



**BOARD OF COUNTY
COMMISSIONERS
INDIAN RIVER COUNTY, FLORIDA
REGULAR MEETING MINUTES**

TUESDAY, JUNE 17, 2014

**County Commission Chamber
Indian River County Administration Complex
1801 27th Street, Building A
Vero Beach, Florida, 32960-3388
www.ircgov.com**

COUNTY COMMISSIONERS

Peter D. O’Bryan, Chairman	District 4	Present	Joseph A. Baird, County Administrator	Present
Wesley S. Davis, Vice Chairman	District 1	Present	Dylan Reingold, County Attorney	Present
Joseph E. Flescher	District 2	Present	Jeffrey R. Smith, Clerk to the Board	
Bob Solari	District 5	Present	Leona Adair Allen, Deputy Clerk	
Tim Zorc	District 3	Present		

1. **CALL TO ORDER 9:00 A.M.** **PAGE**

2. **INVOCATION** Stan Boling, Community Development Director

3. **PLEDGE OF ALLEGIANCE** Commissioner Joseph E. Flescher

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

9:02 a.m. Chairman O’Bryan pointed out that the Solid Waste Disposal District (SWDD) is conducting a container survey (should the County start single-stream recycling), and urged the public to participate.

Correction: It was noted that staff’s memorandum had been revised to reflect the correct location of the project as C.R. 510, not C.R. 520.

Page Replacements: Pages 47 and 48, and 73 and 74.

Addition: Emergency Item 9.A., Miscellaneous Budget Amendment 018.

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

5. **PROCLAMATIONS and PRESENTATIONS**

None

6. **APPROVAL OF MINUTES**

- 9:03
a.m.
- A. Regular Meeting of May 6, 2014
 - B. Regular Meeting of May 13, 2014
 - C. Regular Meeting of May 20, 2014

ON MOTION by Commissioner Solari, SECONDED by Commissioner Flescher, the Board unanimously approved the regular meeting minutes of May 6, 2014; May 13, 2014; and May 20, 2014, as written.

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

- 9:04
a.m.
- A. Retirement Award and Proclamation Honoring Daniel D. Baker on His Retirement From Indian River County Board of County Commissioners Department of Utility Services/Water Distribution Division with Twenty Three Years of Service 1-2
 - B. Retirement Award and Proclamation Honoring Kurt E. Friedewold on His Retirement From Indian River County Board of County Commissioners Department of Utility Services/Water Production Division with Twenty Three Years of Service 3-4
Chairman O'Bryan expressed best wishes to the retirees and thanked them for their service to the community.
 - C. Economic Development Council – Vacancy (memorandum dated June 11, 2014) 5-6
Noted for the record was the vacancy of Scott Carson, who submitted his resignation as the Real Estate Industry representative to the Economic Development Council.

8. **CONSENT AGENDA**

Althea McKenzie requested to pull Item 8.F. and Bob Johnson requested to pull Item 8.D. for discussion.

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

- 9:05 a.m. A. Approval of Warrants – June 1, 2014 to June 6, 2014
(memorandum dated June 6, 2014) 7-14

Approved the list of warrants (checks) and wires as supplied by the Comptroller’s Office.
- B. Resolution Cancelling Taxes on Property Purchased by the County for
Right-Of-Way for the C.R. 510 Road Widening Project
(memorandum dated June 10, 2014) 15-23

Approved Resolution 2014-053, cancelling certain taxes upon publicly owned lands, pursuant to Section 196.28, Florida Statutes.
- C. Award of Contracts – RFP 2014034 – Basic Life, Voluntary Life, Voluntary
Long-term Disability, and Voluntary Dental Insurance
(memorandum dated June 9, 2014) 24-46

(1) Approved the awarding of contracts for the life insurance and voluntary long-term disability insurance to Mutual of Omaha and the dental insurance to Ameritas; and (2) authorized the County Administrator to execute same. The effective date of the contracts will be October 1, 2014.
- 9:13 a.m. D. Granting of an Underground Easement to FPL for Installation of Conduit
Required for Electrical Power to Osprey Marsh
(memorandum dated June 9, 2014) 47-50

Bob Johnson requested a presentation on this item.

Director of Utility Services Vincent Burke reviewed his memorandum dated June 9, 2014, and responded to Mr. Johnson’s questions.

ON MOTION by Commissioner Solari, **SECONDED** by Commissioner Flescher, the Board unanimously: (1) approved the Utility Easement with Florida Power and Light Company (FPL); (2) authorized the Chairman to execute same; and (3) authorized the County Attorney’s Office to record the executed easement, as presented.

- E.** Melaina and Pablo Escobar’s Request for Partial Release of an Easement at 5880 Clubhouse Drive (Bent Pine Subdivision Units 1 and 2) (memorandum dated June 11, 2014) 51-58
Approved Resolution 2014-054, releasing a portion of an easement on lot 16, unit 2, of Bent Pine Subdivision Unit 1 and Unit 2.
- F.** Request for Approval of an Amendment to Work Order No. 6 for Additional Design Work for the 45th Street Improvements Beautification Project (memorandum dated June 10, 2014) 59-66
Althea McKenzie sought and received information regarding the Work Order Amendment, and the \$25,000 Grant from the Department of Economic Opportunity (DEO).
- 9:05 a.m.**
- ON MOTION** by Commissioner Solari, **SECONDED** by Commissioner Flescher, the Board unanimously approved Amendment No. 1 to Work Order No. 6 with Kimley-Horn and Associates, Inc., and authorized the Chairman to execute same.
- G.** Paskor, LLC’s Request for Final Plat Approval for a Subdivision to be known as The Reserve at Pelican Island (memorandum dated June 9, 2014) 67-72
Granted final plat approval for The Reserve at Pelican Island.
- H.** Judicial Complex Expansion to Accommodate Additional Courtroom Facilities Approval of Proposal and Scope of Services from Architectural Firm: Pierce, Goodwin, Alexander & Linville (PGAL) for Site Analysis of Two Sites Near Courthouse to Provide Public Defender Office Relocation (memorandum dated June 11, 2014) 73-77
(1) Approved the proposal for site and building analysis and related services to accommodate additional courtroom space at the County Judicial Complex for a lump sum fee of \$13,000.00; (2) approved a not to exceed amount of \$1,000 for reimbursable expenses; and (3) authorized the County Administrator to execute an agreement as approved by the County Attorney.
- I.** Consideration of Consultant Contract for Economic Development Positioning Analysis and Action Plan Preparation Services (memorandum dated June 11, 2014) 78-96
(1) Approved the proposed contract between the Board of County Commissioners and Voltedge, Inc. (dba Ady Voltedge) for preparation of an Economic Development Analysis and Action Plan; and (2) authorized the Chairman to execute said contract.

9.

CONSTITUTIONAL OFFICERS and GOVERNMENTAL AGENCIES

9:16
a.m.

**Addition: Emergency Item, Indian River County Sheriff Deryl Loar/
Miscellaneous Budget Amendment 018.**

Sheriff Deryl Loar explained his request for the two expansion projects (ladder and camera systems) using Correctional Impact Fees, for a total of \$34,730; and responded to the Board’s questions.

County Attorney Dylan Reingold provided additional information on the expansion projects and supported moving forward.

ON MOTION by Commissioner Solari, SECONDED by Commissioner Flescher, the Board unanimously approved Resolution 2014-055, amending the fiscal year 2013-2014 Budget.

10.

PUBLIC ITEMS

9:19
a.m.

A. PUBLIC HEARINGS

1. Consideration of Amendment to Land Development Regulations (LDRs) Section 901.03 Definitions to Establish the Definition of a “Commercial Service Street” and to Modify the Definition of “Yard, Front” to Specify the Appropriate Yard Designations for Properties that Abut a Commercial Service Street (memorandum dated May 30, 2014) 97-110
(Legislative)

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

Community Development Director Stan Boling:

- (1) provided background;
- (2) recalled the April 15, 2014 meeting where the Board directed staff to initiate a Land Development Regulation (LDR) Amendment Ordinance that would address the unique segment of 50th Avenue in Wabasso;
- (3) reported that staff had drafted a LDR Amendment Ordinance that: (a) defines a roadway with the function and characteristics of 50th Avenue as a “commercial service street,” and (b) establishes the appropriate yard designations for properties that front a commercial service street;
- (4) relayed the Planning and Zoning Commission’s (PZC) recommendation for approval; and
- (5) urged the Board to: (a) adopt the proposed LDR Amendment Ordinance, and (b) approve the Resolution designating 50th Avenue (from 87th Street to US 1) as a

“commercial service street.”

The Chairman opened the Public Hearing.

9:25
a.m.

Bob Johnson had no objections to designating 50th Avenue as a commercial service street, but wanted to see future approvals done on a case-by-case basis. He also questioned whether there would be impacts to the County as a result of the redefinition.

Director Boling said he knew of no similar properties, and pointed out that everything that fronts this segment is zoned as commercial, which is why it is called a “commercial service street.”

9:29
a.m.

Attorney Bruce Barkett expressed that the current ordinance is preventing the development of a piece of property that is shaped oddly due to a government action, and felt this would be an appropriate solution.

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

ON MOTION by Commissioner Flescher, **SECONDED** by Vice Chairman Davis, the Board unanimously adopted Ordinance 2014-012, concerning amendments to its Land Development Regulations (LDRs); providing for amendments to Chapter 901, Definitions, by amending Section 901.03, definition of “Street”; by amending Section 901.03, definition of “Yard, Front” and by providing for repeal of conflicting provisions; codification; severability; and effective date.

ON MOTION by Commissioner Solari, **SECONDED** by Vice Chairman Davis, the Board unanimously approved Resolution 2014-055, designating 50th Avenue from 87th Street to US 1 as a “Commercial Service Street”, said land lying in the unincorporated area of Indian River County, Florida.

(Note: the effective date will coincide with the effective date of the Ordinance.)

B. PUBLIC DISCUSSION ITEMS

None

9:32
a.m.

C. **PUBLIC NOTICE ITEMS**

1. **Notice of Scheduled Public Hearing for July 1, 2014:**

Consider Adoption of a Proposed Ordinance Amending the Indian River County Code With Respect to Prohibited Hours of Sale, Service and Consumption of Alcoholic Beverages
(memorandum dated June 10, 2014)

111

Attorney Reingold read the notice into the record.

11. **COUNTY ADMINISTRATOR MATTERS**

None

12. **DEPARTMENTAL MATTERS**

A. **Community Development**

None

B. **Emergency Services**

None

C. **General Services**

None

1. **Human Services**

None

2. **Sandridge Golf Club**

None

3. **Recreation**

None

D. **Human Resources**

None

E. **Office of Management and Budget**

None

F. **Public Works**

None

G. Utilities Services
None

13. COUNTY ATTORNEY MATTERS
None

14. COMMISSIONERS MATTERS

A. Commissioner Peter D. O'Bryan, Chairman
None

B. Commissioner Wesley S. Davis, Vice Chairman

9:33
a.m.

1. Interlocal Agreement – City of Fellsmere
(memorandum dated June 11, 2014) 112-117

Jason Nunemaker requested the Board consider entering into an Interlocal Agreement for the City of Fellsmere to annex the roughly five-acre enclave of 100th Lane and 100th Place.

Director Boling acknowledged staff's support in moving this forward.

MOTION WAS MADE by Vice Chairman Davis, SECONDED by Commissioner Zorc, to direct staff to help facilitate and support the annexation of the enclave of 100th Lane and 100th Place.

A brief discussion ensued regarding the motion.

The Chairman CALLED THE QUESTION and the Motion carried unanimously.

C. Commissioner Joseph E. Flescher
None

D. Commissioner Bob Solari
None

E. Commissioner Tim Zorc

9:36
a.m.

1. St. John's River Alliance Request for Support
(memorandum dated June 2, 2014) 118-123

Commissioner Zorc provided background and requested fellow Commissioners consider supporting St. John's River Alliance's (SJRA) request for financial support.

MOTION WAS MADE by Commissioner Zorc, SECONDED by Vice Chairman Davis, to support the St. John's River Alliance with fiscal year 2014-2015 membership dues, in the amount of \$2,500.

Commissioner Solari and Vice Chairman Davis confirmed that this would be for the 2014-2015 fiscal year.

The Chairman CALLED THE QUESTION and the Motion carried unanimously.

15. SPECIAL DISTRICTS AND BOARDS

- A. **Emergency Services District**
None

- B. **Solid Waste Disposal District**
None

- C. **Environmental Control Board**
None

16. ADJOURNMENT

There being no further business, the Chairman declared the meeting adjourned at **9:43 a.m.**

ATTEST:

Jeffrey R. Smith, CPA, CGFO, CGMA
Clerk of Circuit Court and Comptroller

Peter D. O'Bryan, Chairman

By: _____
Deputy Clerk

Approved: August 19, 2014

BCC/LA/2014Minutes