

**BOARD OF COUNTY
COMMISSIONERS
INDIAN RIVER COUNTY, FLORIDA**



**REGULAR MEETING MINUTES
TUESDAY, SEPTEMBER 16, 2014**

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

COUNTY COMMISSIONERS DISTRICT

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 of the Circuit	Present
Bob Solari	District 5	Present	Court and Comptroller	
Tim Zorc	District 3	Present	Maureen Gelfo, Deputy Clerk	Present

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

2. **INVOCATION** Commissioner Wesley S. Davis, Vice Chairman

3. **PLEDGE OF ALLEGIANCE** Joseph A. Baird, County Administrator

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

9:01 a.m. Add: Item 14.A.1. Indian River County Endorsement to Designate Florida Shore and Beach Preservation Association (FSBPA) Private Citizen Award in Mr. Ralph Sexton's honor.

Additional Backup to Item 14.D.1. Reorganization of Indian River Lagoon-National Estuary Program (IRL-NEP) was added prior to the meeting.

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

5. **PROCLAMATIONS and PRESENTATIONS**

9:01 a.m. A. Presentation of the Painting “Marching Band”, by Artist Barbara Landry, to the Board of County Commission by Barbara Hoffman, Chairman, Cultural Council of Indian River County
Barbara Hoffman presented the painting “Marching Band” to the County Commissioners. Artist Barbara Landry explained that the painting symbolizes patriotism.

9:06 a.m. B. Presentation of Proclamation Designating September 15 – 19, 2014, as Industry Appreciation Week in Indian River County, Florida 1
Presented by Chairman O’Bryan to Helene Caseltine, Economic Development Director, Indian River County Chamber of Commerce; Jay Hart, Chairman, Economic Leadership Alliance Program; Lynn Fiske, EGP the Document Imaging People, Chair of the Industry Appreciation Awards Committee, and Committee Members Melody Ipolito, Kmetz, Nuttall, Elwell, Graham CPA’s; Donna Kingsley, Vero Chemical; and David Hooper, Marine Bank and Trust.

Ms. Caseltine announced that the Industry Appreciation Awards Luncheon will be held on September 18, 2014 at 12:00 p.m. at the Richardson Center, Indian River State College.

Chairman O’Bryan commented on the success of the Local Jobs Grant Program.

6. **APPROVAL OF MINUTES**

PAGE

9:14 a.m. A. Regular Meeting of August 19, 2014
ON MOTION by Vice Chairman Davis, SECONDED by Commissioner Flescher, the Board unanimously approved the minutes of the August 19, 2014 Board of County Commission meeting, as written.

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

9:14 a.m. **Chairman O’Bryan pointed out that: (1) the effective date of the elimination of the rate equalization charge is October 1, 2014; (2) the United States Coast Guard will be accepting written comments on the marine impacts of the All Aboard Florida High Speed Rail Project at a public hearing on October 2 and 3, 2014; (3) the Florida Department of Environmental Protection is having a public meeting to seek input on the draft Indian River Lagoon System Aquatic Preserves Management Plan on September 23, 2014; and (4) the City of Fellsmere is proposing to annex ±8,845.19 acres known as the Corrigan Property.**

- A. Elimination of the Rate Equalization Charge in the Non-Unincorporated areas of Indian River County
(memorandum dated September 8, 2014) 2-4
- B. U.S. Coast Guard Navigational Survey and Public Hearings on October 2nd and 3rd, 2014
(memorandum dated September 10, 2014) 5-10
- C. Florida Department of Environmental Protection, Florida Coastal Office, Indian River Lagoon System Aquatic Preserves Notice of Public Meeting to Seek Input on Draft Indian River Lagoon System Aquatic Preserves Management Plan Tuesday, September 23, 2014 at 6:00 p.m. 11
- D. City of Fellsmere proposed Ordinance No. 2014-16 Annexation consisting of ± 8,845.19 Acres, Known as the Corrigan Property, located easterly and westerly of I-95 and contiguous to the existing City Limits of the City of Fellsmere, is on file in the Office of the Clerk to the Board ----

8.

CONSENT AGENDA

9:15
a.m.

MOTION WAS MADE by Commissioner Flescher, SECONDED by Vice Chairman Davis, to approve the Consent Agenda, pulling Items 8.E., 8.F., and 8.M. for discussion.

The Chairman asked for requests from the public.

Alan Harshman, 414 Harvey Avenue, Palm Bay, requested to pull Item 8.C.

MOTION WAS AMENDED by Commissioner Flescher, SECONDED by Vice Chairman Davis, to pull Item 8.C. for discussion.

The Chairman CALLED THE QUESTION and the Motion carried unanimously.

- A. Approval of Warrants – August 29, 2014 to September 5, 2014
(memorandum dated September 5, 2014) 12-20
Approved the list of warrants (checks) and wires as supplied by the Comptroller’s Office.
- B. Authorization to Attend Public Funds Investment Seminar
(memorandum dated September 4, 2014) 21-23
Authorized the County Administrator to attend Public Trust Advisors complimentary Public Funds Investment Seminar on October 16, 2014, in Orlando, Florida.

9:30
a.m.

C.

Work Order No. 2 Morgan & Eklund, Inc., Bathymetric and Sidescan Sonar Surveys of Potential Artificial Reef Sites, Proposed Location: Five Miles East of Sebastian Inlet
(memorandum dated September 8, 2014)

24-31

Shawn Mecchella, Strike-Zone Fishing, and former Board Member of the Sebastian Inlet Sportfisherman Association, presented to the Commissioners a letter of support for the artificial reef program. He spoke of the positive impacts of the reefs, and asked the Board to help fund the proposed surveys of potential artificial reef sites five miles east of the Sebastian Inlet.

MOTION WAS MADE by Commissioner Flescher, SECONDED by Vice Chairman Davis, to approve and authorize the Chairman to execute Work Order No. 2 to the Professional Land Surveying and Mapping Services contract with Morgan and Eklund, Inc.

County Coastal Engineer James Gray explained for Vice Chairman Davis why the reefs cannot be located closer than the proposed five miles offshore.

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

D.

Work Order No. 4, Dunkelberger Engineering and Testing, Inc., Old Dixie Highway Resurfacing (I.R.F.W.C.D. North Relief Canal to 71st Street) IRC Project No. 1137
(memorandum dated September 2, 2014)

32-41

Approved and authorized the Chairman to execute Work Order No. 4 to Dunkelberger Engineering and Testing, Inc., for a not-to-exceed amount of \$26,038.00, authorizing the professional services outlined in the Scope of Services (Exhibit A).

9:23
a.m.

E.

Award of Bid No: 2014044, Old Dixie Highway Resurfacing (I.R.F.W.C.D. North Relief Canal to 71st Street) IRC Project No. 1137
(memorandum dated August 22, 2014)

42-52

Commissioner Zorc pointed out that Timothy Rose, the proposed contractor, had not completed the Oslo Road (from 43rd – 58th Avenue) Road Widening Project on time.

Director of Public Works Chris Mora explained that Mr. Rose had experienced significant delays beyond his control, and that liquidated damages would not be assessed against Mr. Rose for that project.

A discussion ensued between Vice Chairman Davis and Director Mora about salvaging millings from road projects wherever possible.

Chairman O'Bryan asked staff to let Mr. Rose know that there are liquidated damages for going beyond the stipulated time period, and emphasize that the County wants this project to be his primary focus.

ON MOTION by Commissioner Flescher, **SECONDED** by Vice Chairman Davis, the Board unanimously: (1) approved the project award to Timothy Rose Contracting, Inc., in the amount of \$1,792,422.35; and (2) authorized the Chairman to execute said agreement after receipt and approval of the required Public Construction Bond and Certificate of Insurance and after the County Attorney has approved the agreement as to form and legal sufficiency.

9:28
a.m.

F. Approval of Award for Bid 2015008 – Annual Bid for Mowing at Water Plants

(memorandum dated September 8, 2014)

53-56

Chairman O'Bryan noted that the second lowest bidder, Sunshine Land Design, asked to withdraw its bid because errors in their bid worksheet would allow for a less than satisfactory performance of the contract, and Sunshine was asked to withdraw their bid and never bid on this contract again. He suggested that Sunshine Land Design be allowed to bid on the subject contract after a five-year prohibition period.

ON MOTION by Commissioner Solari, **SECONDED** by Commissioner Flescher, the Board unanimously: (1) terminated award of the previous Annual Bid 2013005 to B&E Property Maintenance; (2) allowed Sunshine Land Design to withdraw their bid with the understanding that they may bid on this contract after a five-year prohibition period; (3) awarded Bid 2015008 to STS Maintain Services, Inc. of Palm City as the next lowest most responsive and responsible bidder meeting the specifications as set forth in the Invitation to Bid; (4) authorized the Purchasing Division to issue blanket purchase orders for the period of October 1, 2014 through September 30, 2015 to the recommended bidder; and (5) authorized the Purchasing Manager to renew this bid for two (2) additional one (1) year periods subject to satisfactory performance, vendor acceptance, and the determination that renewal of this annual bid is in the best interest of Indian River County.

G. Declaration of Excess Equipment as Surplus for Sale or Disposal
(memorandum dated September 8, 2014)

57-59

Declared the items on the Excess Equipment List as surplus and authorized their sale and/or disposal.

- H.** Thomas F. Scott’s Request for Extension of Site Plan Approval for an Assisted Living Facility Development to be Known as Reflections ALF (memorandum dated September 2, 2014) 60-67
Approved Thomas F. Scott’s request for a one-year extension of the site plan approval for the Reflections Assisted Living Facility (ALF) Development with all original approval conditions to remain in effect. The new site plan approval expiration date will be September 27, 2015.
- I.** Miscellaneous Budget Amendment 024 (memorandum dated September 10, 2014) 68-72
Approved Resolution 2014-072, amending the Fiscal Year 2013-2014 Budget.
- J.** Work Order No. 1 REI Engineers Health Department Exterior Envelope Evaluation (memorandum dated August 28, 2014) 73-76
Approved and authorized the Chairman to execute Work Order No. 1 with REI Engineers Inc., in the amount of \$2,200.00, for the Health Department exterior envelope (roof, walls, and windows) evaluation.
- K.** Work Order No. 5 Ecological Associates, Inc., Sector 3 Dune Repair Project, Late Season Sea Turtle Monitoring Services (memorandum dated September 8, 2014) 77-81
Approved and authorized the Chairman to execute on behalf of the County, Work Order No. 5 to the contract with Ecological Associates, Inc.
- L.** Request for Ball Field Rental Fee Waiver for the IRC Sheriff Office’s “Shop With A Cop” Benefit Softball Tournament at North County Regional Park (memorandum dated September 5, 2014) 82-83
Granted the request of the Sheriff to waive field charges for the “Shop With A Cop” Benefit Softball Tournament because it is supported and organized by members of the Constitutional Office of the Sheriff.
- 9:17 a.m. M.** Courthouse Security System and Misc. Budget Amendment 25 (memorandum dated September 10, 2014) 84-86
Commissioner Solari said that he supported all of the proposed security measures, but questioned whether adding security cameras to the Courthouse parking garage qualifies as an impact fee expenditure, because it is not adding capacity.
- A brief discussion followed as staff upheld the use of impact fees to add security cameras at the Courthouse parking garage.**

Commissioner Flescher expressed his support for using the impact fees for the additional cameras.

MOTION WAS MADE by Commissioner Flescher, **SECONDED** by Chairman O’Bryan, to: (1) authorize staff to enact a purchase order with Precision Contracting Services (PCS) in the total amount of \$293,034; and (2) approve Resolution 2014-073 amending the Fiscal Year 2013-2014 Budget (including the impact fee funding of \$74,870).

Chairman O’Bryan voiced that using impact fees for expanded security at the Courthouse parking garage is justified.

The Chairman **CALLED THE QUESTION** and by a 2-3 vote (Commissioners Davis, Solari, and Zorc opposed), the Motion failed.

MOTION WAS MADE by Commissioner Solari, **SECONDED** by Commissioner Zorc, to: (1) authorize staff to enact a purchase order with Precision Contracting Services (PCS) in the total amount of \$293,034; and (2) approve Resolution 2014-073, *amending Exhibit “A” to eliminate impact fee funding in the amount \$74,870 and add funding in the same amount from another account, for the Courthouse parking garage security cameras*, amending the Fiscal Year 2013-2014 Budget.

Director Brown advised that the funds to pay for the Courthouse garage cameras are available in Court Facility Funds.

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

9.

CONSTITUTIONAL OFFICERS and GOVERNMENTAL AGENCIES

9:37
a.m.

A. **Indian River County Clerk of Circuit Court and Comptroller Jeffrey R. Smith, CPA, CGFO, CGMA**

Presentation of Certificate of Achievement for Excellence in Financial Reporting

Jeffrey R. Smith, Clerk of Circuit Court and Comptroller, presented the Certificate of Achievement for Excellence in Financial Reporting award to the Board of County Commissioners. He noted that this is the thirty-first consecutive year that the County has received this honor.

9:40
a.m.

B. **Indian River County Sheriff Deryl Loar**

Request for Expenditure of Corrections Impact Fees for Capital Improvement Projects

87-93

(memorandum dated September 10, 2014)

Sheriff Deryl Loar presented his request to use Corrections Impact Fees for five capital improvement projects: (1) an expanded camera system at the Courthouse parking garage; (2) an enlarged intercom system in the inmate housing units and control room; (3) expanded acoustic panels in the inmate programs areas, (4) a new Booking/DUI Workstation; and (5) additional exterior lighting at the jail.

Commissioner Solari observed that the Sheriff's request was not in accordance with the use of impact fees to expand capacity, but he would support funding the improvements with a different revenue source.

The Sheriff, with input from County Administrator Joseph Baird, defended the use of impact fees for the improvement projects.

Commissioner Flescher declared that due to the growth of the population in the County and jail, the proposed expansion is necessary and impact fee usage is justified.

MOTION WAS MADE by Commissioner Flescher, **SECONDED** by Chairman O'Bryan, to approve the Sheriff's request to fund five capital improvement projects with Corrections Impact Fees.

Vice Chairman Davis questioned whether the proposed projects would be aligned with proper impact fee usage.

Chairman O'Bryan stated that he would support funding the security cameras, the new booking DUI work station, and exterior lighting with impact fees, but that the acoustic panels and intercom system did not fit impact fee criteria.

MOTION WAS AMENDED by Commissioner Flescher, **SECONDED** by Chairman O'Bryan, to approve the Sheriff's request to fund three capital improvement projects (the security cameras, the booking/DUI work station, and exterior lighting) with Corrections Impact Fees, and to fund the acoustic panels and intercom system with a different revenue source.

The Chairman **CALLED THE AMENDED QUESTION** and by a 2-3 vote (Commissioners Davis, Solari, and Zorc opposed), the Motion **FAILED**.

MOTION WAS MADE by Commissioner Solari to table this item for one week. **MOTION DIED** for lack of a second.

County Administrator Baird affirmed that Optional Sales Tax could be the funding source for all the capital improvement projects.

MOTION WAS MADE by Vice Chairman Davis, SECONDED by Commissioner Flescher, to fund all five capital improvement projects using Optional Sales Tax.

No further discussion was held.

The Chairman CALLED THE QUESTION and the Motion carried unanimously.

10. PUBLIC ITEMS PAGE

A. PUBLIC HEARINGS

10:02
a.m.

1. Kenneth J. & Claire K. LaPointe’s Request to Modify the Rear Yard Setback for Marina Lots 21 through 28 within the Marsh Island PD (Planned Development)
(memorandum dated August 21, 2014)

94-112

(Quasi-Judicial)

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

The Commissioners, as requested by the Chairman, disclosed that there had been no ex parte communications, site visits, or independent investigations. Chairman O’Bryan noted that he viewed the site on the Property Appraiser’s website. All affirmed that they have an open mind and are able to base their decisions on the evidence presented and the applicable law.

In accordance with Chairman O’Bryan’s declaration that this meeting was quasi-judicial, the Deputy Clerk administered the Oath to all persons who wished to speak at the hearing.

Community Development Director Stan Boling provided background on the request of Kenneth and Claire LaPointe to modify the rear yard setback on Marina Lots 21 through 28 within the Marsh Island Planned Development (PD) from 10 to 8 feet, to allow for free standing porches. He revealed that the subject modification is specifically for Lot 27, but all 8 of the marina lots will be affected. He thereafter presented the recommendation of the Planning & Zoning Commission (P&Z), as well as staff, for Board approval of the proposed modification, subject to the 50% rear elevation

rule in the proposal, with all original PD approval conditions to remain in effect.

Vice Chairman Davis remarked that the process for effecting such a minor change to the PD's setback requirements seems cumbersome.

Director Boling discussed the regulations for changing setbacks, and stated that the Board could establish a different process for minor modifications.

The Chairman opened the public hearing. There were no speakers and the Chairman closed the public hearing.

ON MOTION by Vice Chairman Davis, SECONDED by Commissioner Flescher, the Board unanimously granted approval to reduce the rear yard setback for open porch support columns to 8 feet for Lots 21 through 28 in the Marsh Island Planned Development (PD) as shown in the waiver table, with all original conditions of the PD approval to remain in effect.

Vice Chairman Davis asked staff to explore the possibility of tempering the rules a bit, and to return with an estimate of: (1) how many minor amendments have been made in the past; and (2) how many individuals may have been deterred from building porches due to the cumbersome amendment process.

Bob Bruce relayed that the North Barrier Island Task Force totally supports the proposed initiative.

B. PUBLIC DISCUSSION ITEMS

(As a general rule public discussion items should be limited to matters on which the commission may take action.)

**10:14
a.m.**

1. Request to Speak from Pearl McKenzie Regarding the Dredging Project at Oslo Boat Ramp
.....
Pearl McKenzie, 1125 9th Street SW, expressed her disapproval of the Oslo Boat Ramp Project, and reported on a drainage problem caused by a blocked culvert adjacent to her property on Oslo Road.

113

Chairman O'Bryan requested that staff follow up on Ms. McKenzie's drainage problem.

2. Request to Speak from Marty Baum Regarding the Oslo Boat Ramp

114

10:20
a.m.

Marty Baum, Indian Riverkeeper, 1192 NE Frances Street, spoke in opposition to the Oslo Boat Ramp Project.

C. PUBLIC NOTICE ITEMS

None

11. COUNTY ADMINISTRATOR MATTERS

None

12. DEPARTMENTAL MATTERS

A. Community Development

10:24
a.m.

1. Recommendation of Award for RFP No. 2014030: Jones's Pier Boat Dock Improvements (memorandum dated September 8, 2014)

115-127

Chief of Environmental Planning Roland DeBlois provided background on the need for boat dock improvements at the historic Jones's Pier site located on south Jungle Trail. He stated that in 2013, the County secured a 50% matching grant from the Florida Inland Navigation District (FIND), but that the cost for the project came in higher than originally estimated under the grant. Chief DeBlois thereafter gave staff's recommendation for Board approval of Summerlin's Marine Construction LLC to undertake the dock removal, repair, and boat lift installation work, with the County's costs funded by Environmental Land Bond Funds.

Vice Chairman Davis suggested repairing, not removing, the dilapidated single-family dock to the north.

Chairman O'Bryan asked Chief DeBlois to report back to FIND and advise them that the project costs are higher than originally estimated.

ON MOTION by Vice Chairman Davis, SECONDED by Commissioner Flescher, the Board unanimously: (1) approved the Evaluation Committee's final ranking; and (2) authorized staff negotiations with Summerlin's Marine Construction LLC, to conduct the marine construction work described in Request For Proposal (RFP) No. 2014030, with the caveat to renovate, not destroy, the dilapidated single-family dock to the north, with County costs to be funded with Environmental Land Bond Funds.

The Chairman called a recess at 10:34 a.m., and reconvened the meeting at 10:48 a.m., with all members present.

B. Emergency Services
None

C. General Services
None

1. Human Services
None

12. DEPARTMENTAL MATTERS

PAGE

C. General Services
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

10:48
a.m.

1. North Sebastian Sewer Design – Commercial Area of Phase I
(memorandum dated August 26, 2014)

128-147

Director of Utility Services Vincent Burke recalled the Board's approval at its August 20, 2013 meeting, for Masteller and Moler Inc., (M&M) to perform a Sewer Feasibility Study for the North Sebastian area, and said that the findings of the study were subsequently presented to the Board and stakeholders in the City of Sebastian. He stated that he was now returning for Board consideration of M&M's design, permitting, and construction plans for the Commercial Area of Phase 1 of the study. He disclosed that the overall design services cost is \$155,220.00, with costs

split 60/40 between the County (\$93,132.00) and the City of Sebastian (\$62,088.00). He thereafter presented staff's recommendation for the Board to approve the design services and a new Interlocal Agreement with the City of Sebastian to replace the original agreement signed in 2012.

In response to questions from the Board, Director Burke and Earl Masteller, Masteller & Moler, Inc., provided details on specific aspects of the project.

A brief discussion ensued about how the centralized sewer project will enhance economic development in Sebastian.

Chairman O'Bryan stated that by May 2015, the County should know if any State grants would be available for this project. He also suggested applying for a grant from the Florida Department of Economic Opportunity.

ON MOTION by Vice Chairman Davis, SECONDED by Commissioner Flescher, the Board unanimously approved: (1) Work Order No. 7 authorizing professional services for a lump sum amount of \$155,220.00, to Masteller & Moler, Inc. (M&M); notice to proceed to M&M will be issued once the County has received confirmation from the City of Sebastian of its approval of the Interlocal Agreement; and (2) the Interlocal Agreement for North Sebastian Sewer and Water Main Design for the Commercial Area of Phase 1 which replaces the October 2, 2012 Interlocal Agreement.

13. COUNTY ATTORNEY MATTERS

- 10:59 a.m. A. Resolution Concerning Senator Altman's Request of Attorney General Opinion on Lease Agreement Between Orlando-Orange County Expressway Authority and All Aboard Florida (memorandum dated September 9, 2014)

148-152

County Attorney Dylan Reingold recalled that on September 9, 2014, Florida Senator Thad Altman had asked the Board to support his request to Florida Attorney General Pam Bondi for an opinion on language contained in the lease agreement between the Orlando-Orange County Expressway Authority (n/k/a the Central Florida Expressway Authority) and all Aboard Florida (AAF) concerning the addition of new stops and a special tax on Brevard and Indian River County residents. He thereafter presented for the Board's consideration, a draft Resolution supporting the Senator and affirming the Board's discomfort with certain provisions in the lease agreement. He noted that if approved, copies of the Resolution will be sent to Governor Rick Scott, Florida Attorney General Pam Bondi, Florida State Senators Thad Altman

and Joe Negron, and Florida State Representative Debbie Mayfield.

Commissioner Zorc announced that Senator Altman would be notified of today's vote subsequent to today's meeting.

The Chairman invited public comment; there were no speakers.

ON MOTION by Commissioner Solari, **SECONDED** by Commissioner Flescher, the Board unanimously approved Resolution 2014-074, supporting Florida State Senator Thad Altman's request for a Florida Attorney General opinion concerning certain provisions of the lease agreement between the Orlando-Orange County Expressway Authority (now known as the Central Florida Expressway Authority) and All Aboard Florida – Operations, LLC.

11:02 a.m. B.

Affordable Housing Advisory Committee Vacancy (citizen who is actively engaged as a for-profit provider of affordable housing) (memorandum dated September 9, 2014)

153

Attorney Reingold announced the vacancy on the Affordable Housing Advisory Committee, and asked the Board to consider the appointment of the single qualified candidate for the position, David Myers II.

ON MOTION by Commissioner Flescher, **SECONDED** by Vice Chairman Davis, the Board, having reviewed the applicant's resume, unanimously appointed David Myers II to fill the unexpired term for the "citizen who is actively engaged as a for-profit provider of affordable housing" on the Affordable Housing Advisory Committee.

11:03 a.m. C.

Affordable Housing Advisory Committee Vacancy (representative of those areas of labor actively engaged in home building in connection with affordable housing) (memorandum dated September 9, 2014)

154

Attorney Reingold announced the vacancy on the Affordable Housing Advisory Committee, and asked the Board to consider the appointment of the single qualified candidate, Jim McAlhany, for the position.

ON MOTION by Commissioner Solari, **SECONDED** by Commissioner Flescher, the Board, having reviewed the applicant's resume, unanimously appointed Jim McAlhany to fill the unexpired term for the "representative of those areas of labor actively engaged in home building in connection with affordable housing" on the Affordable Housing Advisory Committee.

COMMISSIONERS MATTERS

11:04
a.m.

A. Commissioner Peter D. O’Bryan, Chairman

- 1. Indian River County Endorsement to Designate Florida Shore and Beach Preservation Association (FSBPA) Private Citizen Award in Mr. Ralph Sexton’s honor

Chairman O’Bryan relayed the proposal of Debbie Flack, President of the Florida Shore and Beach Preservation Association (FSBPA), to designate the FSBPA Private Citizen Lifetime Achievement Award in honor of Ralph Sexton, who received the award in 2011, and recently passed away. He asked fellow Board Members if they would endorse FSBPA’s proposal.

ON MOTION by Commissioner Flescher, SECONDED by Vice Chairman Davis, the Board unanimously directed staff to write a letter of support to the Florida Shore and Beach Preservation Association (FSBPA) supporting the renaming of the FSBPA Private Citizen Lifetime Achievement Award in honor of Mr. Ralph Sexton.

Commissioner Zorc stated that he would personally hand deliver the letter to the upcoming FSBPA meeting.

The Chairman CALLED THE QUESTION and the Motion carried unanimously.

B. Commissioner Wesley S. Davis, Vice Chairman

None

C. Commissioner Joseph E. Flescher

None

D. Commissioner Bob Solari

11:05
a.m.

- 1. Reorganization of Indian River Lagoon National Estuary Program (IRLNEP)
(memorandum dated September 10, 2014)

155-159

Commissioner Solari, Advisory Committee Member of the Indian River Lagoon National Estuary Program (IRLNEP), reported that he is assisting in the reorganization of the IRLNEP. He outlined his concerns about the restructuring, which included, but were not limited to: (1) the lack of financial information; (2) no proposed budget; (3) no certainty that the reorganization will improve the health of the Lagoon; (4) the centralization of the process and the focus away from local government; (5) a cumbersome and incomplete Comprehensive

Conservation Management Plan (CCMP); (6) lack of input from Advisory Board Committee Members on the draft Interlocal Agreement; (7) and the size and composition of the proposed Steering and Management Committees.

Discussion ensued as the Board and Commissioner Solari continued to discuss the reorganization of the IRLNEP.

Commissioner Solari reviewed the Motion he was preparing to make, after which Vice Chairman Davis requested adding that the IRLNEP is headed in the wrong direction.

ON MOTION by Vice Chairman Davis, SECONDED by Commissioner Solari, the Board unanimously authorized Commissioner Solari to continue working on the Reorganization Committee for the Indian River Lagoon National Estuary Program (IRLNEP), conveying to the appropriate persons that: (1) the Indian River Board of County Commissioners feels the reorganization process has not addressed the County Commission's concerns; (2) that the reorganization process appears to have been somewhat rushed, given that the Comprehensive Conservation Management Plan (CCMP) is not going to be revised for a period of approximately two years and there seems to be ample time to undertake the process of building the newly reorganized Indian River Lagoon National Estuary Program (IRLNEP) correctly; and (3) that the reorganization is headed in the wrong direction.

Bob Johnson, Coral Wind Subdivision, commented on the County's endeavors to clean up the Lagoon, and cautioned the Board to be careful before making a financial commitment to IRLNEP.

Vice Chairman Davis voiced concerns that the proposed IRLNEP would usurp local control, and that funding for Lagoon projects might be denied if the County does not participate in the IRLNEP.

The Chairman CALLED THE QUESTION and the Motion carried unanimously.

E. Commissioner Tim Zorc
None

15. SPECIAL DISTRICTS AND BOARDS

A. Emergency Services District
None

11:26
a.m.

B. Solid Waste Disposal District

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

1. Approval of Minutes Meeting of August 19, 2014
2. Request for a Time Certain for the Presentation of the 2014 Solid Waste Master Plan Update
(memorandum dated September 9, 2014)

160

C. Environmental Control Board

None

6. ADJOURNMENT

There being no further business, the Chairman declared the meeting adjourned at **11:28 a.m.**

ATTEST:

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

 Peter D. O'Bryan, Chairman

By: _____
 Deputy Clerk

Approved: _____

BCC/MG/2014Minutes