



**9:04 a.m.**      **B.**      Presentation of Proclamation Recognizing Indian River County Veteran Cpl. Sylvester McIntosh for Receiving the Secretary of the Navy’s Silver Star Medal 2

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**Chairman Solari read the Proclamation honoring Veteran Corporal Sylvester McIntosh in recognition of receiving the Navy’s Silver Star Medal. Colonel Marty Zickert received the award on behalf of Corporal McIntosh.**

**9:10 a.m.**      **C.**      Presentation of Quarterly Recycling Update by Stephanie Vos, Recycling Education and Marketing Coordinator, Indian River County Solid Waste Disposal District 3

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**Recycling Education and Marketing Coordinator of the Solid Waste Disposal District Stephanie Vos, used a PowerPoint Presentation to provide the quarterly recycling update, which reflected a 56% increase in the tonnages of outgoing recyclable materials from last year.**

**A brief discussion ensued between the Board and staff.**

**Wanda Scott, 4306 26<sup>th</sup> Avenue, sought and received information regarding the exchange of recycling bins. She also inquired about a Proclamation for her mother.**

**Herbert Whittall, 19 Park Avenue, suggested staff find a process to recycle shredded paper.**

**9:37 a.m.**      **D.**      Presentation of Annual Report by Laurie Easterwood, Chairperson; Charlie Wilson, President; and Robert McCabe, Economic Development; Vero Beach Chamber of Commerce ----

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**Vero Beach Chamber of Commerce President Charlie Wilson, Economic Development Director Robert McCabe, and Jeffrey Zachary, used a PowerPoint Presentation to provide an update on the Vero Beach Chamber of Commerce and their 2016 priorities, which includes economic development, an increase in tourism, and promoting Vero Beach.**

**6.      APPROVAL OF MINUTES**

**None**

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

**9:56 a.m.**      **A.**      Letter of Opposition to All Aboard Florida from Penny Chandler to the Federal Railroad Administration  
(memorandum dated January 7, 2016)

4-7

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**Chairman Solari acknowledged the letter that Indian River County Chamber of Commerce President Penny Chandler had sent to the Federal Railroad Administration, opposing All Aboard Florida (AAF), now known as Brightline.**

- B.** New Fees for Indian River County Shooting Range Effective March 1, 2016  
(memorandum dated January 5, 2016) ..... 8-11
- C.** Retirement Award and Proclamation Honoring Elizabeth Peters on Her Retirement from Indian River County Board of County Commissioners Utilities Department/Customer Service Division with Ten Years of Service ..... 12-13  
**Commissioner O’Bryan recognized the retirement of Elizabeth Peters.**

**8. CONSENT AGENDA**

**9:57 a.m. ON MOTION by Vice Chairman Flescher, SECONDED by Commissioner O’Bryan, the Board unanimously approved the Consent Agenda, pulling Item 8.N. for comment.**

- A.** Approval of Checks and Electronic Payments – December 31, 2015 to January 7, 2016  
(memorandum dated January 7, 2016) ..... 14-20  
**Approved the checks and electronic payments as supplied by the Comptroller’s office.**
- B.** Mt. Zion Missionary Baptist Church and Hutton Team LLC’s Request for Final Plat Approval for a Subdivision to be known as Gifford PD  
(memorandum dated January 8, 2016) ..... 21-37  
**Granted final plat approval for the Family Dollar store (Lot 1), for the Gifford Planned Development (PD).**
- C.** Florida Fish and Wildlife Conservation Commission Agreement No. 15120 – Indian River County Shooting Range Hunter Education Classroom  
(memorandum dated January 6, 2016) ..... 38-85  
**(1) Approved funding for the Indian River County Shooting Range Hunter Education classroom and covered porch area; (2) approved Agreement No. 15120 with the Florida Fish and Wildlife Conservation Commission; and (3) authorized the Chairman to execute said Agreement.**
- D.** Financial Advisory Agreement – FirstSouthwest  
(memorandum dated January 12, 2016) ..... 86-100  
**Approved the Financial Advisory Agreement with FirstSouthwest, a division of Hilltop Securities, Inc.**
- E.** Miscellaneous Budget Amendment 011  
(memorandum dated January 8, 2016) ..... 101-111  
**Approved Resolution 2012-008, amending the Fiscal Year 2015-2016 Budget.**

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- F. Final Payment to Blue Goose Construction for Water Main Loops in the Highlands and Falcon Trace  
(memorandum dated January 11, 2016) 112-116  
**Approved the Application for Final payment in the amount of \$88,613.69 from Blue Goose Construction, LLC for the three water main loop completions, which will release any further obligation to the contractor by the County.**
- G. Final Payment to MMT for Route Survey for Fischer Lake Island Water Assessment Project – UCP #4118  
(memorandum dated December 31, 2015) 117-119  
**Approved the Application for Final Payment to Masteller, Moler and Taylor, Inc., in the amount of \$7,432.75.**
- H. Diamond Court West FL, LLC’s Request for Final Plat Approval for a Plat-Over-Site Plan Single-Family Development to be known as Lily’s Cay  
(memorandum dated January 8, 2016) 120-147  
**Granted Final Plat approval for Lily’s Cay at Vero Beach (fka Diamond Court West).**
- I. Indian River County Intergenerational Recreation Center (IG Bldg) at South County Regional Park – Change Order No. 03  
(memorandum dated December 31, 2015) 148-156  
**Approved additional funding to Kast Construction Company, LLC, for Change Order No. 03, in the amount of \$76,292.75, for the installation of data/communication cables and connection hardware. The new total contract price will be \$10,945,371.34.**
- J. Indian River County Intergenerational Recreation Center (IG Bldg) at South County Regional Park – Change Order No. 04  
(memorandum dated December 31, 2015) 157-163  
**Approved additional funding to Kast Construction Company, LLC, for Change Order No. 04, in the amount of \$76,118.19, for the installation of a closed circuit television (CCTV) system. The new total contract price would be \$11,021,489.53.**
- K. Work Order No. 6 Morgan & Eklund, Inc., 2016 Beach Profile Monitoring Surveys (Winter)  
(memorandum dated January 11, 2016) 164-169  
**Approved and authorized the Chairman to execute Work Order No. 6, to the Professional Land Surveying and Mapping Services Contract with Morgan and Eklund, Inc.**
- L. Traffic Counters: Board Approval for Trade-in and Purchase of Four (4) Traffic Counters  
(memorandum dated January 7, 2016) 170-175  
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**Authorized staff to purchase four (4) new traffic counters and trade-in four (4) old traffic counters.**

- M. Memorandum of Lease Extension and Second Amendment to Lease Agreement for Winter Beach Tower at 3925 65<sup>th</sup> Street (memorandum dated January 13, 2016) 176-185

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**(1) Approved and authorized the Chairman to execute the Memorandum to Lease Extension and Second Amendment for the Winter Beach Tower at 3925 65<sup>th</sup> Street site, with CCATT LLC, aka Crown Castle; and (2) approved and authorized the Chairman to execute an additional original Lease Extension and Second Amendment on behalf of the Board.**

- N. Interlocal Agreement Among Indian River, Martin, and St. Lucie Counties Establishing the Treasure Coast Workforce Consortium and the Workforce Development Board of the Treasure Coast (memorandum dated January 13, 2016) 186-193

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**Chairman Solari voiced his opposition on this item.**

**ON MOTION by Commissioner O’Bryan, SECONDED by Commissioner Zorc, by a 4-1 vote (Chairman Solari opposed), the Board approved and authorized the Chairman to execute the “Interlocal Agreement Among Indian River, Martin, and St. Lucie Counties Establishing the Treasure Coast Workforce Consortium and the Workforce Development Board of the Treasure Coast.”**

- O. Approval of Resolution Establishing Fair Market Rental Rates for Housing Choice Voucher Program (memorandum dated January 13, 2016) 194-197

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**Approved Resolution 2016-009, approving payment standards for fiscal year 2016 for the Housing Choice Voucher Program.**

9. **CONSTITUTIONAL OFFICERS and GOVERNMENTAL AGENCIES**

None

10. **PUBLIC ITEMS**

A. **PUBLIC HEARINGS**

9:58  
a.m.

1. County Initiated Request to Amend the Text of the Potable Water and Sanitary Sewer Sub-elements of the County’s Comprehensive Plan (memorandum dated January 8, 2016) 198-219

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**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, through a PowerPoint presentation, provided background and outlined the County initiated proposed amendment to the text of Policy 5.7 Potable Water, and Policy 5.8 Sanitary Sewer Sub-element of the Comprehensive Plan, which would allow properties that lie outside the Urban Service Area (USA) to be connected to centralized water and sewer service under certain conditions. He stated that the Planning and Zoning Commission (P&Z) had voted 5-0 recommending the Board of County Commissioners to deny the proposed amendment. He recommended approval of the Amendment for transmittal to reviewing agencies by adopting the Resolution.

Discussion ensued between the Board and staff.

The Chairman opened the Public Hearing.

Deborah Ecker, 550 Riomar Drive, on behalf of the Indian River Neighborhood Association (IRNA), read opposing statements to staff's proposed exemptions to the prohibition of providing water and sewer outside of the USA.

Bob Johnson, Coral Wind Subdivision, questioned P&Z's vote of 5-0, and wondered why it was not a 7-0 vote. He did not feel the members of the committee were properly representing the County's position on the aspects of their responsibilities.

Chairman Solari requested staff to check over the next month and report back to the Board on whether there appears to be chronic absences.

Dr. David Cox, 9495 Periwinkle Drive, representing the Pelican Island Audubon Society, opposed staff's proposal to amend Policies 5.7 and 5.8.

Herbert Whittall, 19 Park Avenue, representing the IRNA, requested the Board move forward with putting in sewers for the 30,000 units on septic tanks before considering work outside of the USA.

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

**MOTION WAS MADE** by Commissioner O'Bryan, **SECONDED** by Chairman Solari, to deny staff's recommendation, and **not** amend the Comprehensive Plan.

County Attorney Dylan Reingold addressed concerns regarding the changes to the Comprehensive Plan.

The Chairman CALLED THE QUESTION, by a vote of 2-3 (Commissioners Davis, Flescher, and Zorc opposed), the MOTION FAILED.

ON MOTION by Vice Chairman Flescher, SECONDED by Commissioner Davis, by a 3-2 vote (Commissioners O'Bryan and Solari opposed), the Board approved Resolution 2016-010, approving the transmittal of a proposed Indian River County Comprehensive Plan Text Amendment to State and Regional review agencies.

There was a brief discussion regarding the Comprehensive Plan amendment process, and this matter coming back to the Board for the possibility of repealing the Comprehensive Plan changes.

The Chairman called for a break at 11:00 a.m., and reconvened the meeting at 11:10 a.m., with all members present.

11:10  
a.m.

2. Amendment to Section 100.03 "Amendment or Repeal of Ordinances" of Chapter 100 "General Provisions" of the Code of Indian River County, Codifying and Publishing the Ordinances to Readopt the Code up to and including Supplement 113 (memorandum dated December 29, 2015)

220-223

**Legislative**

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

Attorney Reingold requested the Board adopt the proposed ordinance to codify and publish the ordinances published in The Code of Indian River County, up to and including Supplement 113.

The Chairman opened the Public Hearing. There being no speakers, the Chairman closed the Public Hearing.

ON MOTION by Commissioner O'Bryan, SECONDED by Chairman Solari, the Board unanimously adopted Ordinance 2016-001, amending Section 100.03 "Amendment or Repeal of Ordinances" of Chapter 100 "General Provisions" of The Code of Indian River County ("The Code"), codifying and publishing the ordinances up to and including Supplement 113 thereto, readopting the code, designating The Code as the best evidence of the current law of Indian River County, Florida, and

providing for severability, codification, and an effective date.

**B. PUBLIC DISCUSSION ITEMS**

None

**C. PUBLIC NOTICE ITEMS**

None

**11. COUNTY ADMINISTRATOR MATTERS**

None

**12. DEPARTMENTAL MATTERS**

**A. Community Development**

None

**B. Emergency Services**

None

**C. General Services**

None

**1. Human Services**

None

**2. Sandridge Golf Club**

None

**3. Recreation**

**a.** Rental Agreement Proposal for Hobart Baseball Fields

(memorandum dated January 10, 2016)

224-232

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**This item was deleted**

**The Chairman asked if anyone from the public wished to comment on this item; there were no speakers.**

D. Human Resources

None

E. Office of Management and Budget

None

F. Public Works

None

G. Utilities Services

None

13. COUNTY ATTORNEY MATTERS

11:13  
a.m.

A. Legislative Update by Kate Cotner, Assistant County Attorney  
(no back-up)

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Assistant County Attorney Kate Pingolt Cotner provided the Board  
with the following legislative updates:

(1) House Bill 1279 / Senate Bill 1322 Juvenile Detention Costs, which suggests a 50/50 split with the County, with the condition of no reimbursement. She recommended the Board support the Bill.

ON MOTION by Commissioner O'Bryan, **SECONDED** by Chairman Solari, the Board unanimously directed the Attorney's Office to support House Bill 1279 / Senate Bill 1322, as presented.

(2) House Bill 745 / Senate Bill 516 Special Districts, requires Special Districts to have their own public website with very specific information. Only one software company is able to provide the information for the cost of approximately \$200,000. Attorney Pingolt Cotner recommended the Board oppose this Bill as written.

ON MOTION by Commissioner O'Bryan, **SECONDED** by Vice Chairman Flescher, the Board unanimously directed the Attorney's Office to oppose House Bill 745 / Senate Bill 516.

(3) House Bill 1387 / Senate Bill 1192 Waste Management. This Bill is labeled Waste Management but actually deals with Solid Waste and Disposal District recycling goals. This Bill would make it difficult for the County to reach its recycling goal, and might be subjected to enforcement rules. She recommended opposition to the Bill.

**ON MOTION** by Commissioner Davis, **SECONDED** by Commissioner O'Bryan, the Board unanimously directed the Attorney's Office to oppose House Bill 1387 / Senate Bill 1192.

(4) Senate Bill 1052 Environmental Control applies to Water Districts. The language could impact the County's ability to manage solid waste via the County's landfill, and would tie the County's hands with future alternative options. Attorney Pingolt Cotner and Director of Utility Services Vincent Burke recommended opposing the legislation as it is currently written.

Chairman Solari requested Attorney Pingolt Cotner to bring this item back to the Board in February, which would allow the Board more time to review the details of the Bill.

(5) House Bill 1015 / Senate Bill 1222 Millage Rates will revise the method for computing roll-back rates for purposes of determining the maximum millage rates for certain local governments. Management and Budget Director Jason Brown and Attorney Pingolt Cotner recommended opposing the legislation as it is currently written.

**ON MOTION** by Commissioner O'Bryan, **SECONDED** by Vice Chairman Flescher, the Board unanimously directed the Attorney's Office to oppose House Bill 1015 / Senate Bill 1222.

11:35 a.m. B.

All Aboard Florida St. Johns River Water Management District Permits (memorandum dated January 13 2016)

233-241

Attorney Reingold provided background concerning the St. Johns River Water Management District Environmental Resource Permit (ERP) application for the All Aboard Florida (AAF) project. He requested authorization to seek and bring back to the Board for approval, a Florida law firm familiar with the District permitting process to assist in the overall review and evaluation of the District applications and to identify options for potential challenges.

**ON MOTION** by Vice Chairman Flescher, **SECONDED** by Commissioner Zorc, the Board unanimously authorized the County Attorney to move forward with hiring a Florida law firm to assist in the District permitting process, with direction to obtain authorization from the Board before execution of any contract for services.

14. **COMMISSIONERS MATTERS**

11:39 a.m. A.

**Commissioner Bob Solari, Chairman**

1. US1 South County Signage (memorandum dated January 12, 2016)

242

Chairman Solari reported that South County residents had expressed a strong interest in adding attractive, high quality signage at the entranceway to Indian River County, now that the new construction project on US 1, in South County, has been completed.

A brief discussion ensued amongst the Commissioners regarding signage.

Commissioners Flescher and Zorc wanted to see signage at all points of entry into the County.

ON MOTION by Vice Chairman Flescher, SECONDED by Chairman Solari, the Board unanimously directed staff to look at all options for appropriate signage for Indian River County, with the idea that over time they may be placed at multiple locations.

**B. Commissioner Joseph E. Flescher, Vice Chairman**

None

**C. Commissioner Wesley S. Davis**

None

**14. COMMISSIONERS MATTERS**

**D. Commissioner Peter D. O'Bryan**

None

**E. Commissioner Tim Zorc**

None

**15. SPECIAL DISTRICTS AND BOARDS**

**A. Emergency Services District**

None

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

**B. Solid Waste Disposal District**

1. Approval of Minutes December 1, 2015
2. Approval of Minutes December 8, 2015
3. CCNA-2014 Work Order No. 6 to CDM Smith, Inc. for Engineering Services with the 2016 Annual Permit Compliance Monitoring and Reporting (memorandum dated January 11, 2016) ..... 243-255

C. **Environmental Control Board**  
**None**

16. **ADJOURNMENT**

There being no further business, the Chairman declared the meeting adjourned at **11:47 a.m.**

ATTEST:

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

\_\_\_\_\_  
 Bob Solari, Chairman

By: \_\_\_\_\_  
 Deputy Clerk

Approved: \_\_\_\_\_

BCC/LAA/2016 Minutes