

JEFFREY R. SMITH

Clerk to the Board



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OF BOARD OF COUNTY COMMISSIONERS

JUNE 4, 2013

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JEFFREY R. SMITH

Clerk to the Board



June 4, 2013

REGULAR MEETING OF THE BOARD OF COUNTY COMMISSIONERS

The Board of County Commissioners of Indian River County, Florida, met in Regular Session at the County Commission Chambers, 1801 27th Street, Vero Beach, Florida, on Tuesday, June 4, 2013. Present were Chairman Joseph E. Flescher, Vice Chairman Wesley S. Davis, and Commissioners Peter D. O'Bryan, Bob Solari, and Tim Zorc. Also present were Assistant County Administrator Michael Zito, County Attorney Alan S. Polackwich, Sr., and Deputy Clerk Maureen Gelfo.

1. CALL TO ORDER

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

2. INVOCATION

~~Deputy Teddy Floyd~~ Vice Chairman Davis delivered the Invocation.

3. PLEDGE OF ALLEGIANCE

Commissioner Solari led the Pledge of Allegiance to the Flag.

4. ADDITIONS/DELETIONS TO THE AGENDA/EMERGENCY ITEMS

- NONE

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

5. PROCLAMATIONS AND PRESENTATIONS

5.A. PRESENTATION OF PROCLAMATION AND RETIREMENT AWARD TO DANIEL DIETZ IN HONOR OF HIS RETIREMENT FROM INDIAN RIVER COUNTY BOARD OF COUNTY COMMISSIONERS DEPARTMENT OF EMERGENCY SERVICES/FIRE RESCUE WITH THIRTY-ONE YEARS SERVICE

Chairman Flescher read and presented the Proclamation and Retirement Plaque to Daniel Dietz, who was accompanied by Director of Emergency Services John King.

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

Director of Utility Services Vincent Burke announced that hurricane season began on June 1st, and will continue until November 30th. He reviewed the information contained in the Hurricane Preparedness flyers (copy on file) about storm preparations and weather resources, and invited everyone to attend the Hurricane Exposition at the Indian River Mall on Saturday, June 8, 2013, from 10 a.m. – 4 p.m.

Director of Emergency Services John King advised that experts predict a busier than usual hurricane season, and encouraged people to develop emergency plans.

6. APPROVAL OF MINUTES

6.A. REGULAR MEETING OF MAY 7, 2013

6.B. REGULAR MEETING OF MAY 14, 2013

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

ON MOTION by Vice Chairman Davis, SECONDED by Commissioner O'Bryan, the Board unanimously approved the minutes of the May 7 and May 14, 2013 meetings, as written.

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

8. CONSENT AGENDA

County Attorney Alan S. Polackwich, Sr. requested to pull Item 8.K. from the Consent Agenda for discussion.

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

8.A. APPROVAL OF WARRANTS MAY 10, 2013 TO MAY 16, 2013

ON MOTION by Vice Chairman Davis, SECONDED by Chairman Flescher, the Board unanimously approved the list of Warrants and Wires issued by the Comptroller's

Office for the time period of May 10, 2013 to May 16, 2013, as requested in the memorandum of May 16, 2013.

8.B. APPROVAL OF WARRANTS MAY 17, 2013 TO MAY 23, 2013

ON MOTION by Vice Chairman Davis, SECONDED by Chairman Flescher, the Board unanimously approved the list of Warrants and Wires issued by the Comptroller's Office for the time period of May 17, 2013 to March 23, 2013, as requested in the memorandum of May 23, 2013.

8.C. PROCLAMATION AND RETIREMENT AWARD TO KEVIN GIBBONS IN HONOR OF HIS RETIREMENT FROM INDIAN RIVER COUNTY BOARD OF COUNTY COMMISSIONERS DEPARTMENT OF EMERGENCY SERVICES/FIRE RESCUE WITH TWENTY-NINE YEARS SERVICE

ON MOTION by Vice Chairman Davis, SECONDED by Chairman Flescher, the Board unanimously approved the Retirement Award and Proclamation honoring Kevin Gibbons on his retirement from the Indian River County Department of Emergency Services/Fire Rescue.

8.D. RESOLUTION CANCELING TAXES ON PROPERTY PURCHASED BY INDIAN RIVER COUNTY FROM ATLAS FLI SPE, LLC FOR FUTURE WATER PLANT EXPANSION

ON MOTION by Vice Chairman Davis, SECONDED by Chairman Flescher, the Board unanimously approved **Resolution 2013-042**, cancelling certain taxes upon

publicly owned lands, pursuant to Section 196.28, Florida Statutes.

(Atlas FL I SPEC, LLC; 1400 9th Street SW)

**8.E. ACCEPTANCE OF PLAT DEDICATIONS – CROSS CREEK LAKE ESTATES
PLAT ONE AND CROSS CREEK LAKE ESTATES PLAT TWO**

ON MOTION by Vice Chairman Davis, SECONDED by Chairman Flescher, the Board unanimously approved:

Resolution 2013-043, formally accepting the dedication of utility easements, lift station Tract ‘J’, and a lift station easement as depicted on the plat of Cross Creek Lake Estates Plat One, recorded in Plat Book 26, page 70 of the public records of Indian River County, Florida; AND

Resolution 2013-044, formally accepting the dedication of utility easements as depicted on the plat of Cross Creek Lake Estates Plat Two, recorded in Plat Book 26, page 74 of the public records of Indian River County, Florida.

**8.F. PROPOSED NATURAL GAS FRANCHISE AGREEMENT – PERMISSION TO
ADVERTISE FOR PUBLIC HEARING**

ON MOTION by Vice Chairman Davis, SECONDED by Chairman Flescher, the Board unanimously authorized the County Attorney’s office to advertise for a public hearing on June 18, 2013 to consider granting a franchise to distribute natural gas within the unincorporated county to Pivotal Utility Holdings, Inc., a New Jersey corporation

doing business as Florida City Gas, as recommended in the memorandum of May 28, 2013.

8.G. LOCAL OPTION GAS TAX DISTRIBUTION PERCENTAGES

ON MOTION by Vice Chairman Davis, SECONDED by Chairman Flescher, the Board unanimously approved the 2013-2014 revenue distribution percentages as outlined in the Local Option Gas Tax Distribution Formula report (*page 45 of the agenda package*), as recommended in the memorandum of May 28, 2013.

8.H. M.A.C.E. (MULTI-AGENCY CRIMINAL ENFORCEMENT UNIT), PROJECT GENERATED INCOME (PGI), MISCELLANEOUS BUDGET AMENDMENT 016

ON MOTION by Vice Chairman Davis, SECONDED by Chairman Flescher, the Board unanimously approved **Resolution 2013-045**, amending the Fiscal Year 2012-2013 budget.

8.I. TRAFFIC CONTROL DEVICE LEDGER

ON MOTION by Vice Chairman Davis, SECONDED by Chairman Flescher, the Board unanimously approved **Resolution 2013-046**, approving traffic control devices authorized by the Director of Public Works.

**8.J. APPROVAL OF RELEASE OF RETAINAGE FOR WORK ORDER NO. GFA-2
WITH GFA INTERNATIONAL, INC. FOR GEOTECHNICAL SERVICES FOR
THE PC SOUTH ALGAL NUTRIENT REMOVAL FACILITY**

ON MOTION by Vice Chairman Davis, SECONDED by Chairman Flescher, the Board unanimously approved Final Payment for Work Order No. GFA-2 with GFA International, Inc., as recommended in the memorandum of May 24, 2013.

8.K. CRIME SCENE UNIT WORK ORDER # 3 DONADIO AND ASSOCIATES

Attorney Polackwich advised that since the expansion of the Sheriff's Evidence Compound will be partially funded by impact fees, the Board must include certain findings, as stated below:

ON MOTION by Vice Chairman Davis, SECONDED by Chairman Flescher, the Board unanimously:

- (1) APPROVED and authorized the Chairman to execute Work Order No. 3 Crime Scene Unit in the amount of \$58,694 for design services with Donadio and Associates, Architects, PA;
- (2) FOUND that growth within the County has created in part the need for the expansion of the Sheriff's Evidence Compound; and
- (3) FOUND that growth within the County will benefit from the expansion of the Sheriff's Evidence Compound.

8.L. WORK ORDER NO. 2 WITH DUNKELBERGER ENGINEERING AND TESTING, INC. FOR CR512 RESURFACING FROM ROSELAND ROAD TO EASY STREET (EASTBOUND ONLY) IRC PROJECT NO. 1132

ON MOTION by Vice Chairman Davis, SECONDED by Chairman Flescher, the Board unanimously approved and authorized the Chairman to execute Work Order No. 2 to Dunkelberger Engineering and Testing, Inc., authorizing the professional services as outlined in the Scope of Services for a not-to-exceed amount of \$22,468.00, as recommended in the memorandum of May 17, 2013.

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

9. CONSTITUTIONAL OFFICERS AND GOVERNMENTAL AGENCIES - NONE

10. PUBLIC ITEMS

10.A. PUBLIC HEARINGS

10.A.1. PROPOSED ORDINANCE ALLOWING ADDITIONAL HOMESTEAD EXEMPTION FOR QUALIFYING SENIOR CITIZENS (PURSUANT TO AMENDMENT 11) (LEGISLATIVE)

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

County Attorney Alan S. Polackwich, Sr. provided background on Constitutional Amendment 11, which was approved at the November 2012 General Election. He explained that

the legislation creates an additional homestead exemption for senior citizens who meet certain qualifications, and if the Board desires, it may adopt Amendment 11 by passing an ordinance approved by the super majority. He recalled the Board's direction on May 7, 2013 for staff to draft the proposed Ordinance and set the exemption amount at \$25,000. Attorney Polackwich noted that staff does not foresee a significant loss of tax revenue if the amendment is adopted.

The Chairman opened the Public Hearing.

David Durni addressed the Board at length, requesting that the additional senior homestead exemption provided by Amendment 11 be implemented in the County. He also requested that Ordinance 2001-021 be amended to increase the existing senior homestead exemption from \$25,000 to \$50,000. Through a recap of documentation that he provided to the Board (copy on file), he discussed the evolution of the senior homestead exemption, and the financial difficulties faced by his elderly grandmother. He also posed a series of questions (copy on file) that were addressed by the County Attorney and Commissioners, with regards to the proposed exemption.

Commissioner O'Bryan mentioned that the current Board has worked hard to deliver the highest level of services at the lowest possible cost to the taxpayer, and that trifling with the Constitution is not the appropriate way to adjust the taxes.

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

Vice Chairman Davis observed that some senior citizens are losing their homes, and he felt that the proper course of action is for the County to provide the extra homestead exemption.

MOTION WAS MADE by Vice Chairman Davis,
SECONDED by Chairman Flescher, to adopt the proposed
Ordinance allowing an additional homestead exemption
for qualifying senior citizens pursuant to Amendment 11.

Chairman Flescher discussed the impoverished conditions under which some seniors are forced to live, and felt that the additional homestead exemption would benefit the qualifying population.

Commissioner Solari agreed with Commissioner O’Bryan that the Constitution is not the place to put something of this nature. He was also concerned that the additional exemption would distort the ad valorem tax system, which is currently working well; and that reducing the burden on one group increases it for others.

The Chairman CALLED THE QUESTION, and by a 3-2 vote (Commissioners O’Bryan and Solari opposed), the Motion FAILED due to the lack of a super majority vote.

10.B. PUBLIC DISCUSSION ITEMS - NONE

10.C. PUBLIC NOTICE ITEMS

10.C.1. NOTICE OF SCHEDULED PUBLIC HEARING JUNE 18, 2013:

CONSIDERATION OF AMENDMENTS TO LAND DEVELOPMENT REGULATIONS (LDRs) CHAPTERS 901, 911, AND 912 TO CHANGE THE LIMITATIONS FOR SIZE OF COMMERCIAL VEHICLES AND RECREATIONAL VEHICLES PARKED OUTSIDE IN RESIDENTIAL AREAS (LEGISLATIVE)

10.C.2. NOTICE OF SCHEDULED PUBLIC HEARING JULY 2, 2013:

CONSIDERATION OF AMENDMENTS TO LAND DEVELOPMENT REGULATIONS (LDRs) CHAPTER 915, PLANNED DEVELOPMENT, TO CHANGE MIXED USE DEVELOPMENT REGULATIONS CONSISTENT WITH

**THE COMPREHENSIVE PLAN MIXED USE POLICY AND TO DELETE AN
OUT-OF-DATE TABLE SIN CHAPTER 942, TRAFFIC (LEGISLATIVE)**

County Attorney Polackwich read the notices into the record.

11. COUNTY ADMINISTRATOR MATTERS- NONE

12. DEPARTMENTAL MATTERS

12.A. COMMUNITY DEVELOPMENT - NONE

12.B. EMERGENCY SERVICES - NONE

12.C. GENERAL SERVICES - NONE

12.D. HUMAN RESOURCES - NONE

12.E. HUMAN SERVICES - NONE

12.F. LEISURE SERVICES - NONE

12.G. OFFICE OF MANAGEMENT AND BUDGET - NONE

12.H. RECREATION - NONE

12.I. PUBLIC WORKS - NONE

12.J. UTILITIES SERVICES

**12.J.1. LIFT STATIONS SUPERVISORY CONTROL AND DATA ACQUISITION
(SCADA) SYSTEM UPGRADES**

Director of Utility Services Vincent Burke provided background and analysis on the need to upgrade the County's Supervisory Control and Data Acquisition System (SCADA). He thereafter conveyed staff's recommendation to select Data Flow Systems to perform the system upgrades.

A brief discussion ensued about the possibility of using natural gas to power the generators that are used with the SCADA. Director Burke advised that he would report back to the Board on this matter.

ON MOTION by Vice Chairman Davis, SECONDED by Commissioner Solari, the Board unanimously authorized the Purchasing Division to waive the bidding process and allow issuance of a purchase order to Data Flow Systems for the proposed project, which includes upgrades to Lift Stations, Wastewater Treatment Facilities, and Reclaimed Water sites Supervisory Control and Data Acquisition System (SCADA) as recommended in the memorandum of May 20, 2013.

The Chairman called a recess at 10:14 a.m. and reconvened the meeting at 10:29 a.m., with all members present.

13. COUNTY ATTORNEY MATTERS

13.A. ATTORNEY-CLIENT SESSION – TIME CERTAIN OF 10:30 A.M.:

FREDERICK D. MENSING, III, AND RITA F. MENSING V. INDIAN RIVER COUNTY, PENDING IN THE CIRCUIT COURT OF THE NINETEENTH JUDICIAL CIRCUIT, CASE No. 312010CA075009, AND FREDERICK D. MENSING, III V. INDIAN RIVER COUNTY, ROBERT SOLARI, GARY C. WHEELER, WESLEY S. DAVIS, PETER D. O'BRIAN (SIC), WILLIAM G. COLLINS, II, ROBERT KEATING, CHRISTOPHER N. KIRRIE, CHRISTOPHER WILLIAM KIRRIE, AND ROBERT CHESTER KIRRIE, PENDING IN THE CIRCUIT COURT OF THE NINETEENTH JUDICIAL CIRCUIT, CASE No. 312012CA000976

The Chairman read into the record the opening remarks of the Attorney-Client Session scheduled for 10:30 a.m. The estimated time of this session was 45 minutes. Those in attendance were Commissioners Joseph E. Flescher, Wesley S. Davis, Peter D. O'Bryan, Bob Solari, and Tim Zorc. Also present were Deputy County Attorney Bill DeBaal, Assistant County Administrator Michael Zito, and Certified Court Reporter Greg Campbell.

Attorney Polackwich noted that the legal advertisement for today's closed session stated that County Administrator Joseph Baird would be present today; however, he was out of town on official business.

The Board reconvened in the Chambers at 11:03 a.m., the Chairman closed the Attorney-Client Session, and the County Commission meeting resumed. The Board took the following action:

MOTION WAS MADE by Commissioner O'Bryan, SECONDED by Commissioner Solari, to reject the settlement offer with Mr. Mensing and suspend any further negotiations.

Commissioner Solari commented that because the settlement terms and conditions have changed several times, there was not one specific settlement that could be agreed upon today.

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

13.B. REQUEST FOR LEASE AMENDMENT WITH ST. FRANCIS MANOR

Deputy County Attorney Bill DeBaal recalled the Board's decision on January 22, 2013 to grant the request of St. Francis Manor to add to their lease agreement with the County, property on 17th Avenue (formerly the site of the old jail) that the County declared surplus. He explained that St. Francis Manor would like to use the additional 1.2 acre parcel (excepting the cell tower that is located therein and excluded from the lease) for future expansion. Attorney DeBaal thereafter presented staff's recommendation for the Board to approve and authorize the Chairman to sign the eighth lease amendment and the authorizing resolution.

MOTION WAS MADE by Commissioner O'Bryan, SECONDED by Vice Chairman Davis, to approve and authorize the Chairman to execute the Eighth Amendment and Modification of Ninety-Nine Year Lease Agreement with St. Francis Manor of Vero Beach, Florida, Inc., and **Resolution 2013-047**, approving a Community Interest Eighth Amendment and Modification to Ninety-Nine Year Lease with St. Francis Manor, Inc., for County-owned

property at 1725 17th Avenue, all as recommended in the memorandum of May 28, 2013.

Commissioner Solari was opposed to the government giving taxpayer land to a nonprofit organization for future use.

Vice Chairman Davis clarified with Attorney DeBraul that the County would retain ownership of the subject parcel, which will be added to St. Francis Manor's lease.

The Chairman CALLED THE QUESTION, and by a 4-1 vote (Commissioner Solari opposed), the Motion carried.

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

13. C. APPROVAL OF FIRST LEASE AMENDMENT AND MODIFICATION FOR BOYS AND GIRLS CLUB OF INDIAN RIVER COUNTY, INC.

Attorney DeBraul recalled the Board's decision on January 22, 2013, to grant the request of the Boys and Girls Club to add to their lease agreement with the County, property on 17th Avenue (formerly the site of the old jail) that the County has declared surplus. He explained that the Boys and Girls Club would like to use the additional 2.2 acre parcel to create a recreational field for the participants in their program, and that they plan to demolish the existing building on the property at no cost to the County. Attorney DeBraul thereafter presented staff's recommendation for the Board to approve and authorize the Chairman to execute the lease amendment and modification and the authorizing Resolution, and to authorize the County Attorney's office to sign off on the permits associated with the demolition.

ON MOTION by Commissioner O'Bryan, SECONDED by Chairman Flescher, by a 4-1 vote (Commissioner Solari opposed), the Board: (1) approved and authorized

the Chairman to execute the First Lease Amendment and Modification with the Boys and Girls Club of Indian River County, Inc., and **Resolution 2013-048**, approving a Community Interest First Amended Lease Agreement with the Boys and Girls Club of Indian River County, Inc., for County-owned property at 1725 17th Avenue; and (2) authorized the County Attorney's Office to execute any Notice of Commencement required for issuance of the demolition permit, all as recommended in the memorandum of May 22, 2013.

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

13.D. PROPOSED THIRD AMENDMENT TO FACILITY LEASE AGREEMENT FOR VERO BEACH SPORTS VILLAGE

Attorney Polackwich recalled that as of January 1, 2012, the Facility Lease Agreement (FLA) for the operation of Vero Beach Sports Village (f/k/a Dodgertown) was assigned from Minor League Baseball's subsidiary, MiLB Vero Beach, LLC, to Verotown, LLC. He stated that the FLA has been amended two times, and requested that the Board approve the proposed third amendment to the lease agreement with Verotown, LLC, with the following key changes:

HOTEL ROOMS	County funds up to \$600,000 of room renovations
CAPITAL RESERVES	County contributes \$250,000 annually
LIQUIDATED DAMAGES	Deleted all references in the FLA to Liquidated Damages
NET INCOME	Verotown, LLC reinvests in facility or remits to County at end of lease period
INSURANCE	County pays property/casualty Verotown, LLC pays certain motor vehicle liability
DODGERTOWN MUSEUM	Verotown, LLC intends to develop repository for Dodgertown memorabilia

PERSONAL GUARANTY NAT. ASSOC. PROFESSIONAL BASEBALL LEAGUES	Terminates April 30, 2014 – no replacement personal guaranty
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MOTION WAS MADE by Commissioner O’Bryan, SECONDED by Chairman Flescher, to approve the “Third Amendment to Facility Lease Agreement” with Verotown, LLC, for the lease of the former Dodgertown facilities, commencing May 1, 2014 and ending on April 30, 2019, as recommended in the memorandum of 2013.

Discussion ensued regarding Verotown, LLC’s intention to try to reacquire the title of “Dodgertown” for the facility, which is currently known as Vero Beach Sports Village.

The Chairman CALLED THE QUESTION, and by a 4-1 vote (Commissioner Solari opposed), the Motion carried.

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

13.E. APPROVAL OF EMPLOYMENT AGREEMENT FOR NEW COUNTY ATTORNEY

Attorney Polackwich recalled the Board’s decision on May 21, 2013 to hire Dylan T. Reingold as the new County Attorney, subject to approval of the employment agreement. He stated that the proposed agreement is identical to the County Attorney’s existing contract, with changes in the name, dates, number of vacation days, and salary amount, and that he supports Attorney Reingold’s request for an annual compensation of \$140,000. Attorney Polackwich also requested authorization to revise the employment agreement for the position of County Attorney before he departs in the summer.

A brief discussion arose as to whether the contract should be revised before Attorney Reingold signs the agreement; however, Attorney Polackwich asked the Board to approve the

proposed contract in its current format, due to time constraints, and assured Board Members that no substantive changes would be made.

MOTION WAS MADE by Commissioner Solari, SECONDED by Vice Chairman Davis, to approve the Employment Agreement between the Indian River Board of County Commissioners and Dylan T. Reingold, for the position of County Attorney, for the term of one year commencing July 1, 2013, at the proposed annual salary of \$140,000.

After further discussion, it was the Board's CONSENSUS to permit the County Attorney to make revisions to the employment contract agreement for the position of County Attorney, with no substantive changes.

The Chairman CALLED THE QUESTION, and the Motion carried unanimously.

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

14. COMMISSIONER ITEMS

14.A. COMMISSIONER JOSEPH E. FLESCHER, CHAIRMAN - NONE

14.B. COMMISSIONER WESLEY S. DAVIS, VICE CHAIRMAN

14.B.1. ENVIRONMENTAL CONTROL HEARING BOARD (ECHB)

Vice Chairman Davis relayed that in response to a question posed by a constituent, he wanted to find out why the Environmental Control Hearing Board (ECHB) is governed by the

County Commission, rather than the State. He asked if his fellow Commissioners would be interested in exploring the origins of the ECHB.

Commissioner O'Bryan spoke to the advantages of maintaining the ECHB under local governance.

A brief discussion ensued about the possibility of merging the ECHB with the Code Enforcement Board (CEB).

Attorney Polackwich provided background on the ECHB, and advised against a merger, because the ECHB has the jurisdiction to enforce all of the State environmental laws and rules, but the CEB does not.

Commissioners Flescher and Zorc, respectively, voiced their agreement with Commissioner O'Bryan about the value of maintaining the ECHB as a local body.

Commissioner Solari suggested that the Board direct Attorney Polackwich to review the County's history just prior to 1985 and see what specifically led to the decision to create the ECB.

Miranda Hawker, County Health Department Administrator, through a PowerPoint Presentation (copy on file), provided an overview of the history and function of the ECHB. She pointed out that prior to the creation of the local Board, enforcement was dependent on outside agencies and resolution of health/environmental issues was cumbersome. She thereafter spoke of the ECHB's importance to the County.

Cheryl Dunn, Environmental Health Manager, continued the PowerPoint to show slides of a broad range of environmental and public health violations that have occurred in the County. She also commented briefly on some pending ECHB cases.

MOTION WAS MADE by Vice Chairman Davis, SECONDED by Commissioner Solari, to direct the County Attorney to report back to the Board on the evolution of the Environmental Control Hearing Board.

John Orcutt, former ECHB member, observed that the ECHB plays an important role in helping to clean the Indian River Lagoon.

Cynthia VanDeVoorde Hall, Attorney Representative on the ECHB, remarked that a violator who faces the local ECHB will encounter a vastly different atmosphere than they would in a different enforcement situation, such as Civil Court.

Suzanne Vitunac, past ECHB member, recalled that former Environmental Health Director Michael Galanis had been responsible for initiating the County's ECHB.

The Chairman CALLED THE QUESTION, and the Motion carried unanimously.

14.C. COMMISSIONER PETER D. O'BRYAN - NONE

14.D. COMMISSIONER BOB SOLARI - NONE

14.E. COMMISSIONER TIM ZORC - NONE

15. SPECIAL DISTRICTS AND BOARDS

15.A. EMERGENCY SERVICES DISTRICT - NONE

15.B. SOLID WASTE DISPOSAL DISTRICT - NONE

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 Board of County Commission meeting adjourned at 12:26 p.m.

ATTEST:

Jeffrey R. Smith,
Clerk of Circuit Court and Comptroller

Joseph E. Flescher, Chairman

Minutes Approved: _____

BCC/MG/2013Minutes