



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

**REGULAR MEETING MINUTES
TUESDAY, DECEMBER 2, 2014**

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

<u>COUNTY COMMISSIONERS</u>	<u>DISTRICT</u>			
Wesley S. Davis, Chairman	District 1	Present	Joseph A. Baird, County Administrator	Present
Bob Solari, Vice Chairman	District 5	Present	Dylan Reingold, County Attorney	Present
Joseph E. Flescher	District 2	Present	Jeffrey R. Smith, Clerk of the Circuit	Present
Peter D. O'Bryan	District 4	Present	Court and Comptroller	
Tim Zorc	District 3	Present	Maureen Gelfo, Deputy Clerk	Present

<u>DVD TIMES</u>		<u>PACKET PAGES</u>
1.	<u>CALL TO ORDER 9:00 A.M.</u>	
2.	<u>INVOCATION</u>	Stan Boling, Community Development Director
3.	<u>PLEDGE OF ALLEGIANCE</u>	Commissioner Joseph E. Flescher
4.	<u>ADDITIONS/DELETIONS TO THE AGENDA / EMERGENCY ITEMS</u>	
9:01 a.m.	Delete: Item 5.C. Presentation on Pilot Projects and Recent Demonstration Project by Jeff Meade, Chairman, STIRLEN	

Chairman Davis explained the Board's policy on adding an item to the agenda, and relayed Jack Pennell's request to address the Board on the Winter Beach Customer Convenience Center.

ON MOTION by Vice Chairman Solari, **SECONDED** by Commissioner Zorc, the Board unanimously approved to add under Item 10.B.2. Public Discussion Items, Request to Speak from Jack Pennell Regarding the Closure of the Winter Beach Customer Convenience Center.

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

5. PROCLAMATIONS and PRESENTATIONS

- 9:03 a.m.** A. Presentation of Proclamation and Retirement Award Honoring Bradley Ashley on His Retirement from the Indian River County Board of County Commissioners Department of Emergency Services/Fire Rescue With Thirty Years of Service 1-2
Presented by Chairman Davis to Bradley Ashley, who was accompanied by Mrs. Ashley and Emergency Services Director John King.
- B. Presentation of Excess Fee Distribution by Carole Jean Jordan, Indian River County Tax Collector 3-4
Absent
- C. Presentation on Pilot Projects and Recent Demonstration Project by Jeff Meade, Chairman, STIRLEN ---
Deleted

6. APPROVAL OF MINUTES

- 9:08 a.m.** A. Regular Minutes of October 21, 2014
ON MOTION by Commissioner Flescher, SECONDED by Commissioner O’Bryan, the Board unanimously approved the Regular Meeting minutes of October 21, 2014, as written.
- B. Special Call Meeting Minutes of October 27, 2014
ON MOTION by Commissioner O’Bryan, SECONDED by Commissioner Flescher, the Board unanimously approved the Special Call Meeting minutes of October 27, 2014, as written.

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

- 9:08 a.m.** A. Sale of Mobile Home at Auction (memorandum dated November 24, 2014) 5
Noted for the record was the County’s receipt of \$25,115.90 from the sale of the mobile home at Lakewood Village Mobile Home Park, formerly purchased by Amelia and Edward Termyna, through the Hurricane Housing Repair Program (HHRP).
- B. Resignation of County Appointee to the School Planning Citizens Oversight Committee (memorandum dated November 17, 2014) 6-7
Noted for the record was the resignation of Charles Searcy as the County Appointee to the School Planning Citizens Oversight Committee, effective immediately.

- C. Revised Comment to All Aboard Florida Draft Environmental Impact Statement
(memorandum dated November 24, 2014) 8
.....
Noted for the record were minor changes made by the County Attorney's Office to the Board's comments that were approved on November 18, 2014.

8. **CONSENT AGENDA**

9:08
a.m.

ON MOTION by Commissioner O'Bryan, SECONDED by Chairman Davis, the Board unanimously approved the Consent Agenda, pulling 8.K. for discussion.

- A. Approval of Warrants – November 7, 2014 to November 13, 2014
(memorandum dated November 13, 2014) 9-16
.....
Approved the list of warrants (checks) and wires as supplied by the Comptroller's Office.
- B. Approval of Warrants – November 14, 2014 to November 20, 2014
(memorandum dated November 20, 2014) 17-26
.....
Approved the list of warrants (checks) and wires as supplied by the Comptroller's Office.
- C. National Municipal Bond Summit
(memorandum dated November 24, 2014) 27-30
.....
Authorized the County Administrator to attend the National Municipal Bond Summit in Fort Lauderdale on March 1 – 3, 2015.
- D. Miscellaneous Budget Amendment 001
(memorandum dated November 17, 2014) 31-34
.....
Approved Resolution 2014-111, amending the Fiscal Year 2014-2015 Budget.
- E. Miscellaneous Budget Amendment 002
(memorandum dated November 24, 2014) 35-51
.....
Approved Resolution 2014-112, amending the Fiscal Year 2014-2015 Budget.
- F. Release of Retainage for Amendment No. 1 to Indian River County Public Shooting Range Improvements to Skeet & Trap Facility Professional Civil Engineering and Architectural Services Consultant Agreement – RFQ No. 2013017 – IRC Project No. 1213
(memorandum dated November 3, 2014) 52-54
.....
Approved release of retainage to Donadio & Associates, Architects, P.A., for the completed Amendment No. 1 services, and payment of Invoice No. Retainage 1 dated 9/4/2014, in the amount of \$2,680.12.

- G.** Work Order No. 3 – Bridge Design Associates, Inc. – Release of Retainage 13th Street S.W. Bridge over the IRFWCD Sub-Lateral B-8 Canal (58th Avenue) IRC Project No. 0530B
(memorandum dated November 21, 2014) 55-56
Approved release of retainage to Bridge Design Associates, Inc., for the completed design services and payment of Invoice No. 06-624/R1, dated October 31, 2014 in the amount of \$2,456.50.
- H.** Request for Proposal for Sandridge Golf Club Food Concession Services and Lease
(memorandum dated November 19, 2014) 57
Authorized staff to issue a Request for Proposals (RFP) to operate the concession at Sandridge Golf Club; it is currently operated by Peggy Cardell & Associates.
- I.** Final Pay and Release of Retainage to R.J. Sullivan Corp on the Lime Slurry Inject Project – UCP 2715, Bid No: 2013028
(memorandum dated November 17, 2014) 58-75
Approved the Final Pay Application No. 15 in the amount of \$93,055.20 to R.J. Sullivan Corporation.
- J.** Request for a Public Hearing to Consider Potential Projects for a Community Development Block Grant (CDBG)
(memorandum dated November 18, 2014) 76
Approved the advertisement for a Public Hearing on Tuesday, December 16, 2014.
- 9:08 a.m.** **K.** Resolution Renaming Blue Cypress Lake Park in Honor of Joneal Middleton
(memorandum dated October 29, 2014) 77-79
Commissioner Flescher recognized Joneal Middleton for his dedicated service in operating Middleton’s Fish Camp at Blue Cypress Lake Park for thirty-five years, and read the Resolution renaming the Park in his honor.

ON MOTION by Commissioner Flescher, SECONDED by Commissioner Zorc, the Board unanimously: (1) approved and authorized the Chairman to execute Resolution 2014-113, honoring Joneal Middleton by changing the name of Blue Cypress Lake Park to Middleton’s Fish Camp Park; and (2) directed staff to make the appropriate changes on applicable signage, informational brochures, and the County Website.

9. CONSTITUTIONAL OFFICERS and GOVERNMENTAL AGENCIES

None

10.

PUBLIC ITEMS

A. PUBLIC HEARINGS

9:14
a.m.

1. County Initiated Request to Amend the 5 Year Capital Improvements Program and the Supporting Data and Analysis of the Capital Improvements Element of the Comprehensive Plan (memorandum dated November 18, 2014)

80-108

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 gave a PowerPoint Presentation on the County-initiated request to update the 5 Year Capital Improvements Program (CIP) Schedule and related sections of the Capital Improvements Element (CIE) of the County's Comprehensive Plan. He specified proposed CIP expenditures/revenues by category, and disclosed that the Transportation Element, which requires the most funding, receives almost half of its revenue from the Optional Sales Tax (which may expire if not extended by the voters in 2019). Director Boling outlined several current/pending Transportation and Non-Transportation Projects, and in the latter category, noted that two new Fire Stations (13 and 14) are proposed to be built. He thereafter presented staff's recommendation for the Board to adopt the proposed Ordinance updating the 5 Year CIP and related data/analysis of the CIE.

Vice Chairman Solari questioned the \$500,000 expenditure for the renovation of Fire Station 7, as outlined in the CIE schedule for Fiscal Year 2014-2015. He feared that said station cannot be brought up to current standards, and wondered if the designated funding could be better used to accelerate work on another Fire Station that will meet the County's future fire/rescue needs.

A lengthy discussion followed, with input from Administrator Baird, regarding the condition of Fire Station 7 and whether it would be prudent to expend \$500,000 on upgrades; increasing the Level of Service (LOS) to meet future needs; the most effective way to provide fire/rescue coverage for the areas currently covered by Fire Station 7; the fire stations that have the highest call volumes; and the need to re-examine this matter in the near future.

MOTION WAS MADE by Vice Chairman Solari, SECONDED by Commissioner Flescher, to have staff report back in January

2015, on Fire Station 7 on 82nd Avenue and 12th Street, and future Fire Station 14 on the former Vero Beach Jaycees, Inc. property at 26th Street and 66th Avenue.

John O'Connor, President, Firefighters Firemedic Association, International Association of Firefighters, Local 2201, voiced opposition to spending \$500,000 on Fire Station 7, and discussed the need for additional technical rescue team equipment.

Commissioner Zorc initiated discussion on finding an optimal site on which to construct a new fire station, which might eliminate the need to construct two new stations and renovate Fire Station 7.

MOTION WAS AMENDED by Vice Chairman Solari, SECONDED by Commissioner Flescher, to direct staff to seek an optimal location to construct a new Fire Station in the corridor between Fire Station 7 and future Fire Station 14.

Administrator Baird acknowledged that staff would return in January 2015 with a more defined plan on the Fire Stations.

Management and Budget Director Jason Brown addressed Bob Johnson's questions on how the 5 Year CIP relates to the annual budget process.

The Chairman CALLED THE QUESTION, and the Amended Motion carried unanimously. The Board directed staff to report back in January 2015, with a report on: (1) Fire Station 7 on 82nd Avenue and 12th Street; (2) future Fire Station 14 on the former Vero Beach Jaycees, Inc. property at 26th Street and 66th Avenue; and (3) a possible optimal site in which to construct a new Fire Station in the corridor between Fire Station 7 and future Fire Station 14.

Chairman Davis discussed the need to install lights and restrooms at the North County Regional Park soccer fields.

A brief discussion ensued, with input from Administrator Baird, about the County providing a cost match with the Sebastian Soccer Association for said improvements.

MOTION WAS MADE by Commissioner O'Bryan, SECONDED by Vice Chairman Solari, to transfer \$100,000 of the \$300,000 budgeted in Fiscal Year 2016-2017 Expenditures for North County Soccer Lights, to Fiscal Year 2015-2016 Expenditures for North County Soccer Lights/Restrooms.

It was noted that \$200,000 would remain in the Fiscal Year 2016-2017 Expenditures for North County Soccer Lights. The Chairman CALLED THE QUESTION and the Motion carried unanimously.

Discussion ensued, with input from Director of Utility Services Vincent Burke, regarding the Sanitary Sewer and Potable Water expenditures/revenues in the CIE.

Commissioner O'Bryan discussed the public's opposition to the widening of 43rd Avenue, and advocated reallocating the funds in the Transportation Element for widening 43rd Avenue, to other priority projects.

Discussion/debate followed, with input from Director of Public Works Chris Mora, on the proposed 43rd Avenue widening.

MOTION WAS MADE by Commissioner O'Bryan to reallocate to other priority projects, the funds specified in the Transportation Element for widening 43rd Avenue from Oslo Road to 18th Street. MOTION DIED for lack of a second.

The Chairman opened the Public Hearing.

Mark Cammarene, 4435 7th Lane SW, Arbor Trace Subdivision, voiced his opposition to the proposed 43rd Avenue widening project.

Commissioner Zorc spoke to the County's future transportation needs.

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

ON MOTION by Vice Chairman Solari, SECONDED by Commissioner Flescher, the Board unanimously adopted Ordinance 2014-020, amending the text of the Comprehensive Plan's Capital Improvements Element by updating the County's 5 Year Capital Improvements Program (CIP) schedule and related data and analysis sections; and providing severability and effective date.

B. PUBLIC DISCUSSION ITEMS

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

1. Request to Speak from Jerry Cygler Regarding Safety, Environmental Concerns, Items Not on Agenda

10:09
a.m.

Jerry Cygler, 1415 Corona Lane, discussed his safety concerns as follows: sprinklers in the South Beach area spraying onto the roads, creating a hazard for bicyclists; an increase in shark bites as a result of shore fishing; power outages due to above-ground electric lines; and dog bites from unleashed animals on the beaches. He also cited an instance where multiple trees were cut down, and asked the Commissioners to review the environmental laws.

Vice Chairman Solari stated that he would send a letter to the South Beach Property Owners Association requesting that they monitor their sprinklers.

10:20
a.m.

Addition

2. Request to Speak from Jack Pennell Regarding the Closure of the Winter Beach Customer Convenience Center.

Jack Pennell advised that 200 persons had signed a petition opposing the closure of the Winter Beach Customer Convenience Center. He wanted to know why that decision was made.

Director of Utilities Services Vincent Burke provided background and analysis on the factors leading up to the Board's decision on September 23, 2014, to close the Winter Beach Customer Convenience Center (CCC). Main factors included the high cost of operating the centers, the low tonnages of materials pulled in from the Winter Beach CCC, and the County's efforts to achieve the State's mandated 75% recycling goal by the year 2020.

Larry Brown, 65th Street, voiced concerns about potential impacts on the Gifford CCC, since there will be increased usage at that site if the Winter Beach facility is closed. He also suggested that all residents who will be affected by the closing be notified, and that the Board hold a public hearing to receive citizen input.

Chairman Davis spoke in support of keeping the Winter Beach CCC open.

Rodney Walker did not believe that closing the Winter Beach CCC would lead to an increase in recycling, and he was concerned about illegal dumping.

Commissioner Flescher advocated keeping the Winter Beach CCC open; he shared Mr. Walker's concerns about the possibility of illegal dumping.

Skip Davis, Winter Beach, voiced objections to the closure of the Winter Beach CCC, and echoed concerns about illegal dumping.

Director Burke responded to Commissioner Zorc's questions about recycling volumes at the various CCC's.

Commissioner Zorc discussed the importance of achieving the State mandated 75% recycling goal.

Vice Chairman Solari felt that closing the Winter Beach CCC was one of several steps that would be needed for the County to demonstrate a good-faith effort to meet the State's 75% recycling goal.

Commissioner Flescher felt that the cost to keep open the Winter Beach CCC would be justified by making the CCC's more efficient, and by enhanced public education on recycling.

A brief discussion ensued about the option of curbside garbage service; it was noted that recycling pickup is offered to all residents at no charge.

Rosemarie Wilson, 1490 5th Avenue, stressed the need for the public to be better educated about recycling.

Patricia Hunt discussed the success of the recycling programs in Vermont and four other states, and felt that public education is a key component of a successful program.

MOTION WAS MADE by Commissioner Flescher, SECONDED by Commissioner Zorc, to direct staff to report back, and to invite public input, on the Winter Beach CCC at the County Commission meeting of December 16, 2014.

County Administrator Joe Baird advised that this item would be placed on the Solid Waste Disposal District portion of the agenda.

Commissioner O'Bryan acknowledged that closing the Winter Beach CCC may impact some residents, but noted the importance of moving towards the long-range plan.

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

C. **PUBLIC NOTICE ITEMS**

None

11.

COUNTY ADMINISTRATOR MATTERS

11:13
a.m.

- A. Joint Meeting Regarding All Aboard Florida
(memorandum dated November 24, 2014)

110-111

County Administrator Joseph Baird stated that he will return to the County Commission meeting of December 9, 2014, with a date for the proposed joint meeting with Indian River, St. Lucie, and Martin Counties.

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

10:59
a.m.

- A. Interlocal Agreement with Fellsmere for Annexation of the Enclave of 100th Lane and 100th Place
(memorandum dated November 17, 2014)

112-121

(Clerk's Note: This item was heard following Item 10.B.1, and is placed here for continuity).

MOTION WAS MADE by Commissioner O'Bryan, **SECONDED** by Commissioner Flescher, to approve the Interlocal Agreement between Indian River County and the City of Fellsmere relating to the annexation of the enclaves depicted in Exhibit A on page 117 of the Agenda Packet.

The Chairman provided a brief explanation of this item, and invited public comment. No one came forward to address the Board.

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

The Chairman called a recess at 11:00 a.m., and reconvened the meeting at 11:13 a.m., with all members present.

14.

COMMISSIONERS MATTERS

- A. **Commissioner Wesley S. Davis, Chairman**
None
- B. **Commissioner Bob Solari, Vice Chairman**
None
- C. **Commissioner Joseph E. Flescher**
None
- D. **Commissioner Peter D. O'Bryan**
None
- E. **Commissioner Tim Zorc**
None

15. **SPECIAL DISTRICTS AND BOARDS**

A. **Emergency Services District**
The Board reconvened as the Board of Commissioners of the Emergency Services District. Those Minutes are available separately.

11:14
a.m.

- 1. Approval to add two (2) LP-15 Cardiac Monitors to existing Service Agreement for Fire Rescue Division from Medtronic Emergency Response Systems
(memorandum dated November 12, 2014) 122-132
-

B. **Solid Waste Disposal District**
None

C. **Environmental Control Board**
None

16. **ADJOURNMENT 11:16 A.M.**

ATTEST:

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

Wesley S. Davis, Chairman

By: _____

Approved: _____

BCC/MG/2014Minutes