

JEFFREY R. SMITH
Clerk to the Board



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BOARD OF COUNTY COMMISSIONERS

JANUARY 7, 2014

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JEFFREY R. SMITH

Clerk to the Board



January 7, 2014

**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, January 7, 2014. Present were Chairman Peter D. O’Bryan, Vice Chairman Wesley S. Davis, and Commissioners Joseph E. Flescher, Bob Solari, and Tim Zorc. Also present were County Administrator Joseph A. Baird, County Attorney Dylan Reingold, and Deputy Clerk Maureen Gelfo.

1. CALL TO ORDER

Chairman O’Bryan called the meeting to order at 9:00 a.m.

2. INVOCATION

Community Development Director Stan Boling delivered the Invocation.

3. PLEDGE OF ALLEGIANCE

Chairman O’Bryan led the Pledge of Allegiance to the Flag.

4. ADDITIONS/DELETIONS TO THE AGENDA/EMERGENCY ITEMS

Chairman O’Bryan requested the following changes to the Agenda:

**ADD: ITEM 5.B. PRESENTATION BY LEE KIMBELL AND BETH WALSH ERIKSON
REGARDING SUMMIT FOR PARENTS OF TEENS AND TWEENS**

**DELETE: ITEM 8.L. APPROVAL OF AMENDMENT NO. 1 TO WORK ORDER NO.
GKE-2 FOR SCRUB JAY FRIENDLY LANDSCAPE DESIGN SERVICES FOR
OSPREY MARSH (FORMERLY PC SOUTH ALGAL NUTRIENT REMOVAL
FACILITY)**

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

5. PROCLAMATIONS AND PRESENTATIONS

**5.A. PRESENTATION OF PROCLAMATION RECOGNIZING THE MONTH OF
JANUARY 2014 AS NATIONAL MENTORING MONTH**

Chairman O'Bryan read and presented the Proclamation to Sabrina Seme, Volunteer Recruiter for Big Brothers and Sisters, St. Lucie, Indian River, and Okeechobee Counties. Ms. Seme invited the Commissioners and public to attend a free Pancake Breakfast at Applebee's in Ft. Pierce, on January 16, 2014, to honor the volunteers. Further information on the Big Brothers and Sisters program is available at 772-466-8535.

**5.B. ADDITION: PRESENTATION BY LEE KIMBALL AND BETH WALSH ERIKSEN
REGARDING SUMMIT FOR PARENTS OF TEENS AND TWEENS**

Beth Walsh Eriksen provided information on the Summit for Parents of Teens and Tweens that will be held on Saturday, January 11, 2014, from 10:00 a.m. to 3:30 a.m., at the First

Presbyterian Church Auditorium. She stated that further information is available at www.bethWE.com, and provided a copy of the summit brochure to the County Commission.

Lee Kimball advised that there are scholarships available for parents who are unable to afford the attendance fee.

6. APPROVAL OF MINUTES

6.A. APPROVAL OF MINUTES REGULAR MEETING OF NOVEMBER 12, 2013

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

ON MOTION by Commissioner Flescher, SECONDED by Vice Chairman Davis, the Board unanimously approved the minutes of the November 12, 2013 meeting, as written.

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

7.A. 2013-2014 APPOINTMENT TO THE DEPARTMENT OF JUVENILE JUSTICE (DJJ) CIRCUIT 19 ADVISORY BOARD

Noted for the record was the Board of County Commission's appointment of Joseph E. Flescher, County Commissioner, District 2, to the Department of Juvenile Justice (DJJ) Circuit 19 Advisory Board.

8. CONSENT AGENDA

Chairman O'Bryan recalled that Item 8.L. had been deleted under Additions/Deletions to the Agenda/Emergency items.

Bob Johnson requested to pull Item 8.B. from the Consent Agenda for discussion.

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

8.A. APPROVAL OF WARRANTS – DECEMBER 6, 2013 TO DECEMBER 12, 2013

ON MOTION by Commissioner Flescher, SECONDED by Vice Chairman Davis, the Board unanimously approved the list of Warrants and Wires issued by the Comptroller's Office for the time period of December 6, 2013 to December 12, 2013, as requested in the memorandum of December 12, 2013.

8.B. OUT OF COUNTY TRAVEL TO ATTEND THE FLORIDA'S RESEARCH COAST LEGISLATIVE CONFERENCE

Bob Johnson, Coral Wind Subdivision, noted that he did not see in the Board's agenda package, a conference agenda that would show good cause for expending the funds associated with Board travel and attendance at the event.

A brief discussion followed about the importance of the Board members traveling to these types of events to help advance County issues. It was also noted that none of the Board Members were sure of attending this particular conference.

ON MOTION by Commissioner Solari, SECONDED by Vice Chairman Davis, the Board unanimously approved out-of-County travel for Commissioners and staff to attend the Florida's Research Coast Legislative Conference in Tallahassee, Florida, on March 12 through 14, 2014, as requested in the memorandum of December 20, 2013.

8.C. RESOLUTION FORMALLY DESIGNATING A PORTION OF COUNTY OWNED PROPERTY ALONG 26TH STREET AS RIGHT-OF-WAY

ON MOTION by Commissioner Flescher, SECONDED by Vice Chairman Davis, the Board unanimously approved **Resolution 2014-001**, formally designating certain County owned property for right-of-way, and directing the Property Appraiser to cut out the property designated as right-of-way from the parent parcel (Lot 1 of Davilla Park, recorded in Plat Book 3, page 69, of the public records of Indian River County, Florida).

8.D. APPROVAL OF WORK ORDER NO. PCM-2 FOR SEDIMENT REMOVAL AT PC MAIN SCREENING FACILITY

ON MOTION by Commissioner Flescher, SECONDED by Vice Chairman Davis, the Board unanimously approved and authorized the Chairman to execute Work

Order No. PCM-2 with EMC Divers, Inc., for \$7,100.00,
as requested in the memorandum of December 20, 2013.

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

**8.E. SHERIFF'S CRIME SCENE UNIT – FINAL PAYMENT OF RETAINAGE FOR
PHASE I AND PHASE II – DONADIO AND ASSOCIATES**

ON MOTION by Commissioner Flescher, SECONDED
by Vice Chairman Davis, the Board unanimously
approved the final pay request from Donadio and
Associates, Architects, P.A., in the amount of \$6,500.10,
as recommended in the memorandum of December 15,
2013.

**8.F. CONSIDERATION OF HOURLY RATE INCREASE FOR DAY LABOR SERVICES
BID 2012006 (PUBLIC WORKS DEPARTMENT / ROAD AND BRIDGE
DIVISION)**

ON MOTION by Commissioner Flescher, SECONDED
by Vice Chairman Davis, the Board unanimously: (1)
approved an increase to offset the State of Florida's
minimum wage increase only; and (2) authorized the
Purchasing Division to issue blanket purchase orders at
the new hourly rate for the period beginning the date of
Board authorization through September 30, 2014, with
Labor Ready (formerly MDT Personnel), as recommended
in the memorandum of December 27, 2013.

**8.G. FLORIDA DEPARTMENT OF LAW ENFORCEMENT FY 2013/2014 EDWARD
BYRNE MEMORIAL JUSTICE ASSISTANCE GRANT (JAG) PROGRAM**

ON MOTION by Commissioner Flescher, SECONDED by Vice Chairman Davis, the Board unanimously approved the Certificate of Acceptance of Subgrant Award for the Multi-Agency Criminal Enforcement Unit (M.A.C.E.) Grant in the amount of \$61,852, as recommended in the memorandum of December 30, 2013.

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

**8.H. ACCEPTANCE AND APPROVAL OF EXPENDITURES OF THE 2013/2014
FEDERALLY-FUNDED COMMUNITY EMERGENCY RESPONSE TEAM
(CERT) SUB-GRANT #14-CI-XX-XX-XX-XX-XXX**

ON MOTION by Commissioner Flescher, SECONDED by Vice Chairman Davis, the Board unanimously: (1) accepted and approved of expenditures as directed in the Federally Funded Subgrant Agreements; and (2) authorized staff to make any adjustments made for line-item changes which may occur after execution of the contract with the State's written approval, rather than return the funding for reallocation to other counties, as stated and recommended in the memorandum of November 8, 2013.

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 Vice Chairman Davis, the Board unanimously approved **Resolution 2014-002**, amending the Fiscal Year 2013-2014 Budget.

8.J. APPROVAL OF BID AWARD FOR IRC BID #2014019 CONTRACT SERVICES FOR BEACH PARKS MAINTENANCE

ON MOTION by Commissioner Flescher, SECONDED by Vice Chairman Davis, the Board unanimously: (1) awarded the Landscape Maintenance portion of this bid to Integrity Lawn and Landscaping, Okeechobee, Florida, in the amount of \$21,000 annually, as the lowest most responsive and responsible bidder meeting the specifications as set forth in the Invitation to Bid; (2) awarded the Janitorial Maintenance portion of this bid to C.E.R. Signature Cleaning in the amount of \$60,000 annually, as the lowest 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 December 19, 2013.

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

**8.K. APPROVAL OF RELEASE OF RETAINAGE FOR VARIOUS TASKS OF WORK
ORDER NO. L-1, CHANGE ORDER NO. 2, AND CHANGE ORDER NO. 3 WITH
G. K. ENVIRONMENTAL, INC. FOR EGRET MARSH STORMWATER PARK**

ON MOTION by Commissioner Flescher, SECONDED by Vice Chairman Davis, the Board unanimously: (1) approved release of retainage held through Calendar Year 2013 for a portion of the landscape maintenance and exotic vegetation control services in G.K. Environmental, Inc.'s Work Order No. L-1; and (2) approved Change Orders No. 2 and 3 with G.K. Environmental, Inc., as recommended in the memorandum of December 30, 2013.

**8.L. DELETED: APPROVAL OF AMENDMENT NO. 1 TO WORK ORDER NO. GKE-
2 FOR SCRUB JAY FRIENDLY LANDSCAPE DESIGN SERVICES FOR OSPREY
MARSH (FORMERLY PC SOUTH ALGAL NUTRIENT REMOVAL FACILITY)**

**9. CONSTITUTIONAL OFFICERS AND GOVERNMENTAL
AGENCIES - NONE**

10. PUBLIC ITEMS

10.A. PUBLIC HEARINGS - NONE

10.B. PUBLIC DISCUSSION ITEMS

10.B.1. REV. WILLIAM MOSLEY AND ~~BILL RIGBY~~, GIFFORD ECONOMIC DEVELOPMENT COUNCIL, INC.

Reverend William Mosley, Gifford Economic Development Council, 8465 59th Avenue, addressed the Board with his request for assistance and financial backing for the Gifford Economic Development Council, Inc., which seeks to create a business incubator within the community to foster job creation and minority businesses. He stated that the County's efforts in Gifford have not thus far resolved the poverty and other issues within the community.

Chairman O'Bryan discussed the financial constraints of the Board of County Commissioners; disclosed economic development measures that the County has already initiated in Gifford; and suggested that Reverend Mosley see about having his ideas incorporated into the Gifford Neighborhood Plan (GNP).

A brief discussion ensued regarding Reverend Mosley's efforts to find financial support to market his invention, a computer tablet holder.

County Administrator Joseph Baird told Reverend Mosley about the State of Florida's Black Business Loan program, and also invited him to provide a copy of his business plan to the County Administrator's office and the Chamber of Commerce.

No Board Action Required or Taken

10.C. PUBLIC NOTICE ITEMS

10.C.1. NOTICE OF SCHEDULED PUBLIC HEARING JANUARY 14, 2014:

MARGARET FULLER'S REQUEST FOR ABANDONMENT OF A 74' LONG/33' WIDE PORTION OF DOUBLOON DRIVE IN FRONT OF 9440 DOUBLOON

DRIVE, LOT 6, BLOCK D IN THE SUMMER PLACE UNIT 3 SUBDIVISION
(LEGISLATIVE)

10.C.2. NOTICE OF SCHEDULED PUBLIC HEARING JANUARY 14, 2014:
CONSIDER CODIFYING THE CODE OF INDIAN RIVER COUNTY
(LEGISLATIVE)

10.C.3. NOTICE OF SCHEDULED PUBLIC HEARING JANUARY 14, 2014: TO
REDUCE SEWER HOOK-UPS IN THE WEST WABASSO PHASE I SEWER AND
DRAINAGE PROJECT INDIAN RIVER COUNTY DEPARTMENT OF UTILITY
SERVICES (IRCDUS) PROJECT NO: UCP 4078 (LEGISLATIVE)

County Attorney Dylan Reingold read the notices into the record.

11. COUNTY ADMINISTRATOR MATTERS

11.A. EXECUTIVE SESSION JANUARY 7, 2014 AT A TIME CERTAIN OF 10:00 A.M.
REQUEST FOR EXECUTIVE SESSION JANUARY 7, 2014 AT A TIME CERTAIN
OF 10:00 A.M. TO DISCUSS INTERNATIONAL ASSOCIATION OF FIRE
FIGHTERS (IAFF) UNION NEGOTIATIONS

(Clerk's Note: This item followed Item 12.J.1. and is placed here for continuity. The Chairman announced that the Board would retreat to the County Commission Conference Room to conduct the Executive Session).

The Chairman read into the record the opening remarks of the Executive Session requested for 10:00 a.m. Those in attendance were Commissioners Wesley S. Davis, Joseph E. Flescher, Peter D. O'Bryan, Bob Solari, and Tim Zorc. Also present were the members of the bargaining committee: Colleen Peterson, Human Resources Manager; Michael Zito, Assistant

County Administrator; Jason Brown, Director of Management and Budget; John King, Emergency Services Director; Jeffrey Mandel, Attorney with Fisher & Phillips, LLP; and County Administrator Joseph A. Baird.

The Board reconvened in the Chambers at 12:11 p.m., and the Chairman closed the Executive Session. The County Commission meeting resumed with Item 13.A.

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. INTERFUND LOAN – SANDRIDGE GOLF COURSE IRRIGATION

Director of Management and Budget Jason Brown provided background and analysis on the County-initiated request to use interfund borrowing from the General Fund for a new irrigation system to replace the original system at the Dunes Golf Course at Sandridge Golf Club. He asked the Board to authorize the irrigation project and approve the concept of an interfund loan, not to exceed \$1 million, from the General Fund, and advised that staff will return with a report on the final debt service schedule for the loan.

MOTION WAS MADE by Commissioner Solari, SECONDED by Vice Chairman O'Bryan, to: (1) provide conceptual approval of an interfund loan from the General Fund (not to exceed \$1 million) to provide funding to replace the irrigation system on the Dunes Course at Sandridge Golf Club; and (2) authorize staff to move forward with construction of this project.

Bob Johnson's questions regarding the interfund loan sparked further discussion and explanations by Commissioners and staff.

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

12.H. RECREATION - NONE

12.I. PUBLIC WORKS - NONE

12.J. UTILITIES SERVICES

**12.J.1. INDIAN RIVER AERODROME SUBDIVISION – ASSESSMENT RESULTS,
INDIAN RIVER COUNTY PROJECT No: UCP 4100**

Director of Utility Services Vincent Burke gave a PowerPoint presentation (on file) recapping the background of the proposed Indian River Aerodrome Subdivision (Aerodrome) Water Assessment Project. He provided analysis on the survey that was sent to the Aerodrome residents, revealed that over two-thirds of the residents were not in favor of the water assessment project, and presented staff's recommendation to terminate the project based upon survey results.

ON MOTION by Commissioner Flescher, SECONDED by Commissioner Solari, the Board unanimously authorized the Chairman to direct staff to terminate the Indian River Aerodrome Water Assessment Project, as recommended in the memorandum of December 30, 2013.

13. COUNTY ATTORNEY MATTERS

13.A. APPROVAL OF SUPPLEMENTAL ATTORNEY'S FEES INCURRED ON BEHALF OF WILLIAM BETHEL: PARCEL 108

Deputy County Attorney William DeBraal recalled the history of this item, which pertains to a 0.89 acre parcel owned by William Bethel that was acquired by the County through eminent domain, for the 66th Avenue road project. After providing an analysis of the attorney fees that were incurred on behalf of Mr. Bethel when this matter went to a jury trial, he presented staff's recommendation for the Board to pay \$26,000 as full and final settlement of Supplemental Attorney's Fees.

ON MOTION by Vice Chairman Davis, SECONDED by Commissioner Zorc, the Board unanimously approved the Supplemental Attorney's Fees for Defendant William Bethel, in the amount of \$26,000, as recommended in the memorandum of December 30, 2013.

13.B. REQUEST TO PURCHASE A PARCEL OF PROPERTY OFF THE LIST OF LANDS AVAILABLE

Attorney DeBraal displayed a slide of a parcel that is on the County Tax Collector's List of Lands Available, explaining that the site address of the parcel is 62nd Court, but the portion of the property being used as a road segment is at 86th Lane. He relayed the request of the County's

Public Works Department for the County to purchase this parcel and designate the latter portion of the parcel as 86th Lane right-of-way, and affirmed staff's recommendation for the Board to approve the purchase for a sum of \$6,137.25.

ON MOTION by Commissioner Solari, SECONDED by Commissioner Flescher, the Board unanimously: (1) approved and authorized the purchase of the parcel of property identified as Tax Parcel I.D. No. 31-39-29-00000-5000-00096.0 (*assessed owners Daisy Lincoln, May E. Schlingloff, the Estate of John D. Lincoln, David Lincoln, Elizabeth Hughes, and Elisha Anderson*) from the List of Lands Available; (2) once purchased, authorized designation of that portion of said parcel as 86th Lane right-of-way, with the remainder of the property to be sold or offered to nonprofit organizations for affordable housing; and (3) authorized staff, once the purchase has been accomplished, to: (a) bring back to the Board of County Commissioners for adoption, a resolution cancelling taxes on the property, and (b) proceed to surplus the remainder for future sale and/or offer to nonprofit organizations for affordable housing, as recommended in the memorandum of December 30, 2013.

13.C. OPTIONS FOR INTERVENTION IN CITY OF VERO BEACH ELECTRIC UTILITIES ISSUES

County Attorney Dylan Reingold recalled the Board's direction for the County Attorney to return with analysis on the suggestions made by Dr. Stephen Faherty at the December 3, 2013 County Commission meeting for continued Board action with regards to supporting the prospective sale of the City of Vero Beach (the City) Electric Utility (Vero Beach Electric) to

Florida Power and Light (FPL). He reported that based on upcoming Florida Municipal Power Agency (FMPA) hearings on January 23 and February 19, 2014, Dr. Faherty and City Attorney Wayne Coment have proposed that the City Council continue the abeyance of the Faherty/Heran case that is before the Public Service Commission (PSC), through September 2014. Attorney Reingold also recalled the Board's consideration of issuing a declaratory statement to FMPA regarding non-renewal of the County's Franchise Agreement with the City, but he recommended that the Board defer taking any action at this time and have the County Attorney's office report back to the Commission after the FMPA meetings.

Commissioner Zorc noted that he would be attending the January 23, 2014 FMPA meeting.

Scott Stradley, 1797 14th Avenue, offered his remarks as a citizen, not in his capacity as Chairman of the Utility Commission for the City of Vero Beach. He urged the County Commission to maintain pressure on FMPA to approve the sale of the Vero Beach Electric Utility to FPL.

Chairman O'Bryan affirmed that if FMPA continues to stall after its meetings, the Board will keep the pressure on.

Commissioner Solari agreed with giving the FMPA the chance to negotiate with the City and requested that the County Attorney return with an update in March 2014, including analysis on whether the County should issue the declaratory statement to the FMPA.

ON MOTION by Commissioner Solari, SECONDED by Chairman O'Bryan, the Board unanimously: (1) approved to monitor the hearings and action(s) taken by the Florida Municipal Power Agency (FMPA) in January and February 2014, as such action(s) could make any further action by the Board moot; and (2) directed the County

Attorney's office to report back to the Board in March 2014 on the status of the City of Vero Beach Electric System issue, with analysis on whether it would be in the County's best interest to issue a declaratory statement to the Florida Municipal Power Agency, so that the County's legal obligations with respect to the terminated franchise agreement could be declared.

13.D. REQUEST FOR RENAMING OF SEVEN50

Attorney Reingold recalled the Board's direction on December 17, 2013, for the County Attorney's office, with input from Commissioner Solari, to draft a Resolution requesting the renaming of the Seven50 (Seven Counties 50 Years) collaborative to reflect the number of counties that remain members, and asking for a vote from the Treasure Coast Regional Planning Council (TCRPC) at its March 2014 meeting. He directed the Board's attention to the draft document and advised that the Clerk to the Board office of Indian River County would send a copy of the Resolution to Seven50's Executive Committee Chairman, Samuel Ferreri, and to the Executive Directors of the Treasure Coast Regional Planning Council (TCRPC) and the South Florida Regional Planning Council (SFRPC), Michael Busha and James Murley respectively.

MOTION WAS MADE by Commissioner Solari, SECONDED by Commissioner Flescher, to approve **Resolution 2014-003**, requesting all Seven50 documents accurately reflect the number of counties participating in the process; directing the Clerk to the Board to mail copies of this resolution; and requesting a vote by the Treasure Coast Regional Planning Council.

Chairman O'Bryan mentioned that only two counties have thus far withdrawn from the Seven50, with Martin County slated to withdraw in the future. He noted that it would be a

stretch to say that Indian River County as a whole is not participating in the Seven50, because there are municipalities within the County that are still involved. He also disagreed with certain statements in the document, including the declaration that “the only way for liberty to prosper is to keep and maintain a limited government,” because his experience has shown that in hard economic times, the public wants more from local government in terms of service.

Commissioner Solari explained that he felt it was appropriate to say that Indian River County has withdrawn from the Seven50, and that the County pays the fees, not the municipalities.

A brief discussion followed as Commissioners O’Bryan and Solari spoke to their views on the concept of limited government.

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

14. COMMISSIONER ITEMS

14.A. COMMISSIONER PETER D. O’BRYAN, CHAIRMAN - NONE

14.B. COMMISSIONER WESLEY S. DAVIS, VICE CHAIRMAN - NONE

14.C. COMMISSIONER JOSEPH E. FLESCHER - NONE

14.D. COMMISSIONER BOB SOLARI

14.D.1. SAVE THE INDIAN RIVER LAGOON ESTUARY NOW, INC. (STIRLEN, INC.)

Commissioner Solari reported that the non-profit organization, Save the Indian River Lagoon Estuary Now (STIRLEN) Inc., was formed after Commissioner Zorc was elected to the County Commission, and that he (Commissioner Zorc) is a Board Member of STIRLEN. In

view of the fact that STIRLEN will soon be presenting an action plan to the Board of County Commissioners, he wanted to have the County Attorney research whether the STIRLEN group is subject to the Florida Government in the Sunshine Law (“the Sunshine”) requirements.

Discussion and debate as individual Board Members opined on whether the STIRLEN group might fall under the Sunshine.

Scott Stradley, Board Member of STIRLEN, described the non-profit organization’s goals and objectives, and stressed that it is a privately funded 501(c)(3) corporation, not a committee. He explained that the group was structured to not fall under the Sunshine, in order to facilitate communication between scientists and other stakeholders outside of the meetings.

A brief discussion ensued about whether the Treasure Coast Regional Planning Council (TCRPC), on which Chairman O’Bryan sits, has been providing legal notices for its meetings in each of its member counties, in “newspapers of general circulation.”

Commissioner Solari offered to incorporate into his formal Motion, direction to the County Attorney to research the legal notice issue; it was noted that Chairman O’Bryan, who chairs the TCRPC, could also explore whether the legal notices are being put in “newspapers of general circulation” for each member county.

ON MOTION by Commissioner Solari, SECONDED by Commissioner Flescher, the Board unanimously directed the County Attorney to: (1) explore whether the non-profit organization, Save the Indian River Lagoon Estuary Now (STIRLEN), Inc., is subject to the Florida Government in the Sunshine Law; and (2) to make sure the legal notices are being put in “newspapers of general circulation” for each member county in the Treasure Coast Regional Planning Council.

14.E. COMMISSIONER TIM ZORC - NONE

15. SPECIAL DISTRICTS AND BOARDS

15.A. EMERGENCY SERVICES DISTRICT - NONE

15.B. SOLID WASTE DISPOSAL DISTRICT

The Board of County Commissioners reconvened as the Board of Commissioners of the Solid Waste Disposal District. Those Minutes are available separately.

15.B.1. APPROVAL OF MINUTES MEETING OF NOVEMBER 12, 2013

15.B.2. AMENDMENT NO. 1 TO WORK ORDER NO. 7 TO GEOSYNTEC

**CONSULTANTS INC., FOR FLORIDA DEPARTMENT OF ENVIRONMENTAL
PROTECTION (FDE) RELATED CONSULTING SERVICES AT THE FORMER
SOUTH GIFFORD ROAD LANDFILL**

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 1:02 p.m.

ATTEST:

Jeffrey R. Smith,
Clerk of Circuit Court and Comptroller

Peter D. O'Bryan, Chairman

Minutes Approved: 02/04/2014

BCC/MG/2014Minutes