

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



**REGULAR MEETING MINUTES
TUESDAY, MARCH 3, 2015**

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

COUNTY COMMISSIONERS DISTRICT

Wesley S. Davis, Chairman Bob Solari, Vice Chairman Joseph E. Flescher Peter D. O'Bryan Tim Zorc	District 1 District 5 District 2 District 4 District 3	Present Present Present Present Present	Joseph A. Baird, County Administrator Dylan Reingold, County Attorney Jeffrey R. Smith, Clerk of the Circuit Court and Comptroller Maureen Gelfo, Deputy Clerk	Present Present Present Present Present
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DVD TIMES	PACKET PAGES
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1. **CALL TO ORDER 9:00 A.M.**
2. **INVOCATION** Deputy Teddy Floyd, IRC Sheriff Department
3. **PLEDGE OF ALLEGIANCE** Commissioner Wesley S. Davis, Chairman

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

9:00 a.m. Delete: Item 13.B.1. County Attorney Matters - Quit Claim Deed for Blue Cypress Lake Stilt Houses

Move: Item 12.A.1. Community Development Matters Consideration of Economic Development Strategic Positioning, Target Industry Assessment & Action Plan Report , to be heard in conjunction with Item 5.A

Add: Item 14.A.1. Commissioner Wesley S. Davis' item - Abandoned Artesian Well Plugging

ON MOTION by Commissioner O'Bryan, SECONDED by Commissioner Flescher, the Board unanimously approved the agenda as amended.

5. **PROCLAMATIONS and PRESENTATIONS**

9:01 a.m. A. Presentation by Janet Ady, Ady Advantage, of the proposed Economic Development Positioning Analysis & Action Plan

Community Development Director Stan Boling recalled the Board's approval on June 17, 2014, to hire Ady Advantage (a/k/a Ady Voltedge) to develop an Economic Development Strategic Target Industry Assessment and Action Plan, and reported that Phase I of the contract services, Development of an Action Plan, is almost complete. Director Boling recommended that the Board accept the plan with any changes or additions made following Ms. Ady's presentation.

Janet Ady, President & CEO, Ady Advantage, through a Power Point Presentation, provided a comprehensive overview of the Economic Development Strategic Positioning Target Industry Assessment & Action Plan. During her presentation, Ms. Ady provided an outline and in-depth analysis of the following six recommendations proposed in the plan:

- Strategy 1: Business Retention and Expansion (BRE)
- Strategy 2: Target Industry Analysis Focusing on Recruitment Efforts
- Strategy 3: Refresh the Indian River County brand
- Strategy 4: Develop Stand-Alone Economic Development Website
- Strategy 5: Leadership in Presentation of Sites and Buildings
- Strategy 6: Continued Support Regional Economic Development Efforts

A broad-ranging discussion ensued as the Board and Ms. Ady discussed the Industry Assessment and Action Plan.

Commissioner O'Bryan mentioned that the County's recruitment materials should showcase staff's ability to help firms through planning and permitting processes.

Ms. Ady advised Commissioner O'Bryan that the best way to accomplish that would be to mention the industries that are already in the County.

The Chairman invited public input; there was none.

ON MOTION by Commissioner Flescher, **SECONDED** by Commissioner Zorc, the Board unanimously: (1) accepted the Strategic Positioning, Target Industry Assessment & Action Plan as presented, *with an amendment to the Elevator Pitch to highlight industries in the County*; and (2) approved to proceed with Strategy 2: Detailed Target Industry Analysis; Strategy 3 (Phase II) Branding and Marketing; Strategy 4, Stand-Alone Economic Development Website; Strategy 5, Provide leadership in the presentation of sites and buildings; and Strategy 6, Continue to support regional economic development efforts.

Director Boling advised that staff would return to the Board with more information on implementing the Action Plan.

9:56 a.m. B. Presentation by Dr. Edie Widder, Ph.D., CEO/Senior Scientist, Ocean Research & Conservation Association (ORCA) with Update on Kilroy™ Water Monitoring Recent Progress

Dr. Edie Widder, Ph.D., Co-Founder, CEO & Senior Scientist, Ocean Research & Conservation Association (ORCA), introduced the ORCA team who was in attendance: Warren Falls, Managing Director; George Jones, Director of Special Projects; and Robin Dannahower, Vice President of Marketing and Public Relations. Dr. Widder used a PowerPoint Presentation to provide background and analysis on the Kilroy water monitoring program which is being used to measure nitrite/nitrate levels in the North, South, and Main Relief Canals. She reviewed the pros and cons of the two types of systems, “Optical Measurement” and “Wet Chemistry” used to measure the nutrients, and stated that monitoring is the key to discovering what the source/s of pollution are, in the Indian River Lagoon and ocean.

General discussion ensued between the Board and Dr. Widder.

Commissioner O’Bryan said it would be important for staff to continue collecting grab samples. He also inquired about a letter sent by County Administrator Joseph Baird requesting that ORCA remove the Kilroys and refund the County’s \$73,050 payment for monitoring.

Director of Public Works Chris Mora explained that the Kilroy readings of the grab samples had not been consistent with those of County staff; however, staff has been satisfied with their accuracy since late December 2014. He added that the County paid for, but did not receive, one year of readings.

Administrator Baird suggested that it would be in the best interests of all parties for the County to extend its contract with ORCA, and not request a refund.

Discussion ensued regarding the County’s best option for monitoring the water quality in the canals.

MOTION WAS MADE by Commissioner Flescher, SECONDED by Commissioner O’Bryan, to rescind the County Administrator’s letter requesting a refund, and extend the County’s contract with ORCA, with the caveat that staff and ORCA continue to contrast their respective grab samples.

A brief discussion ensued during which the Board concluded that this item was heard under "Presentations," and should not be formally voted on.

MOTION WAS WITHDRAWN by Commissioner Flescher.

The Board CONSENSUS was to: (1) rescind the County Administrator's letter requesting a refund; (2) extend the County's contract with the Ocean Research and Conservation Association (ORCA) for Kilroy Water Monitoring; and (3) direct staff to continue drawing water samples with an appropriate duration and frequency, until the accuracy of the ORCA readings is assured.

County Administrator Joseph Baird affirmed that County and ORCA staff would meet to negotiate the contract extension.

The Chairman called a recess at 10:41 a.m. and reconvened the meeting at 10:51 a.m., with all members present.

6. APPROVAL OF MINUTES

10:51 a.m. A. Regular Meeting of February 10, 2015

ON MOTION by Commissioner Flescher, **SECONDED** by Commissioner O'Bryan, the Board unanimously approved the Regular Meeting Minutes of February 10, 2015, as written.

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

10:52 a.m. A. Enterprise Zone Development Agency – vacancy (memorandum dated February 19, 2015) 1

B. The No Trains Rally Saturday, March 7th by CitizensAgainstTheTrain.com 2
Commissioner Flescher encouraged the public to come to the No Trains Rally at the County Administration Office Complex on Saturday, March 7, 2015, from 2:00 to 3:30 p.m.

C. Indian River County, Florida – Blue Cypress Lake Park Dedication to Joe Middleton, March 16th, 10am. 21704 73rd Manor, Vero Beach 3
Commissioner O'Bryan encouraged the public to attend the Blue Cypress Lake Park dedication to Joneal "Joe" Middleton on March 16, 2015, at 10 a.m., at 21704 73rd Manor.

8. CONSENT AGENDA

10:53 a.m. **ON MOTION** by Commissioner Flescher, **SECONDED** by Commissioner O'Bryan, the Board unanimously approved the Consent Agenda, pulling Items

8.D. and 8.N. for discussion.

- A.** Approval of Warrants – February 6, 2015 to February 12, 2015
(memorandum dated February 12, 2015) 4-12
Approved the list of warrants (checks) and wires as supplied by the Comptroller’s office.
- B.** Approval of Warrants – February 13, 2015 to February 19, 2015
(memorandum dated February 20, 2015) 13-21
Approved the list of warrants (checks) and wires as supplied by the Comptroller’s office.
- C.** Applications for Board of County Commission Appointee to the Vero Lake Estates Municipal Service Taxing Unit (VLE MSTU) Advisory Committee
(memorandum dated February 23, 2015) 22
Approved William Davies and Fernando Ojeda as the Board of County Commissioner appointees to the Vero Lake Estates Municipal Service Taxing Unit (VLE MSTU) Advisory Committee.
- 10:53 a.m.** **D.** Children’s Services Funding Allocation for Fiscal Year 2015-2016
(memorandum dated February 25, 2015) 23-24
Hope Woodhouse, Children’s Services Advisory Committee, and Coleen Bonner, John’s Island Service League and the Grand Harbor Outreach Program, presented arguments supporting their appeal for the Board to increase funding for Children’s Services. They requested this matter be brought back for further Board consideration.

Discussion/debate ensued between Ms. Woodhouse and Commissioner Solari about public and private funding sources for Children’s Services; the role of local government; charter versus public schools; and the need to break the cycle of poverty in the County.

The following speakers spoke in support of additional funding for Children’s services:

Bob McPartlan, Community Development Administrator for the Department of Children and Families; City of Sebastian Council Member; and Children’s Services Advisory Committee Member

Freddie Woolfork, 4590 57th Avenue

ON MOTION by Commissioner Zorc, SECONDED by Commissioner Flescher, the Board unanimously approved to TABLE this item until March 17, 2015.

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- E.** Fourth of July Fireworks Funding – Miscellaneous Budget Amendment 008
(memorandum dated February 20, 2015) 25-29
Approved: (1) funding the fireworks displays for the Cities of Sebastian and Vero Beach in the amount of \$2,500 each; with the caveat that each of the cities (Vero Beach and Sebastian) appropriate and pay an equal amount up to \$2,500, and the County will match that amount, up to \$2,500 each, after the City of Vero Beach and Sebastian pay their share; and (2) Resolution 2015-030, amending the Fiscal Year 2014-2015 Budget.
- F.** Miscellaneous Budget Amendment 009
(memorandum dated February 24, 2015) 30-35
Approved Resolution 2015-031, amending the Fiscal Year 2014-2015 Budget.
- G.** Approval of Work Authorization No. 2015-001 to Replace Water Main and Water Services in Vista Royale – UCP #4113
(memorandum dated February 16, 2015) 36-40
Approved: (1) retaining Blue Goose Construction to replace water lines at Vista Royale for the amount of \$71,129.18; and (2) Work Authorization No. 2015-001 with Blue Goose Construction, LLC.
- H.** Release of Retainage to Florida Design Drilling Corporation, for South County RO Facility Storage & Piping Tank Modifications – Bid No.: 2014031
(memorandum dated February 13, 2015) 41-45
Approved Final Pay to Florida Design Drilling Corporation, in the amount of \$6,736.16
- I.** Indian River Farms Water Control District Five-Year Lease Agreements Starting Calendar Year 2015
(memorandum dated February 17, 2015) 46-112
Approved to renew the Indian River Farms Water Management District (IRFWMD) Permit and Interlocal Agreement No’s IRC1; IRC2; IRC3; IRC4; IRC6; IRC7; IRC8; IRC9; IRC10; and authorized the Chairman to execute same.

(Clerk’s Note: IRC 5 is a Fiber Optic Lease Agreement with Indian River Farms Water Management District which is no longer needed).
- J.** 26th Street – Advance Acquisition of Right-of-Way, 2606 52nd Avenue, Stephen and Vicky F. Savage
(memorandum dated February 24, 2015) 113-121
(1) Approved and authorized the Chairman to execute the Contract for Sale of the Stephen Savage and Vicky F. Savage property for \$195,000; and (2) directed staff to take the needed right-of-way from the property

after purchase, and (3) authorized sale of the remainder property via sealed bid or auction.

- K.** FDOT Local Agency Program (LAP) Agreement and Resolution Authorizing the Chairman’s Signature, 87th Street from 101st Avenue to CR510 and 91st Avenue from 79th Street to 87th Street Sidewalks, IRC Project No. 1205 – FM No. 431728-1-58/68-01
(memorandum dated February 23, 2015) 122-143
Approved: (1) the Local Agency Program (LAP) Agreement FM No. 431728-1-58/68-01; and (2) Resolution 2015-032 with the Florida Department of Transportation authorizing the Chairman’s execution of a Local Agency Program Agreement for construction of a 6-foot wide concrete sidewalk along the north right of way line of 87th Street from 101st Avenue to C.R. 510, and along the east right of way line of 91st Avenue from 79th Street to 87th Street in Vero Lake Estates.
- L.** Wastewater Collection/Transmission Model – Work Order No. 1 to Atkins
(memorandum dated February 17, 2015) 144-150
Approved and authorized the Chairman to execute Work Order No. 1 authorizing professional services, for a lump sum amount of \$53,793.83, to Atkins North America, Inc.
- M.** Approval of Updated Agreement with K’s Commercial Cleaning
(memorandum dated February 23, 2015) 151-168
Approved the updated agreement with K’s Commercial Cleaning (for the Courthouse, Main Library, and Administration Annex), and authorized the Chairman to execute same after the County Attorney has approved it as to form and legal sufficiency.
- 11:14 a.m. N.** Sector 3 Dune Repair Project, Partial Release of Retainage, Guettler Brothers Construction, LLC
(memorandum dated February 24, 2015) 169-182
Chairman Davis announced that due to a conflict of interest, he would withhold his vote on this matter.

(Clerk’s Note: Form 8B Memorandum of Voting Conflict is attached to these minutes as Addendum A).

ON MOTION by Vice Chairman Solari, SECONDED by Commissioner Flescher, by a 4-0 vote (Chairman Davis abstained), the Board approved partial release of retainage and Application for Payment No. 5 from Guettler Brothers Construction, LLC, in the amount of \$98,486.10; the County’s coastal engineering consultant, CB&I Coastal Planning and Engineering, Inc., has also recommended partial release of retainage. Upon acceptance and satisfaction of all requirements of the contract documents, a request for the release of the remaining withheld retainage will be presented to the Board for approval.

9. **CONSTITUTIONAL OFFICERS and GOVERNMENTAL AGENCIES**

- 11:15
a.m.
- A. **Indian River County Sheriff Deryl Loar**
1. Florida Traffic Safety Grant funded by the Florida Department of Transportation Application
(letter dated February 23, 2015)

183-196

Amber Grier, Planner/Grant Manager, was present on behalf of the Indian River County Sheriff's Office.

ON MOTION by Commissioner Flescher, SECONDED by Vice Chairman Solari, the Board unanimously authorized the Sheriff's Office to apply for the Florida Department of Transportation's Florida Traffic Safety Grant, in the amount of \$43,640, and to use the grant funds to equip the Sheriff's patrol vehicles with new mobile ticket printers.

- 11:16
a.m.
2. Victims of Crime Act (VOCA) Grant Application
(letter dated February 23, 2015)

197-238

ON MOTION by Vice Chairman Solari, SECONDED by Commissioner Flescher, the Board unanimously authorized the Sheriff's Office to apply for the Victims of Crime Act (VOCA) Grant, in the amount of \$44,388; the grant will be utilized in an effort to provide all crime victims within the County, no matter what jurisdiction, assistance and guidance during their time of need.

10. **PUBLIC ITEMS**

A. **PUBLIC HEARINGS**

None

11:17
a.m.

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 Chad Smalley & ~~Sam Smith~~, Indian River County Airboat Association, Regarding Hunter Education/Youth Hunt on "Sand Lake Tract"

239-245

Chad Smalley, President Indian River County Airboat Association (Airboat Association), provided background and conditions regarding his request to use the Sand Lake Tract (owned by the County and St. Johns Water Management District), for a youth safety training and hunt event.

Individual Commissioners voiced support for the youth hunt program.

Jason Nunemaker, City of Fellsmere Manager, also spoke in support of the youth safety education and hunt program, and offered to help work out access issues.

Deputy County Attorney Bill DeBraul stated that he has a template for a lease agreement, which is used by Alachua County and the Florida Fish and Wildlife Conservation Commission, which can be amended to work for the County, St. Johns River Water Management, and the Airboat Association.

The Board CONSENSUS was to have the County Attorney's office draft and bring back for Board approval, a lease agreement with the Indian River County Airboat Association for use of the Sand Lake Tract.

11:27
a.m.

C. **PUBLIC NOTICE ITEM**

1. **Notice of Scheduled Public Hearing March 10, 2015:**

To Consider a Waterline to be Installed from 13580 including 13680 North Indian River Drive (also known as Riverside Drive) in Indian River County, Florida
(memorandum dated February 17, 2015)

246

County Attorney Dylan Reingold read the notice into the record.

11.

COUNTY ADMINISTRATOR MATTERS

None

12.

DEPARTMENTAL MATTERS

9:01
a.m.

A. **Community Development**

1. Consideration of Economic Development Strategic Positioning, Target Industry Assessment & Action Plan Report
(memorandum dated February 24, 2015)

247-277

(Clerk's Note: This Item was heard in conjunction with Item 5.A.)

B. **Emergency Services**

None

C. **General Services**

None

1. Human Services
None
2. Sandridge Golf Club
None
3. Recreation
None

DEPARTMENTAL MATTERS

PAGE

12.

- D. Human Resources
None
- E. Office of Management and Budget
None
- F. Public Works
None
- G. Utilities Services

11:26
a.m.

1. Spoonbill Reef – Update
(memorandum dated February 19, 2015)

278-282

Director of Utility Services Vincent Burke provided a brief history of the: (1) Oyster Pilot Project at Spoonbill Marsh; and (2) the Artificial Reef Pilot Study (Spoonbill Reef), which was constructed in the Indian River Lagoon adjacent to Spoonbill Marsh.

Chip Swindell, Ecotech Consultants, Inc., used a PowerPoint Presentation to provide an update on Spoonbill Reef. He said that the reef has provided habitat for a dense oyster colony, which filters large amounts of nutrients (nitrogen/phosphorous) from the water flowing from the Florida Department of Transportation (FDOT) ditch across the reef, into the Lagoon. He relayed that State funding was being sought to construct a small Test Pond for educational and research purposes, and that the Florida Department of Environmental Protection (FDEP) appears favorable to the construction of another oyster reef at 45th Street. Mr. Swindell announced that there would be an Eco-Tour of Spoonbill Marsh on Saturday, March 14, 2015, from 8:00 a.m. to 2:00 p.m.

MOTION WAS MADE by Vice Chairman Solari, **SECONDED** by Commissioner Flescher, to authorize staff to proceed with the application to the State for funding the construction of the Spoonbill Marsh Test Pond, and to continue working with the Florida Department of Environmental Protection (FDEP) on the construction of the 45th Street Oyster Reef.

Attorney DeBraul advised that the proposed project is on Grand Harbor's utility easement, and they may need notification on the proposed Test Pond and upcoming Eco-Tour.

MOTION WAS AMENDED by Vice Chairman Solari, **SECONDED** by Commissioner Flescher, to direct staff to notify Grand Harbor of the proposed Test Pond and upcoming Eco-Tour.

Director Burke confirmed that he would see if any changes are needed to the agreement between the County and Grand Harbor for use of their utility easement.

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

13. **COUNTY ATTORNEY MATTERS**

11:40 A. Demolition Liens
a.m. (memorandum dated February 9, 2015)

283-299

Deputy County Attorney William DeBraul reported that the subject properties have been demolished and cleaned up. He asked the Board to approve the proposed lien amounts, provided there were no objections from parties-in-interest.

The Chairman invited input from any party-in-interest on the lien amount proposed for his or her property. There were no speakers.

ON MOTION by Vice Chairman Solari, **SECONDED** by Commissioner Flescher, the Board unanimously: (1) approved each lien amount, as presented in staff's report, with regards to the following properties:

- 4251 31st Avenue (Webb, James Sr., and Margaret Lee)
- 4470 31st Avenue (Hurst, Walter C.)
- 4333 31st Avenue (Davis, Alfred and Miriam)
- 8310 63rd Court (Ethridge, Corine and Campbell, Hope)
- 1865 38th Lane (Nichols, Mattie)
- 4460 33rd Avenue (Brown, John L. [deceased] and his wife, Julia Mae Brown [a/k/a Julia Richardson Brown])
- 4196 29th Avenue (Holmes, Daisy Mae f/k/a/ Daisy Mae Powell;

Cannon, Elijah Jr.; and Bullock, Joe Nathan); AND

(2) Authorized the Chairman to execute each lien for recordation in the public records.

- B.** Quit Claim Deed for Blue Cypress Lake Stilt Houses
(memorandum dated February 25, 2015) 300-304
Deleted
- 11:41 a.m.** **C.** Resolution Allocating Funds in Opposition of All Aboard Florida
(memorandum dated February 24, 2015) 305-308
County Attorney Dylan Reingold recalled the Board’s authorization on February 17, 2015, for the County Attorney, with assistance from Vice Chairman Solari, to draft a Resolution regarding the County’s: (1) allocation of \$2.7 million to combat All Aboard Florida (AAF); (2) opposition to the use of private activity bonds as a funding source for the AAF project; and (3) request for other local governments to join the County in opposing AAF. He asked the Board to accept public input, and then decide whether to approve the proposed Resolution.
- Discussion ensued on the County’s past and future expenditures for combatting All Aboard Florida.**
- The Chairman invited public comment; there was none.**
- MOTION WAS MADE by Vice Chairman Solari, SECONDED by Commissioner Flescher, to: (1) approve Resolution 2015-033, setting aside \$2.7 million to protect the community from the proposed All Aboard Florida Project, and calling on other counties to provide financial and political support to opposing the proposed All Aboard Florida Project; and (2) direct the County Attorney to disseminate the Resolution to all appropriate parties.**
- Sharon Kohler, 545 Honeysuckle Lane, interjected to ask a question about an item from the February 17, 2015 County Commission meeting; her question was addressed by Administrator Baird.**
- The Chairman CALLED THE QUESTION and the Motion carried unanimously.**
- 11:50 a.m.** **D.** Appeal of Public Service Commission Rulings
(memorandum dated February 25, 2015) 309-310
Attorney Reingold recalled that following its February 3, 2015 hearing, the Public Service Commission (PSC) on February 12, 2015 issued orders: (1) denying Indian River County’s petition for Declaratory Statement (the “County’s Petition”); and (2) granting the City of Vero Beach’s (the City) Petition for Declaratory Statement, approving for the

City to continue providing retail electric service in its designated service territory (including parts of the unincorporated County). He advised that the Board may file a Notice of Appeal to the Florida Supreme Court on or before March 16, 2015, provided a timeline of the appeal process, and provided his analysis and recommendation that the Board file and prosecute the Notice of Appeal.

Discussion followed regarding the February 3, 2015 PSC hearing, and the possible outcomes of an appeal to the Supreme Court.

The Chairman invited public comment; there was none.

MOTION WAS MADE by Commissioner O'Bryan, **SECONDED** by Commissioner Zorc, to: (1) file on or before March 16, 2015, a Notice of Appeal of the Florida Public Service Commission Order dated February 12, 2015, to the Florida Supreme Court; (2) authorize the County Attorney's Office to prosecute said appeal; and (3) authorize staff to prepare the Budget Amendment to transfer the funds into the Municipal Services Taxing Unit (MSTU) Fund/County Planning/Legal Services account.

A brief discussion ensued between the Board and Attorney Reingold about the advisability of retaining current outside counsel, Floyd R. Self, Gonzales, Saggio, and Harlan LLP, Tallahassee, to assist with the appeal process.

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

11:56 E. Impasse Hearing for Indian River County Firefighter/Paramedic
a.m. Association, International Association of Fire Fighters, Local 2201 (Local 2201)
(memorandum dated February 23, 2015)

Attorney Reingold requested that the Board set a date for the Impasse Hearing concerning the Indian River County Firefighter/Paramedic Association, International Association of Fire Fighters, Local 2201.

A brief discussion ensued about possible dates and times to hold the hearing.

ON MOTION by Commissioner O'Bryan, **SECONDED** by Vice Chairman Solari, the Board unanimously scheduled the Impasse Hearing concerning the Indian River County Firefighter/Paramedic Association, International Association of Fire Fighters, Local 2201 (Local 2201), for Friday, March 20, 2015, at 9:30 a.m.

14. COMMISSIONERS MATTERS

12:14
p.m.

A. Commissioner Wesley S. Davis, Chairman

- ADD: 1. **Abandoned Artesian Well Plugging**
(Clerk's Note: This item was heard following Item 14.E.1. and is placed here for continuity).

Chairman Davis provided background on his request.

ON MOTION by Commissioner O'Bryan, SECONDED by Vice Chairman Davis, the Board unanimously directed the County Attorney's Office to draft a Letter of Support for reinstating the cost share funding for the Abandoned Artesian Well Plugging Program with St. John's River Water Management District (SJRWMD).

Commissioner Zorc wondered whether anyone had developed a way to plug abandoned wells at less cost.

The Chairman CALLED THE QUESTION and the Motion carried unanimously.

12:03
p.m.

B. Commissioner Bob Solari, Vice Chairman

1. All Aboard Florida – Rail Safety Expert (memorandum dated February 24, 2015)
Vice Chairman Solari read portions of his memorandum; a letter from Jeffrey Susi, Indian River Medical Center; and excerpts from newspaper articles; to highlight his concerns about the proposed All Aboard Florida (AAF) high speed passenger rail project. He asked fellow Board Members to consider hiring: (1) an expert on rail safety to examine deaths and accidents which have occurred along the Federal East Coast Industries (FECI) line, and which potentially may occur with the proposed high speed rail; and (2) an expert to conduct a traffic study to examine the potential impacts of AAF on select railroad crossings in Indian River, Martin, and St. Lucie counties.

312-314

A brief discussion ensued regarding the anticipated cost for the experts.

Vice Chairman Solari estimated it would be less than \$35,000.

MOTION WAS MADE by Vice Chairman Solari, SECONDED by Commissioner Flescher, to hire: (1) a rail safety expert, and (2) a traffic study expert; costs are anticipated to be less than \$35,000.

Vice Chairman Solari advised that Attorney Stephen Ryan (who works for Citizens Against Rail Expansion [CARE]), could help the County find a rail safety expert.

The Chairman CALLED THE QUESTION and the Motion carried unanimously.

14. COMMISSIONERS MATTERS PAGE

C. Commissioner Joseph E. Flescher
None

D. Commissioner Peter D. O'Bryan
None

12:08 p.m. E. Commissioner Tim Zorc

1. Coastal Communities Caucus
(memorandum dated February 24, 2015) 315

Commissioner Zorc stated that Congressman David Jolly, District 13, is helping to initiate a new group, Congressional Coastal Communities Caucus, to better address the issues of coastal communities. He asked fellow Board Members if they would support sending a letter asking Congressman Bill Posey to join the caucus.

Discussion ensued, during which the Board expressed a wish to know more about this initiative before taking any action.

Administrator Baird provided input on the caucus, after which the Board asked him to obtain a copy of Congressman Jolly's press release about the caucus.

The Board CONSENSUS was to get Congressman Posey's view of the new caucus, before any formal action is taken.

15. SPECIAL DISTRICTS AND BOARDS

A. Emergency Services District
None

12:16 p.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. Site Redevelopment Assessment Report Summary and Request for Redevelopment Direction for the Former South Gifford Road Landfill Site
(memorandum dated February 20, 2015) 316-326
2. Solid Waste and Recyclables Collection Services RFP#2015023 – Timeline Update and Request for Public Workshop
(memorandum dated February 20, 2015) 327-328

C. **Environmental Control Board**
None

16. **ADJOURNMENT**

There being no further business, the Chairman declared the meeting adjourned at **12:51 p.m.**

ATTEST:

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

Wesley S. Davis, Chairman

By: _____

Approved: March 24, 2015

BCC/MG/2015Minutes

**ADDENDUM A
ITEM 8.N.**

**FORM 8B MEMORANDUM OF VOTING CONFLICT FOR
COUNTY, MUNICIPAL, AND OTHER LOCAL PUBLIC OFFICERS**

LAST NAME—FIRST NAME—MIDDLE NAME Davis Wesley S.	NAME OF BOARD, COUNCIL, COMMISSION, AUTHORITY, OR COMMITTEE Board of County Commissioners
MAILING ADDRESS 1801 27th Street, Building A	THE BOARD, COUNCIL, COMMISSION, AUTHORITY OR COMMITTEE ON WHICH I SERVE IS A UNIT OF: <input type="checkbox"/> CITY <input checked="" type="checkbox"/> COUNTY <input type="checkbox"/> OTHER LOCAL AGENCY
CITY COUNTY Vero Beach Indian River	NAME OF POLITICAL SUBDIVISION:
DATE ON WHICH VOTE OCCURRED March 3, 2015	MY POSITION IS: <input checked="" type="checkbox"/> ELECTIVE <input type="checkbox"/> APPOINTIVE

WHO MUST FILE FORM 8B

This form is for use by any person serving at the county, city, or other local level of government on an appointed or elected board, council, commission, authority, or committee. It applies equally to members of advisory and non-advisory bodies who are presented with a voting conflict of interest under Section 112.3143, Florida Statutes.

Your responsibilities under the law when faced with voting on a measure in which you have a conflict of interest will vary greatly depending on whether you hold an elective or appointive position. For this reason, please pay close attention to the instructions on this form before completing the reverse side and filing the form.

INSTRUCTIONS FOR COMPLIANCE WITH SECTION 112.3143, FLORIDA STATUTES

A person holding elective or appointive county, municipal, or other local public office **MUST ABSTAIN** from voting on a measure which inures to his or her special private gain or loss. Each elected or appointed local officer also is prohibited from knowingly voting on a measure which inures to the special gain or loss of a principal (other than a government agency) by whom he or she is retained (including the parent organization or subsidiary of a corporate principal by which he or she is retained); to the special private gain or loss of a relative; or to the special private gain or loss of a business associate. Commissioners of community redevelopment agencies under Sec. 163.356 or 163.357, F.S., and officers of independent special tax districts elected on a one-acre, one-vote basis are not prohibited from voting in that capacity.

For purposes of this law, a "relative" includes only the officer's father, mother, son, daughter, husband, wife, brother, sister, father-in-law, mother-in-law, son-in-law, and daughter-in-law. A "business associate" means any person or entity engaged in or carrying on a business enterprise with the officer as a partner, joint venturer, coowner of property, or corporate shareholder (where the shares of the corporation are not listed on any national or regional stock exchange).

ELECTED OFFICERS:

In addition to abstaining from voting in the situations described above, you must disclose the conflict:

PRIOR TO THE VOTE BEING TAKEN by publicly stating to the assembly the nature of your interest in the measure on which you are abstaining from voting; *and*

WITHIN 15 DAYS AFTER THE VOTE OCCURS by completing and filing this form with the person responsible for recording the minutes of the meeting, who should incorporate the form in the minutes.

APPOINTED OFFICERS:

Although you must abstain from voting in the situations described above, you otherwise may participate in these matters. However, you must disclose the nature of the conflict before making any attempt to influence the decision, whether orally or in writing and whether made by you or at your direction.

IF YOU INTEND TO MAKE ANY ATTEMPT TO INFLUENCE THE DECISION PRIOR TO THE MEETING AT WHICH THE VOTE WILL BE TAKEN:

- You must complete and file this form (before making any attempt to influence the decision) with the person responsible for recording the minutes of the meeting, who will incorporate the form in the minutes. (Continued on other side)

APPOINTED OFFICERS (continued)

- A copy of the form must be provided immediately to the other members of the agency.
- The form must be read publicly at the next meeting after the form is filed.

IF YOU MAKE NO ATTEMPT TO INFLUENCE THE DECISION EXCEPT BY DISCUSSION AT THE MEETING:

Bc
M