

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



**REGULAR MEETING MINUTES
TUESDAY, JULY 14, 2015**

Commission Chambers
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	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

**DVD
TIMES**

**PACKET
PAGES**

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

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

3. **PLEDGE OF ALLEGIANCE** Commissioner Bob Solari, Vice Chairman

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

9:02 a.m. **Delete: Item 8.L. Award of Bid – 87th Street and 91st Avenue Sidewalk Improvements IRC Project No. 1205, Bid No. 2015036**

Move: Item 10.A.1 Public Hearing for Adoption of an Ordinance Establishing the Oceanside Replat Street Paving Municipal Service Benefit Unit to follow Item 10.A.2. Public Hearing for Adoption of an Ordinance Establishing the Oceanside Replat Street Lighting Municipal Service Benefit Unit

Add: Emergency Item 11.A. County Administrator: Legal Cost All Aboard Florida and Florida Municipal Power Agency

Delete: Item 13.B. Request for Closed Attorney-Client Session Relating to *Indian River County vs. Turner Construction Company et al.* (Case No.: 312011CA002999)

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

5. PROCLAMATIONS and PRESENTATIONS

9:02 a.m. A. Presentation of Proclamation Designating the Week of July 19, 2015, as Treasure Coast Waterway Cleanup in Indian River County

1

Commissioner O’Bryan read and presented the Proclamation to Steve Haigis, who described the upcoming July 25, 2015 Treasure Coast Waterway Cleanup.

9:08 a.m. B. Presentation Announcing Commemoration Week on the Loss of the 1715 Fleet, July 26 to August 2, 2015, by Pamela Cooper, Supervisor, Archive Center & Genealogy Department, Indian River County Library, and Michael Zito, Assistant County Administrator, Indian River County

2-3

Assistant County Administrator Michael Zito introduced Pamela Cooper, Indian River County Librarian, Researcher, Lecturer, and Genealogist.

Ms. Cooper, through a PowerPoint Presentation and displays, provided background and history of the 1715 Fleet, which shipwrecked on the Treasure Coast. She described the events planned for the upcoming “Commemoration Week on the Loss of the 1715 Fleet,” to be held on July 27, 2015 through July 31, 2015, and introduced team members who have been preparing for the week’s events.

6. APPROVAL OF MINUTES

9:24 a.m. A. Regular Meeting of June 16, 2015

ON MOTION by Commissioner O’Bryan, SECONDED by Chairman Davis, the Board approved the Regular Meeting Minutes of June 16, 2015 as written.

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

A. Retirement Award and Proclamation Honoring Christopher J. Kafer, Jr. on His Retirement from Indian River County Board of County Commissioners Department of Public Works/Engineering Division With Sixteen Years of Service

4-5

- B. Retirement Award and Proclamation Honoring Albert J. Loudermilk on His Retirement from Indian River County Board of County Commissioners Department of Utilities Services/Operations Division With Twenty-Six Years of Service 6-7

- C. Retirement Award and Proclamation Honoring Ronald J. Lefebure on His Retirement from Indian River County Board of County Commissioners Department of Utilities Services/Operations Division With Twenty-Seven Years of Service 8-9

9:24
a.m.

Commissioner O’Bryan congratulated Christopher J. Kafer, Jr., Albert J. Loudermilk, and Ronald J. Lefebure on their dedicated years of service to the County.

8. CONSENT AGENDA

9:25
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.J. for discussion.

- A. Approval of Warrants – June 26, 2015 to July 2, 2015 (memorandum dated July 2, 2015) 10-17
Approved the list of warrants (checks) and wires as supplied by the Comptroller’s office.

- B. Indian River County Tax Collector, Carole Jean Jordan, Errors and Insolvencies Report for the 2014 Tax Roll (letter dated July 6, 2015) 18-29
Accepted the Recapitulation of the 2014 Tax Roll, inclusive of the Errors and Insolvencies Report, as presented by the Indian River County Tax Collector.

- C. Resolutions Delegating the Authority to the County Administrator or His Designee to Call Letters of Credit and to Act on Behalf of Indian River County during the time frames of July 15, 2015, through and including August 17, 2015, and August 19, 2015, through and including September 14, 2015 (memorandum dated June 30, 2015) 30-34
(1) Authorized the Chairman to execute the two Resolutions as presented: (2) approved Resolution 2015-079, delegating authority to the County Administrator or his designee, to execute Resolutions calling Letters of Credit as necessary during the period commencing July 15, 2015, through and including August 17, 2015, and further delegating to the County Administrator or his designee, the authority to execute all documents necessary to the proper functioning of the County during the period commencing July 15, 2015, through and including August 17, 2015; and (3) approved Resolution 2015-080, delegating authority to the

County Administrator or his designee to execute Resolutions calling Letters of Credit as necessary during the period commencing August 19, 2015, through and including September 14, 2015, and further delegating to the County Administrator or his designee, the authority to execute all documents necessary to the proper functioning of the County during the period commencing August 19, 2015, through and including September 14, 2015.

9:25
a.m.

- D.** Authorization for Out-of-County Travel for Assistant County Attorney to Florida Association of Counties Policy Conference
(memorandum dated July 8, 2015)

35-36

Commissioner O’Bryan requested that in addition to the request for Assistant County Attorney Kate Pingolt-Cotner to travel to the Florida Association of Counties (FAC) Policy Conference from August 25, 2015 through August 27, 2015, that she also be authorized to attend any of the legislative conferences and meetings scheduled by the FAC.

ON MOTION by Commissioner O’Bryan, SECONDED by Commissioner Zorc, the Board unanimously authorized out-of-County travel for the Assistant County Attorney to attend: (1) the Florida Association of Counties Policy Conference from August 25th to August 27, 2015, in St. Petersburg, Florida; and (2) any legislative conferences and meetings scheduled by the Florida Association of Counties.

- E.** Granting of Utility Easement to Titone Properties, L.L.C. for Servicing 1753 N. Indian River Drive in Sebastian
(memorandum dated July 1, 2015)

37-43

Approved the Easement and Maintenance Agreement for the non-exclusive utility easement to Titone Properties, LLC, and authorized the Chairman to execute same for recordation in the public records.

9:02
a.m.

- F.** Cost-of-Living Increase for Teamsters Bargaining Unit Employees
(memorandum dated July 8, 2015)

44-48

Approved the Second Amendment to the Collective Bargaining Agreement with Teamsters Local Union No. 769.

- G.** Approval of Customer Service Agreement with UniFirst
(memorandum dated July 6, 2015)

49-61

Approved the Addendum to a Customer Service Agreement with Unifirst Corporation, for the purchase and rental of uniforms, and authorized the Chairman to execute said Addendum after the County Attorney has approved it as to content and legal sufficiency and after receipt and approval of UniFirst’s insurance by Risk Management.

- H.** Final Payment to Tri-Sure Corporation for Construction of Vero Lakes Estates 12” Master Plan Water Main Extension on 107th Avenue – UCP #4106
(memorandum dated July 6, 2015) 62-67
Approved Application for Payment No. 3 in the amount of \$19,829.42 from Tri-Sure Corporation.
- I.** Waive the Bid-Process for North RO Panel Replacement
(memorandum dated July 2, 2015) 68-70
Waived the Bid Process and authorized the Purchasing Division to issue a purchase order at a later date for a not to exceed amount of \$100,000 for the two (2) panels once three (3) quotes from qualified vendors to perform the corrective actions at the North County Reverse Osmosis Water Treatment plant have been received.
- 9:26 a.m.** **J.** Approval of State of Florida Special Olympics Aquatic Championship Meet Agreement for the Event to be held at North County Aquatic Center
(memorandum dated June 29, 2015) 71-75
Commissioner O’Bryan encouraged people to volunteer for the tenth consecutive Special Olympics Aquatic Championship Meet (the Special Olympics) at the North County Aquatic Center on October 3 and October 4, 2015.
- MOTION WAS MADE by Commissioner O’Bryan, SECONDED by Commissioner Flescher, to approve the Agreement between Special Olympics Florida, Inc., and Indian River County for use of the North County Aquatics Center.**
- Commissioner Flescher affirmed that volunteering for the Special Olympics is very rewarding.**
- The Chairman CALLED THE QUESTION and the Motion carried unanimously.**
- K.** Miscellaneous Budget Amendment 019
(memorandum dated July 8, 2015) 76-79
Approved Resolution 2015-081 amending the Fiscal Year 2014-2015 budget.
- L.** Award of Bid – 87th Street and 91st Avenue Sidewalk Improvements IRC Project No. 1205, Bid No. 2015036
(memorandum dated July 1, 2015) 80-90
Deleted.

M. Award of Bid No: 2015039 Vero Lake Estates Asphalt Millings Project (Phase II), IRC Project No. 1317 (memorandum dated June 29, 2015) 91-101

(1) Approved that the project be awarded to Dickerson Florida, Inc., in the amount of \$658,734.65; (2) approved the sample agreement; and (3) 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.

N. Award of Bid No. 2015044 to Mack Concrete Industries, Inc., for a New Package Wastewater Treatment Plant at Blue Cypress Lake (memorandum dated June 29, 2015) 102-114

(1) Approved that the project be awarded to Mack Concrete Industries, Inc., in the amount of \$314,000.00; (2) approved the sample agreement; and (3) 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.

9:02 a.m. O. Indian River County Intergenerational Recreation Facility (IG Bldg.) at South County Regional Park – Change Order No. 2, IRC Project No. 1135 (memorandum dated July 1, 2015) 115-130

Approved additional funding for Change Order No. 2 with KAST Construction Company, LLC, in the amount of \$46,968.43 for structural changes to the plans for the roof joists and embedment steel for the tilt-walls.

9. **CONSTITUTIONAL OFFICERS and GOVERNMENTAL AGENCIES**

None

10. **PUBLIC ITEMS**

A. **PUBLIC HEARINGS**

Proofs of Publication of Advertisement for Hearings is on file in the Office of the Clerk to the Board

9:53 a.m. 1. Public Hearing for Adoption of an Ordinance Establishing the Oceanside Replat Street Paving Municipal Service Benefit Unit (memorandum dated June 30, 2015) 131-136

Legislative

(Clerk's Note: This item was heard following Item 10.A.2. and is placed here for continuity.)

Deputy County Attorney Bill DeBraul provided background on the

request of the Oceanside Replat property owners for assistance in providing street paving improvements in their area. He relayed that the owners are willing to fund the improvements through a specially established Municipal Service Benefit Unit (MSBU) and asked the Board to approve the MSBU through adoption of the proposed Ordinance. He noted that Section 5 Amendment to Code of the proposed Ordinance has been amended to reflect Section 5 Adoption of Assessment Roll, Amount and Unit of Measurement and that Section 6 Amendment to Code has been amended to add Section 200.11 Street Paving.

Vice Chairman Solari sought and received information about future road resurfacing from Director of Public Works Chris Mora.

The Chairman opened the Public Hearing.

Dr. Stephen Faherty reported on specific grassy areas and plantings that the homeowners wanted to exclude from the paving.

Kathleen Taylor, Secretary, Oceanside Property Owners Homeowners Association (HOA), relayed that there was an 86% vote of the homeowners in favor of the repaving.

The Chairman closed the Public Hearing.

ON MOTION by Vice Chairman Solari, SECONDED by Commissioner Flescher, the Board unanimously adopted Ordinance 2015-008, AMENDED to include Section 5 Adoption of Assessment Roll, Amount and Unit of Measurement, and Section 6 Amendment to Code Section 200.11 Street Paving; creating the Oceanside Replat Street Paving Municipal Service Benefit Unit; purpose; levy of assessment, adoption of budget; disposition of proceeds from the levy of assessment; amending Section 200.11 [reserved] of Chapter 200, Municipal Service Taxing or Benefit Unit, of the Indian River County Code of Ordinances; and providing for codification; providing for severability; and providing for an effective date and providing for a sunset provision.

9:28
a.m.

2. Public Hearing for Adoption of an Ordinance Establishing the Oceanside Replat Street Lighting Municipal Service Benefit Unit (memorandum dated June 30, 2015)

137-144

Legislative

(Clerk's Note: This item was heard following Item 8.O. and is placed here for continuity.)

Deputy County Attorney Bill DeBraal provided background on the request of the Oceanside Replat property owners for assistance with street lighting for their area. He stated that the owners are willing to fund the improvements through a specially established Municipal Service Benefit Unit (MSBU) to begin with the Fiscal Year 2015/2016 tax year. He stated that Section 5 Amendment to Code of the proposed Ordinance has been amended to reflect Section 5 Adoption of Assessment Roll, Amount and Unit of Measurement, and that the assessment will be \$57.00 annually per lot. He thereafter asked the Board to approve the MSBU through adoption of the proposed Ordinance.

The Chairman opened the Public Hearing.

Kathleen Taylor, Secretary, Oceanside Property Owners Homeowners Association (HOA), relayed that 60% of the residents voted for the lighting improvements, and responded to the Board's questions.

Director of Public Works Chris Mora verified that the \$57.00 is for maintenance costs only, and will go on as long as the lights are there.

The following persons spoke in opposition to the proposed lighting:

Mark Mendelsohn, 665 Reef Road
Jessica Napp, 665 Reef Road

Stephen Faherty spoke in support of the proposed lighting.

The Chairman closed the Public Hearing.

MOTION WAS MADE by Commissioner Flescher, SECONDED by Vice Chairman Solari, to adopt Ordinance 2015-007, AMENDED to include Section 5 Adoption of Assessment Roll, Amount and Unit of Measurement, creating the Oceanside Replat Street Lighting Municipal Service Benefit Unit; purpose; levy of assessment, adoption of budget; disposition of proceeds from the levy of assessment; amending Section 200.07 of Chapter 200, Municipal Service Taxing or Benefit Unit, of the Indian River County Code of Ordinances; and providing for codification; providing for severability; and providing for an effective date.

Commissioner O'Bryan advised that he would oppose the Motion, because the lighting proposal lacks a 66 2/3% majority vote of the homeowners.

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

B. PUBLIC DISCUSSION ITEMS

None

C. PUBLIC NOTICE ITEMS

10:02
a.m.

1. **Notice of Scheduled Public Hearing August 18, 2015:**
Consider the Establishment of the Oslo Park Area Street Lighting Municipal Service Benefit Unit and Amending Section 200.07 of Chapter 200, Municipal Service Taxing or Benefit Unit, of the Indian River County Code (memorandum dated June 30, 2015) 145

Legislative

2. **Notice of Scheduled Public Hearing August 18, 2015:**
Consider Approval of a Proposed Special Assessment Project for Asphalt Milling Improvements on 9th Lane in the Glendale Lakes Subdivision and Glendale Lakes Subdivision Unit Two (memorandum dated July 7, 2015) 146

Administrative

3. **Notice of Special Call Public Hearing July 24, 2015:**
Consider Amending Section 201.08 of Chapter 201 of the Code To Establish an Amnesty Program Relating to Delinquency Charges on Certain Utility Service Availability Charges (memorandum dated July 9, 2015) 147

Legislative

County Attorney Dylan Reingold read the notices into the record.

11. COUNTY ADMINISTRATOR MATTERS

10:03
a.m.

Add: A. Emergency Item: Legal Costs All Aboard Florida and Florida Municipal Power Agency

County Administrator Joseph Baird presented an expense report outlining the County's costs to date with regards to combatting the proposed All Aboard Florida (AAF) High Speed Rail Project. He asked whether the Board wished to authorize continued spending to contest AAF. Administrator Baird also presented information on expenses spent thus far with regards to the Florida Municipal Power Agency (FMPA).

ON MOTION by Vice Chairman Solari, **SECONDED** by Commissioner Zorc, the Board unanimously authorized staff to continue expending funds to oppose All Aboard Florida.

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

1. Water & Sewer Revenue Refunding Bonds, Series 2005 –
Consideration of Partial Early Payoff
(memorandum dated July 8, 2015)

148-149

Director of Management and Budget Jason Brown provided background and analysis on staff's recommendation to pay down 50%, or \$7,105,000, of the Series 2005 Water and Sewer Revenue Refunding Bonds. Additionally, Director Brown requested authorization to issue a Request for Proposal (RFP) for a bank loan to refinance the remaining balance, to reduce our debt service by about \$80,000 annually.

10:06
a.m.

ON MOTION by Commissioner O’Bryan, **SECONDED** by Chairman Davis, the Board unanimously authorized staff to: (1) begin the process of calling \$7,105,000 (50%) out of the \$14,205,000 remaining of the Water & Sewer Revenue Refunding Bonds, Series 2005 on or after September 1, 2015; and (2) issue a Request For Proposal (RFP) for a bank loan to refinance the remaining balance.

The Chairman called a recess at 10:11 a.m., and reconvened the meeting at 10:17 a.m., with all members present.

F. Public Works

None

G. Utilities Services

None

13. COUNTY ATTORNEY MATTERS

**10:17
a.m.**

- A.** Resolution Establishing the Short Term Vacation Rental Advisory Committee
(memorandum dated July 8, 2015)

150-154

Deputy County Attorney Bill DeBraul recalled the Board’s direction on June 2, 2015 for staff to draft a Resolution establishing a Short-Term Vacation Rental Advisory Committee (the Committee). He estimated that there are approximately 375-400 vacation rentals in the County, and that staff would be reporting back to the Board on how many rental property owners are paying the Tourist Development Tax. Attorney DeBraul thereafter presented staff’s recommendation for Board approval of the Resolution.

Vice Chairman Solari recommended changing the sunset date of the Committee in Section 3 of the Resolution, Duration of Committee and Term of Office, from one year from the approval date of the Resolution (July 14, 2015), to one year from the date of the first Committee meeting.

After a discussion on the requirements for the Commissioner appointees, the Board CONSENSUS was for the Commissioners to pick who they deem is best qualified to sit on the Committee. It was noted that a majority vote of the Commissioners will be needed for the two at-large members.

The following persons appeared before the Board in opposition to the formation of the Committee. Several speakers feared that the Committee would delay the formulation of short-term regulations. Others made suggestions with regards to developing regulations for the short-term rentals.

Herb Whittall, 19 Park Avenue, Chairman of the Land Committee, Indian River Neighborhood Association (IRNA)

Bob Johnson, Coral Wind Subdivision

Dan Lamson, CEO, IRNA (statement on file)

Noah Powers, 400 18th Street

George Lamborn, President, South Beach Property Homeowners Association

Miles Conway, 2340 South Highway A1A, Secretary and Chairman Land Use Committee, South Beach Property Homeowners Association (SBPHOA); and Member Land Use Committee IRNA

The following individual spoke in support of the Committee:

Joseph Paladin, President, Black Swan Consulting and Entitlements, LLC

The following persons advocated for the development of regulations governing short and long-term rentals, regardless of whether or not the Committee is created:

Jim Welles, 2180 Dunmore Lane

Tuck Ferrell, North Beach Civic Association, 12546 North Highway A1A

Commissioner O'Bryan affirmed that the Committee would not slow down the development of rental regulations. He stated that the two critical areas of concern related to short-term rentals are parking and large events, and that in September 2015, the Board will be reviewing Ordinances regulating said issues.

Commissioner Zorc mentioned the possibility of using fire regulations to define the maximum number of renters that could occupy a rental property.

Vice Chairman Solari discussed the importance of learning more about the issue of short-term rentals, which are a growing part of the modern economy. He reiterated that the majority of problems stem from the event-hosting and parking issues at rental properties.

MOTION WAS MADE by Vice Chairman Solari, **SECONDED** by Commissioner O'Bryan, to approve **Resolution 2015-082**, **AMENDED** in Section 3 Duration of Committee and Term of Office, to change the sunset date of the Committee from **one year from the Resolution approval date to one year from the date of the Committee's first meeting**, establishing the Short Term Vacation Rental Advisory Committee.

Commissioner Flescher elaborated on his reasons for not supporting the Short-Term Rental Advisory Committee as the best means to address short-term rental issues.

Commissioner Zorc wanted the Board to consider a term of less than one year for the Committee, due to the Legislative cycle.

A brief discussion ensued on the Legislative cycle and the appropriate duration of the Committee.

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

(Clerk's Note: At this time, the Board convened as the Board of the Solid Waste Disposal District, to accommodate audience members with interest in Item 15.B.2.)

- B.** Request for Closed Attorney-Client Session Relating to *Indian River County vs. Turner Construction Company et al.* (Case No.: 312011CA002999)
(memorandum dated July 7, 2015)

~~Deleted~~

1:30
p.m.

C.

Release of Use Restrictions for Dodgertown Golf Course
(memorandum dated July 8, 2015)

156-198

(Clerk's Note: This item was heard following the Solid Waste Disposal District meeting, and a recess from 11:35 a.m. to 1:30 p.m., and is placed here for continuity.)

County Attorney Dylan Reingold presented background and analysis on the proposed release of use restrictions for the Dodgertown Golf Course. He asked the Board to approve the proposed Resolution; the Termination of Declaration of Covenants, Conditions and Restrictions; the Third Amendment to Collateral Development Agreement; the Easement; and the Cure Plan.

A brief discussion ensued, with input from Administrator Baird, on Aviation Boulevard improvements.

MOTION WAS MADE by Commissioner O'Bryan, **SECONDED** by Commissioner Zorc, to: (1) approve **Resolution 2015-083**, releasing and removing use restrictions associated with Resolution 2011-34 and the Second Amendment to Collateral Development Agreement and various use restrictions set forth in the Collateral Development Agreement with regard to the former Dodgertown 9-hole golf course; (2) the Termination of Declaration of Covenants, Conditions and Restrictions; (3) the Third Amendment to Collateral Development Agreement; (4) the Easement; and (5) the Cure Plan (*Items 2 - 5 with the City of Vero Beach*), and authorized the Chairman to execute the necessary documents to effectuate this approval.

(Clerk's Note: Dodgertown is now known as Historic Dodgertown, and was formerly known as Vero Beach Sports Village.)

Further discussion ensued about the future four-laning of Aviation Boulevard.

The Chairman **CALLED THE QUESTION** and by a 4-0 vote (Commissioner Flescher was absent for this vote), the Motion carried unanimously.

1:37
p.m.

D.

Resolution Supporting Extension of One-Cent Optional Sales Tax
(memorandum dated July 1, 2015)

199-202

(Clerk's Note: Commissioner Flescher rejoined the meeting at this time.)

County Attorney Dylan Reingold recalled that the Optional Sales Tax will expire in December 2019, and must be approved by voter referendum, with the ballot language submitted to the Supervisor of Elections no later than August 31, 2016. Pursuant to the Board's direction on June 23, 2015, he was presenting for consideration a proposed resolution supporting extension of the Optional Sales Tax.

ON MOTION by Commissioner O'Bryan, SECONDED by Chairman Davis, the Board approved Resolution 2015-084, expressing support for continuation in Indian River County of the Local Government Infrastructure One-Cent Sales Surtax/Discretionary Sales Surtax authorized pursuant to Section 212.055, Florida Statutes.

14. COMMISSIONERS MATTERS

A. Commissioner Wesley S. Davis, Chairman

None

B. Commissioner Bob Solari, Vice Chairman

1. FPL Okeechobee Energy Center
(memorandum dated July 7, 2015)

Vice Chairman Solari expressed concerns about the proposed Florida Power and Light (FPL) Energy Center to be built in Okeechobee, because of the tremendous volume of water it would draw from the Floridan Aquifer. He questioned whether an industrial use of potable water from the Floridan Aquifer is a rational water policy.

Dan Lamson, IRNA Director, read a statement expressing the IRNA's concerns about such large withdrawals of water from one entity, and asked the Board to protect the County's interests.

Bart Gaetjens, FPL's Area Manager External Affairs, discussed the permitting process that FPL is undergoing for its proposed Energy Center. He noted that Indian River County is a statutory party to the Power Plant Siting Act; that FPL has discussed its plans with the St. Johns River Water Management District (SJRMWD) and the County Utilities Director; and that the preliminary indications are that the proposed water usage will not impact the County's water supply, wells,

203

1:39
p.m.

or the environment.

Agnes Ramsey, FPL's Environmental Specialist, responded to the Board questions about water processing at the Energy Center.

Mike Tamaro, FPL's Senior Attorney, FPL, advised that the County will have a number of opportunities, including a public information meeting, to pose questions on water usage at the proposed Energy Center.

The Board CONSENSUS was to appoint Vice Chairman Solari to head the "committee for questions" for the SJRWMD and FPL.

Vice Chairman Solari discussed additional verbiage he wanted to add to a letter about fracking regulations, which the Board authorized on July 7, 2015.

Commissioner O'Bryan requested that Vice Chairman Solari bring his questions back to the Board; a determination will then be made on whether to invite the SJRWMD to a meeting.

C. Commissioner Joseph E. Flescher

None

D. Commissioner Peter D. O'Bryan

1. Florida Association of Counties (FAC) Growth Management, Agricultural, & Environmental Policy Co-Chair
(memorandum dated July 8, 2015)

204-214

Commissioner O'Bryan announced his appointment as a Co-Chairman to the Florida Association of Counties (FAC) Growth Management, Agricultural, & Environmental Policy Committee. He said that the 2015-2016 Policy Committee Conference will be held on August 26 through August 28, 2015, and asked the Board to relay any specific topic they want discussed at the Conference.

Attorney Reingold advised the Board to submit their items to Assistant County Attorney Kate Pingolt-Cotner.

No Board Action Required or Taken

2:01
p.m.

E. Commissioner Tim Zorc

**2:03
p.m.**

- 1. EMS Supervisors and Paramedic Training
(memorandum dated July 9, 2015)**

215

Commissioner Zorc played a video excerpt highlighting the Board's discussion at the July 23, 2009 Budget Workshop, on the role of the Emergency Services (EMS) Supervisors. He expressed his concerns about current EMS staffing and turnover rates, and advised that he would be discussing these matters at the upcoming Budget Hearing on July 15, 2015.

Discussion followed, with input from County Administrator Joseph Baird and Director of Emergency Services Director John King, regarding EMS staffing. It was noted that three positions in the proposed EMS budget are for Fire Battalion Chiefs.

No Board Action Required or Taken

15. SPECIAL DISTRICTS AND BOARDS

A. Emergency Services District

None

15. SPECIAL DISTRICTS AND BOARDS

B. Solid Waste Disposal District

**11:25
a.m.**

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

- 1. Work Order No. 1 to SCS Engineers for Household Hazardous Waste Procurement Services
(memorandum dated July 1, 2015)**

216-222

- 2. Single Stream Recyclables Transfer, Processing and Marketing Agreement Update
(memorandum dated July 6, 2015)**

223-231

- 3. Update on the Educational Component for the Upcoming Changes to the Recycling Program
(memorandum dated July 2, 2015)**

232-242

After the Solid Waste Disposal District Meeting, the Chairman called a recess at 11:35 a.m. and convened the Regular Board meeting at 1:30 p.m., with Item 13.C.

C. Environmental Control Board

None

16. ADJOURNMENT

There being no further business, the Chairman declared the meeting adjourned at **2:19 p.m.**

ATTEST:

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

Wesley S. Davis, Chairman

By: _____

Approved: August 18, 2015

BCC/MG/2015Minutes