2. WORK ORDER NO. 4 TO GEOSYNTEC TO PROVIDE CONSTRUCTION SERVICES  
FOR PHASE 2 CELL 1 SEGMENT 3 LANDFILL EXPANSION PROJECT..... 20

15.C. ENVIRONMENTAL CONTROL BOARD - NONE..... 20

16. ADJOURNMENT.....21

**JEFFREY K. BARTON**

Clerk to the Board



**April 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, April 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**

~~Reverend Dr. Charles Lever, First United Methodist Church,~~ Commissioner Davis delivered the Invocation.

**3. PLEDGE OF ALLEGIANCE**

Vice Chairman O'Bryan led the Pledge of Allegiance to the Flag.

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

The Chairman requested the following change to the Agenda:

**DELETION: ITEM 8.F. LEASE EXTENSION, LITTLE MERMAID CAR WASH, 1935  
43<sup>RD</sup> AVENUE, TIMOTHY E. AND JOSHANA TYNES, 43<sup>RD</sup> AVENUE/SR60  
INTERSECTION WIDENING AND IMPROVEMENTS**

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

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

**5.A. PRESENTATION OF PROCLAMATION HONORING DR. MATHEW S. ZOFFER  
FOR OUTSTANDING SERVICE ON THE INDIAN RIVER COUNTY  
ENVIRONMENTAL CONTROL HEARING BOARD**

Chairman Wheeler read and presented the Proclamation to Dr. Mathew S. Zoffer.

**5.B. PRESENTATION OF PROCLAMATION DESIGNATING THE MONTH OF APRIL,  
2012, AS CHILD ABUSE PREVENTION MONTH**

Commissioner Flescher read the Proclamation. Eric Menger accepted the Proclamation on behalf of the local Exchange Clubs. He introduced R. J. MacMillan, President of the Indian River County Exchange Club, and several local members; presented a brief history of the Club's existence; and spoke about its local child abuse prevention project – Child Abuse Services Training Life Enrichment (CASTLE).

**John Binkley**, Chairman of the local fishing tournament, provided details on the upcoming fishing charity event, scheduled for May 18<sup>th</sup> and 19<sup>th</sup>, and provided the website: [ww.bluewateropen.org](http://ww.bluewateropen.org) for individuals wishing to register online.

**Barbara Schlitt-Ford** announced the details of the Youth Guidance and Mentoring Program's fundraiser event, the Heli-Drop Ball Bash and Barbeque, scheduled for Saturday, April 21, 2012, at Holman Stadium. Interested individuals were encouraged to obtain more information at: [www.ircyouth.com](http://www.ircyouth.com).

**5.C. PRESENTATION OF PROCLAMATION FOURTH ANNUAL INDIAN RIVER COUNTY DAY OF SERVICE**

Commissioner Davis read and presented the Proclamation to Rob Vlosky, Day of Service Coordinator, and Bishop Charles Hauber of The Church of Jesus Christ of Latter Day Saints.

**Rob Vlosky** and **Bishop Charles Hauber** thanked the Board of County Commissioners for the Proclamation, provided vision, and recognized the churches and civic organizations who are helping with the 2012 Indian River County Day of Service for Vero Beach agencies and charities in need.

**5.D. PRESENTATION OF PROCLAMATION RECOGNIZING APRIL 8 – 14, 2012 AS NATIONAL TELECOMMUNICATORS WEEK**

Vice Chairman O'Bryan read and presented the Proclamation to Sheriff Deryl Loar, Sheriff's Office Spokesman Director Jeff Luther, Emergency Services Director John King, and Indian River County Sheriff's Office Public Safety Dispatchers, in recognition of National Telecommunicators Week.



The Commissioners thanked the Indian River County Sheriff's Office Public Safety Dispatchers for their service, recognized the difficulty associated with their 9-1-1 jobs, and expressed gratitude for their professionalism.

**6. APPROVAL OF MINUTES**

**6.A. MEETING OF FEBRUARY 14, 2012**

The Chairman asked if there were any corrections or additions to the minutes. There were none.

ON MOTION by Commissioner Davis, SECONDED by Vice Chairman O'Bryan, the Board unanimously approved the minutes of the February 14, 2012 meeting, as written.

**7. INFORMATIONAL ITEMS FROM STAFF OR COMMISSIONERS  
NOT REQUIRING BOARD ACTION - NONE**

**8. CONSENT AGENDA**

Chairman Wheeler requested to delete Item 8.F. Lease Extension, Little Mermaid Car Wash, 1935 43<sup>rd</sup> Avenue, Timothy E. and Joshana Tynes, 43<sup>rd</sup> Avenue/SR60 Intersection Widening and Improvements, from the Consent Agenda.

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

**8.A. APPROVAL OF WARRANTS AND WIRES – MARCH 23, 2012 TO MARCH 29, 2012**

ON MOTION by Commissioner Davis, SECONDED by Commissioner Flescher, the Board unanimously approved the list of Warrants and Wires as issued by the Clerk to the Board for the time period of March 23, 2012 to March 29, 2012, as requested in the memorandum of March 29, 2012.

**8.B. REQUEST FOR AUTHORIZATION TO ADVERTISE FOR A PUBLIC HEARING TO CONSIDER AN ORDINANCE ESTABLISHING AN ALTERNATIVE METHOD OF SELLING REAL PROPERTY THROUGH THE NEIGHBORHOOD STABILIZATION PROGRAM (NSP)**

ON MOTION by Commissioner Davis, SECONDED by Commissioner Flescher, the Board unanimously authorized staff to advertise for a public hearing to consider an ordinance establishing an alternative property disposition process for Neighborhood Stabilization Program (NSP) properties, as requested in the memorandum of April 2, 2012.

**8.C. APPROVAL OF AN AMENDMENT TO THE SEXTON RANCH WEST  
CONSERVATION EASEMENT TO RELOCATE AND RECONFIGURE  
RESIDENTIAL PARCEL NUMBER 1**

ON MOTION by Commissioner Davis, SECONDED by Commissioner Flescher, the Board unanimously approved the “First Amendment to Conservation Easement (Conservation Easement II – West),” and authorized the Chairman to execute same on behalf of the County, as recommended in the memorandum of April 2, 2012.

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

**8.D. CHANGE ORDER NO. 1 – RELEASE OF RETAINAGE INDIAN RIVER  
BOULEVARD SIDEWALK IMPROVEMENTS FROM 12<sup>TH</sup> STREET TO 17<sup>TH</sup>  
STREET BID NO. 2011012 – IRC PROJECT NO. 0745**

ON MOTION by Commissioner Davis, SECONDED by Commissioner Flescher, the Board unanimously approved Change Order No. 1, and payment of Timothy Rose Contracting, Inc. Application for Payment No. 6 in the amount of \$21,437.70 for release of retainage, as recommended in the memorandum of March 28, 2012.

**8.E. DECLARATION OF SOLE SOURCE FOR PURCHASE OF CLAY TARGET  
THROWERS FOR THE INDIAN RIVER COUNTY PUBLIC SHOOTING RANGE  
EXPANSION PROJECT**

ON MOTION by Commissioner Davis, SECONDED by Commissioner Flescher, the Board unanimously authorized the declaration of Promatic, Inc. as the sole source for purchase of the clay target throwing trap machines, and authorized the issuance of purchase orders for said items in accordance with the approved Indian River County Shooting Range Expansion Project, as recommended in the memorandum of April 2, 2012.

**8.F. LEASE EXTENSION, LITTLE MERMAID CAR WASH, 1935 43<sup>RD</sup> AVENUE,  
TIMOTHY E. AND JOSHANA TYNES, 43<sup>RD</sup> AVENUE/SR60 INTERSECTION  
WIDENING AND IMPROVEMENTS – DELETED**

This item deleted from the Agenda.

**9. CONSTITUTIONAL OFFICERS AND GOVERNMENTAL  
AGENCIES**

**9.A.1. INDIAN RIVER COUNTY SHERIFF DERYL LOAR - FISCAL YEAR 2012  
EDWARD BYRNE MEMORIAL JUSTICE ASSISTANCE GRANT (JAG)  
FORMULA PROGRAM: LOCAL SOLICITATION**

ON MOTION by Commissioner Davis, SECONDED by Commissioner Flescher, the Board unanimously authorized the Sheriff to move forward with the Fiscal Year 2011 Edward Byrne Memorial Justice Assistance Grant (JAG) Formula Program: Local Solicitation, in the amount of \$21,287.00, with no match required, for the purchase of information technology items described as: SQL Server, Dataworks Hardware, and a Projector, as requested in the letter dated April 2, 2012.

## **10. PUBLIC ITEMS**

### **10.A. PUBLIC HEARING(S)**

#### **10.A.1. ENCLAVE AT VERO BEACH, LLC'S REQUEST FOR RE-APPROVAL OF THE BLOOMFIELD AT VERO BEACH PLANNED DEVELOPMENT (PD) CONCEPTUAL PLAN (LEGISLATIVE)**

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

Community Development Planning Director Stan Boling, using a PowerPoint presentation (on file), provided background, conditions, and analysis regarding the request by Kimley-Horn and Associates, Inc. (on behalf of Enclave at Vero Beach, LLC) for re-approval of the Bloomfield at Vero Beach Planned Development (PD) Conceptual Plan project. The project was originally approved by the Board of County Commissioners on March 13, 2007, and because of a project-specific 5-year deadline, the approval lapsed on March 13, 2012. The goal for the applicant is to secure a 10-year deadline on the special exception use/conceptual plan approval. Director Boling recommended the Board re-approve the Bloomfield PD conceptual plan and special exception request with the conditions outlined in the staff's report.

Vice Chairman O'Bryan sought and received information concerning the right-of-way dedication on the south end of the property.

The Chairman opened the Public Hearing. There being no speakers, the Chairman closed the Public Hearing.

ON MOTION by Commissioner Davis, SECONDED by Commissioner Flescher, the Board unanimously granted Planned Development (PD) special exception use approval for the Bloomfield PD with the following conditions:

- (1) If construction has not commenced within ten years after special exception approval, then the PD special exception approval shall automatically expire;
- (2) Tree removal and land clearing permits shall be limited to the phase under construction;
- (3) Prior to issuance of a land development permit for Phase 1 (or prior to release of the preliminary PD plan, if applicable), the applicant shall: (a) obtain approval of the final design for the 12<sup>th</sup> Avenue SW improvement from the County's Public Works Department and the Indian River Farms Water Control District; (b) obtain a County wetland resource permit; (c) Obtain Environmental Planning staff approval of a tree protection plan and a tree mitigation replacement plan; (d) obtain a gopher tortoise incidental take permit from the Florida Fish and Wildlife Conservation Commission; and (e) dedicate without compensation 25 feet of 11<sup>th</sup> Street SW right-of-way;
- (4) Prior to or via final PD plan approval, the applicant shall: (a) establish a conservation easement over the

wetland conservation area; and (b) establish a conservation easement over the upland conservation areas;

(5) Prior to issuance of the first certificate of occupancy for the project, the applicant shall complete all 12<sup>th</sup> Avenue SW improvements from 9<sup>th</sup> Street SW to the northern project driveway;

(6) Prior to issuance of a certificate of occupancy for each building, the applicant shall construct all internal sidewalks in the vicinity of that building;

(7) Prior to issuance of the first certificate of occupancy in Phase II, the applicant shall: (a) complete the remaining 12<sup>th</sup> Avenue SW improvements from the northern project entrance to 11<sup>th</sup> Street SW; (b) construct both full access connections to 12<sup>th</sup> Avenue SW; and (c) construct the pedestrian connection to the 11<sup>th</sup> Street SW sidewalk in the southwest corner of the site and the sidewalk along 11<sup>th</sup> Street SW; and

(8) Prior to the first certificate of occupancy in any phase, the applicant shall install all required landscape buffers and opaque features for the applicable phase; all as recommended in the memorandum of March 26, 2012.

**10.A.2. DIVOSTA HOMES, L.P.'S NOTICE OF PROPOSED CHANGE (NOPC)**  
**REQUEST TO MODIFY THE WATERWAY VILLAGE DRI DEVELOPMENT**  
**ORDER EMERGENCY SHELTER SPACE CONDITION (QUASI-JUDICIAL)**

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

Director Boling, using a PowerPoint presentation (on file), recapped his memorandum dated March 27, 2012. He reported that Attorney Bruce Barkett (on behalf of DiVosta Homes, L.P.) filed a Notice of Proposed Change (NOPC) to amend Condition No. 72 of the Village Development of Regional Impact (DRI) Development Order (D.O.) Emergency Shelter Space Condition, which was originally adopted on November 9, 2004, and remains in effect until December 31, 2028. He said the NOPC, Condition No. 72, addresses project impacts on hurricane preparedness and specifically emergency shelter space. He conveyed that County staff had coordinated with the applicant, Emergency Services, the Regional Planning Council staff, and State Planning staff to develop wording to the applicant's original request to Condition 72, so it would be acceptable to all parties, and to ensure that no lot is platted unless there is sufficient shelter space and structured to address insufficient shelter space situations without the need for future modifications. He also discussed the existing and proposed conditions, and noted that the requested change would not constitute a substantial deviation.

Emergency Service Director John King explained the methodology of how shelter demands are calculated, and informed the Board that he felt comfortable that there would be excess shelter space for this recommendation.

The Chairman opened the Public Hearing; there being no speakers, the Chairman closed the Public Hearing.

The Commissioners, as requested by the Chairman, affirmed that there had been no ex parte site visits, investigations, or communications regarding this item.

ON MOTION by Commissioner Flescher, SECONDED by Commissioner Davis, the Board unanimously: (1) found that the request does not constitute a substantial deviation; and (2) approved **Resolution 2012-029**, making findings of fact and conclusions of law pertaining to Waterway Village, a development of regional impact, and



constituting this Resolution as an amendment to the development order by Indian River County in compliance with law; and providing for an effective date.

**10.B. PUBLIC DISCUSSION ITEMS**

**10.B.1. REQUEST TO SPEAK FROM JOEL MOLINARI REGARDING BUILDING PERMIT FEES AND CONTRACTOR LICENSING/UNLICENSED CONTRACTING**

**Joel Molinari**, 1025 54<sup>th</sup> Avenue, Contractor, voiced concerns over permit fees not being commensurable with services provided by the Building Department, and asked the Board to allow staff to review and expedite the process of changing the fee structure. He voiced issues over unlicensed contractors, and volunteered to assist the County and/or staff to identify local unlicensed contracting activities.

Chairman Wheeler and Administrator Baird addressed permit fees and how they are part of the enterprise fund, and future plans to reduce charges.

Administrator Baird emphasized that anyone who comes in contact with an unlicensed contractor should immediately call the Building Department for follow-up.

County Building Official José Guanch provided two phone numbers for the public to call: Building Division office - 772-226-1600, and the direct line to the Contractor Licensing Investigator - 772-226-1800.

Attorney Polackwich also provided 1-866-532-1440, which is the State of Florida Department of Business Professional Regulations unlicensed activity hotline.

Vice Chairman O'Bryan stated that he receives numerous calls from licensed lawn service contractors who witness unlicensed contractors under cutting their prices and stealing their business. He wanted to find a solution, and suggested that during the Budget Session, a funded position be considered from the General Fund, or added to Code Enforcement, to ensure this type of work is being done properly.

Director Keating informed the Board that staff is planning to bring this back to the Board in May, with a streamlined permit fee schedule. He stressed that the deterrent for an unlicensed contractor is a \$500 citation, which can also be given to the owner who hires an unlicensed contractor.

NO BOARD ACTION REQUIRED OR TAKEN

**10.B.2. REQUEST TO SPEAK FROM JOE WIGGINS REGARDING SIDEWALK ON 11<sup>TH</sup> STREET, S.W., AND STOP SIGN ON 11<sup>TH</sup> STREET S.W.**

Speaker not present.

NO BOARD ACTION REQUIRED OR TAKEN

**10.C. PUBLIC NOTICE ITEMS**

**10.C.1. NOTICE OF SCHEDULED PUBLIC HEARING FOR MAY 15, 2012:**

**10.C.1.A. ORCHID QUAY, LLC; TC PROPERTY VENTURE, LLC; AND WILLIAM HUNTER REQUEST: TO AMEND THE COMPREHENSIVE PLAN'S FUTURE LAND USE MAP TO REDESIGNATE ± 28.56 ACRES, LOCATED APPROXIMATELY ±900 FEET SOUTH OF C.R. 510 AND EAST OF 46<sup>TH</sup> AVENUE AND U.S. #1, FROM M-1, MEDIUM-DENSITY RESIDENTIAL-1 (UP TO 8 UNITS/ACRE), TO C/I, COMMERCIAL/ INDUSTRIAL; AND**

**SIMULTANEOUSLY CHANGE THE LAND USE DESIGNATION OF ±9.21 ACRES, LOCATED SOUTH OF C.R. 510, AND EAST OF 46<sup>TH</sup> AVENUE, FROM C/I, COMMERCIAL/INDUSTRIAL, TO M-1, MEDIUM DENSITY RESIDENTIAL - 1 (UP TO 8 UNITS/ACRE); AND CHANGE THE LAND USE DESIGNATION OF ±20.11 ACRES, LOCATED APPROXIMATELY ±1300 FEET SOUTH OF 65<sup>TH</sup> STREET AND WEST OF THE FEC RAILROAD, FROM C/I, COMMERCIAL AND INDUSTRIAL, TO L-2, LOW DENSITY RESIDENTIAL-2 (UP TO 6 UNITS/ACRE); AND TO REZONE SEVERAL ASSOCIATED PROPERTIES (LEGISLATIVE)**

**10.C.1.B. COUNTY INITIATED REQUEST: TO AMEND TEXT OF SEVERAL ELEMENTS AND SUB-ELEMENTS OF THE COUNTY'S COMPREHENSIVE PLAN (LEGISLATIVE)**

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

*The Chairman called for a break at 10:05 a.m., and reconvened the meeting at 10:15 a.m., with all members present.*

**11. COUNTY ADMINISTRATOR MATTERS - NONE**

**12. DEPARTMENTAL MATTERS**

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

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

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

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

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

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

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

**12.G.1. APPROVAL OF RESOLUTION TO REDEEM LAND ACQUISITION G.O.  
BONDS, SERIES 2001 BUDGET AMENDMENT 010**

Management and Budget Director Jason Brown reviewed his memorandum dated April 2, 2012. He provided background on the 1992 referendum which authorized the issuance of \$26 million in General Obligation (G.O.) Bonds for the purpose of acquiring environmentally sensitive lands within the County, and analysis regarding the redemption and payment of the County's outstanding G.O. Bonds, Series 2001, from available County monies. He recommended the Board approve: (1) the proposed Resolution to call the G.O. Bonds, which will result in a savings in interest to the County, and a reduction in the millage rate, which will be a savings to the taxpayers; and (2) Budget Amendment 010 to allocate the funds.

Commissioner Solari commented on how the County has continued over the years to reduce the tax burden for County residents.

ON MOTION by Commissioner Solari, SECONDED by Commissioner Flescher, the Board unanimously approved **Resolution 2012-030**, authorizing the redemption and payment of the County's outstanding General Obligation Bonds, Series 2001; authorizing the proper officers of the County to do all acts necessary and proper for carrying out the transactions contemplated by this Resolution; and providing for an effective date.

ON MOTION by Commissioner Solari, SECONDED by Commissioner Flescher, the Board unanimously approved **Resolution 2012-031**, amending the fiscal year 2011-2012 Budget.

**12.G.2. HUMANE SOCIETY – ANIMAL SHELTER SERVICES FUNDING WITHIN MUNICIPALITIES**

Director Brown provided a cost breakdown by municipalities (on file), on animal control and animal sheltering activities. He described the County's current contract with the Humane Society of Vero Beach to house animals taken in by Animal Control or by residents of the County, and proposed a policy change in the funding structure by providing animal shelter services for the unincorporated area only, leaving each municipality to be responsible for obtaining and funding animal sheltering services within their respective city limits.

Director Brown, Administrator Baird, and Director King responded to the Commissioners' questions and concerns regarding animal licensing and the revenue generated from it; how the municipalities would handle animal sheltering, licensing, and citations; and the different proposals for collection costs.

Commissioner Flescher wanted more discussion and negotiations with the municipalities before moving forward.

Commissioner Davis agreed and wanted staff to ensure that decentralizing these services would be cost effective for all County taxpayers.

Administrator Baird clarified that the municipalities would have the opportunity to contract with the County or piggy-back with the Humane Society's agreement.

Commissioner Solari questioned why staff is proposing the change in animal sheltering services since they are paid out of the General Fund from Ad Valorem taxes, and everyone in the County is paying for it. He applauded staff for attempting to cut costs, but felt the municipalities needed to be engaged to see how they want to handle the situation.

Chairman Wheeler agreed that the monies to provide animal sheltering services should come from the General Fund, and handled as a County-wide service. He wanted staff to meet with the municipalities and develop a program that works for everyone.

**Al Minner**, Sebastian City Manager, reported that his Council has not had an opportunity to respond to this. He felt staff did a fantastic job on the budget, understood the reasons for the proposal, but did not believe it was an enforcement issue. He proposed that the County: (1) shift the animal sheltering service to the Municipal Service Taxing Unit (MSTU) and make it an unincorporated service, (2) demonstrate to the municipalities that the millage rate will be reduced proportionately; and (3) stop charging the licensing fees. He asked the Board to allow him the opportunity to find a better way to make this service work for everyone in the County.

A brief discussion ensued regarding escalated costs and the percentage of animals taken in by municipality.

ON MOTION by Commissioner Davis, SECONDED by Chairman Wheeler, the Board unanimously tabled this item, and directed the County Attorney's office to negotiate with the municipalities to reduce costs and bring a proposal back to the Board.

**12.H. RECREATION - NONE**

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

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

**13. COUNTY ATTORNEY MATTERS**

**13.A. INITIAL CONSIDERATION OF PROPOSED ORDINANCE AMENDING  
CHAPTER 204 OF THE IRC CODE (SOLID WASTE DISPOSAL)**

Attorney Polackwich explained how the proposed ordinance would amend Chapter 204 (Solid Waste Disposal) of the Indian River County Code, and the amendments relating to the requirements for construction and demolition (C&D) debris material and recyclable material franchise processors. He believed the amendment would help the County better achieve recycling goals and bring the County into a position whereby current practices would be consistent with the language of the Ordinance.

Attorney Polackwich addressed Vice Chairman O'Bryan's questions concerning tipping fees and accountability.

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

**Scott Harrington**, H&H Dumpsters and small business hauler, questioned the requirement for C&D processors to pay franchise fees to both the City and County.

Discussion ensued regarding the franchise fees, the franchise agreement, enforcement of required insurance, and finding a solution for implementing only one franchise fee.

Attorney Polackwich said he would review the dual franchise fee and bring the proposed Ordinance back to the Board for final adoption in mid-May.

The Chairman CALLED THE QUESTION and the Motion carried. The Board unanimously approved the proposed Ordinance to amend Chapter 204 (Solid Waste Disposal) of the Indian River County Code, and authorized the County Attorney to advertise for public hearing and adoption in mid-May, as recommended in the memorandum of April 3, 2012.

**13.B. PROPOSED SMART METER RESOLUTION**

ON MOTION by Commissioner Solari, SECONDED by Vice Chairman O'Bryan, the Board unanimously approved **Resolution 2012-032**, in support of the right of citizens in Indian River County and surrounding areas to opt out of Florida Power and Light's Smart Meter Program.

**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 the Board would reconvene as the Board of Commissioners of the Solid Waste Disposal District. Those Minutes are available separately.

#### **15.B.1. RECOMMENDATION TO AWARD PHASE 2 CELL 1 SEGMENT 3 LANDFILL EXPANSION PROJECT TO COMANCO ENVIRONMENTAL CORPORATION (BID No. 2012025)**

#### **15.B.2. WORK ORDER No. 4 TO GEOSYNTEC TO PROVIDE CONSTRUCTION SERVICES FOR PHASE 2 CELL 1 SEGMENT 3 LANDFILL EXPANSION PROJECT**

### **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 11:16 p.m.

ATTEST:

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Jeffrey K. Barton,  
Clerk of Circuit Court and Comptroller

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Gary C. Wheeler, Chairman

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

BCC/LA/2012 Minutes