

**BOARD OF COUNTY
COMMISSIONERS
INDIAN RIVER COUNTY, FLORIDA
REGULAR MEETING MINUTES**



TUESDAY, MARCH 8, 2016

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

COUNTY COMMISSIONERS DISTRICT

Bob Solari, Chairman	District 5	Present	Joseph A. Baird, County Administrator	Present
Joseph E. Flescher, Vice Chairman	District 2	Present	Dylan Reingold, County Attorney	Present
Wesley S. Davis	District 1	Present	Jeffrey R. Smith, Clerk of the Circuit Court and Comptroller	Present
Peter D. O'Bryan	District 4	Present		
Tim Zorc	District 3	Present	Terri Collins-Lister, Deputy Clerk	Present

**DVD
TIMES**

**PACKET
PAGES**

1. **CALL TO ORDER** **9:00 A.M.**
2. **INVOCATION** Commissioner Wesley S. Davis
3. **PLEDGE OF ALLEGIANCE** Commissioner Bob Solari
4. **ADDITIONS/DELETIONS TO THE AGENDA / EMERGENCY ITEMS**

9:02 a.m. **ON MOTION** by Vice Chairman Flescher, **SECONDED** by Commissioner Zorc, the Board unanimously approved the Agenda as presented.

5. **PROCLAMATIONS and PRESENTATIONS**

9:03 a.m. A. Presentation of Proclamation Designating the Month of March, 2016, as March for Meals Month

----- 1

Commissioner Davis read and presented the Proclamation to Karen Deigl, President and CEO Senior Resource Association.

6. **APPROVAL OF MINUTES**

None

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

- A. 2016 Election of Transportation Disadvantaged Local Coordinating Board Vice Chairman
(memorandum dated February 29, 2016) 2

Noted for the record was the election of William Parden as Vice Chairman to the Transportation Disadvantaged Local Coordinating Board (TDLCB) for the year 2016.

- B. 2016 Election of Beach and Shore Preservation Advisory Committee Chair and Vice Chair
(memorandum dated March 2, 2016) 3

Noted for the record was the election of Michael Ochsner as Chairman, and Mark Tripson as Vice Chairman, to the Beach and Shore Preservation Advisory Committee for the year 2016.

8. **CONSENT AGENDA**

9:11 a.m. **ON MOTION by Commissioner O'Bryan, SECONDED by Vice Chairman Flescher, the Board unanimously approved the Consent Agenda, pulling Item 8.F. for discussion.**

- A. Approval of Checks and Electronic Payments – February 19, 2016 to February 25, 2016
(memorandum dated February 25, 2016) 4-12

Approved the list of checks and electronic payments as supplied by the Comptroller's office.

- B. GHO Berkley Square Corp's Request for Final Plat Approval for a Subdivision to be known as Berkley Square
(memorandum dated February 29, 2016) 13-20

Granted final plat approval for Berkley Square, formerly known as Bella Sol Subdivision.

- C. Change Order No. 1, Final Pay and Release of Retainage – Indian River County Public Shooting Range Skeet & Trap Facility Improvements (Phase I), Bid No. 2014026
(memorandum dated February 25, 2016) 21-33

Approved Change Order No. 1 and approval of Ag-Scape Services, Inc. Contractor's Application for Payment No. 3, decreasing the contract amount by \$8,967.71 for final contract total of \$91,151.29.

D. Approval to Purchase Two Pumps from Watertronics
(memorandum dated February 29, 2016) 34-37

(1) Ratified and approved the purchase of two pumps for Spoonbill Marsh under Purchase Order #74196-00 to Watertronics Technical Services; and (2) approved the use of Watertronics as the sole source manufacturer and authorized repair center for the pumps at the Spoonbill Marsh.

E. Request for Authorization to Submit an Application for 49 USC CH. 53, Section 5311 Transit Operating Assistance Funds for FY 2016/17
(memorandum dated February 26, 2016) 38-48

Approved Resolution 2016-020 authorizing the submission of a FY 2016/17 Grant Application for 49 USC CH. 53, Section 5311 Public Transit Operating Assistance.

9:11
a.m.

F. Extension of Agreement between Indian River County (IRC) and AT&T
(memorandum dated February 24, 2016) 49-69

Commissioner Zorc sought information from Public Works Director Chris Mora regarding the no penalty, exiting provision in the AT&T contract, so when the County goes over to services such as Voice Over IP, the County could decrease the contract as other types of services come online.

Public Works Director Chris Mora replied that the AT&T contract is for two (2) additional years with an opt-out clause at any point.

ON MOTION by Commissioner Zorc, SECONDED by Vice Chairman Flescher, the Board unanimously approved the contract extensions agreement between Indian River County and AT&T to keep the price structure for these AT&T services from increasing.

G. Rejection of Bid 2016022 – Collection of Household Hazardous Waste and Electronic Waste
(memorandum dated February 26, 2016) 70-71

Approved to reject all bids submitted in response to Invitation to Bid 2016022 and authorized staff to re-bid the services separately and with corrected estimated quantities.

9. **CONSTITUTIONAL OFFICERS and GOVERNMENTAL AGENCIES**

None

10. **PUBLIC ITEMS**

A. **PUBLIC HEARINGS**

None

B. PUBLIC DISCUSSION ITEMS

None

C. PUBLIC NOTICE ITEMS

9:14
a.m.

1. Notice of Scheduled Public Hearing April 5, 2016

County initiated request to amend the text of the Policy 5.7 of the Potable Water Sub-Element and Policy 5.8 of the Sanitary Sewer Sub-Element of the county's comprehensive plan
(Legislative)

72-73

County Attorney Dylan Reingold read the Notice into the record.

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

None

D. Human Resources

None

12. **DEPARTMENTAL MATTERS**

9:15
a.m.

E. **Office of Management and Budget**

1. Children’s Services – Funding Allocation for Fiscal Year 2016/2017
(memorandum dated March 1, 2016)

74-75

County Management and Budget Director Jason Brown presented the Children’s Services Funding Allocation for Fiscal Year (FY) 2016/2017. He said that for the current FY 2015/2016, the County approved a matching program where each dollar raised by the community would be matched dollar for dollar up to \$200,000, in addition to the base funding amount of \$651,965, resulting in a total County funding of \$851,965.

Director Brown provided four (4) alternatives for funding consideration and recommended Alternative 1 based on ongoing funding constraints of the County. Alternative 1 would provide funding for Children’s Services agencies in the amount of \$698,255, an increase of 7.1% for the current year base funding level, in addition to a dollar for dollar match up to \$200,000.

The Board sought and received information from Director Brown.

Chairman Solari opened the floor for public input.

Hope Woodhouse, 199 Island Creek Drive, handed out a brochure, “Crisis for Indian River County Children’s Services”, (a copy on file in Clerk’s Office), an analysis on the amount of money spent per child on the Treasure Coast with Indian River County being at the lowest amount of \$33 per child. She added that she was part of the Funders Forum of Indian River County, the group who had written the Commissioners urging them to allocate the full \$1,051,965 to Children’s Services out of the FY 2016/2017 Budget without a match. She added that the Funders Forum of Indian River County, as a group, has raised over \$1 million and currently allocated those funds to non-profits through their grant processes.

The following spoke passionately on the needs in the Community for Children, expressed the importance of investing in children and asked the Board for their support of Alternative 4 funding for FY 2016/2017 in the amount of \$1,051,965:

Dr. David Griffin, 650 Lagoon Road, Vero Beach

Marlynn Scully, 771 Manatee Cove, Vero Beach

A discussion ensued. Chairman Solari remarked on the comments made, mentioning that half of the taxes of Indian River County residents go to the education of the children and that was the purpose of the School Board taxes.

Public Speakers continued providing input as follows:

Judi Miller, 3225 S. Lakeview Circle, and CEO of Big Brothers and Big Sisters

Kathie Cain, Executive Director of the IRC Healthy Start Coalition

Kip Jacoby, 1816 Mooringline Drive, Vero Beach

Susan Adams, 100 South Pine Street, Fellsmere and United Way of Indian River Board Chair Elect

Larry Salustro, 1759 Coral Way N, Vero Beach

Nick Schaus, 307 Sable Oak Drive, Vero Beach

Crystal Bujol, 8 Vista Garden Trails, Vero Beach and Executive Director, The Gifford Florida Youth Orchestra

Barbara Hammond, 4683 Pebble Bay Circle and CEO, Learning Alliance

Dr. Fran Adams, 1651 Indian River Drive, Sebastian

Freddie Woolfork, 4590 57th Avenue, Vero Beach

Shannon Bowman, 66 34th Terrace, Vero Beach, and Executive Director with Childcare Resources

Barbara Pearce, 1446 25th Street SW, Vero Beach

Sabrina Sampson, 219 Stony Point Drive, Sebastian and Executive Director with the Children's Home Society

The Chairman called a recess at 10:50 a.m., and reconvened the meeting at 11:00 a.m., with all members present.

Brad Bernauer, Indian River County Director of Human Services and Executive Director of Children's Services

Bob McPartlan, Mayor of Sebastian and Administrator with the Department of Children and Families

Cynthia Falardeau, Executive Director of The Education Foundation of Indian River County

Carol Veeneman, 150 Lakeview Way, Vero Beach and Childcare Resources' Board Member

Dr. Mark J. Rendell, Superintendent for Indian River School District

Michael Kint, Chief Executive Officer of the United Way of Indian River County

Commissioner O'Bryan felt it was an essential service and an investment to fully fund the Children's Services FY 2016/2017 Budget.

MOTION WAS MADE by Commissioner O'Bryan, SECONDED by Vice Chairman Flescher to approve Alternative 4 funding for Children's Services for Fiscal Year 2016/2017 in the amount \$1,051,965, as requested by the Indian River County Funder's Forum, an increase of \$200,000, or 23.5% from the current year amount including the \$200,000 matching funds (or up \$400,000 from the base funding level).

Commissioner Davis felt it was appropriate to fully fund the Children's Services.

Vice Chairman Flescher wanted a cooperative effort and a shared responsibility with the Indian River School District in regards to Children's Services funding.

Commissioner Zorc wanted to see going forward, a set of reserve requirements established to sustain the programs in an event of an economic downturn or significant budget cuts.

The Chairman CALLED THE QUESTION and by a 4-1 vote (Chairman Solari opposed), the motion carried.

The Chairman called a recess at 11:30 a.m. and reconvened the meeting at 11:37 a.m., with all members present.

F. Public Works

None

G. Utilities Services

11:37
a.m.

1. Septic to Sewer Update/Presentation
(memorandum dated February 29, 2016)

76-82

Utility Services Director Vincent Burke, joined by Mr. Richard Hicks, Florida Department of Environmental Protection, (FDEP) Ground Water Management Section; and Dr. Ming Ye, Department of Scientific Computing Florida State University, gave a Septic to Sewer Update/ Presentation. They reviewed in the presentation, the Ranking Matrix done in-house by the Indian River County Department of Utility Services, Groundwater Modeling and FDEP Wells Installations in the south part of Indian River County, and the ArcGIS-based Nitrogen Load Estimation Toolkit (ArcNLET), a numerical modeling toolkit.

Director Burke stated there were two Sewer Feasibility Studies performed targeting different geographical areas in the unincorporated Indian River County. One study, "Summerplace" is located at County Road 510 and State Road A1A and the second study "North Sebastian Area". He added that researchers were also studying the effects of Onsite Sewage Treatment and Disposal Systems (OSTDS aka Septic Tank) nutrient loadings as a potential contributor of harmful algal blooms in the Indian River Lagoon, confirming high levels of Nitrogen in the groundwater and surface water due to human waste.

Mr. Hicks went over a software tool called the ArcNLET model that looks at the actual nitrogen load seepage into ground water and from that groundwater seepage into surface water whether it's a canal or the lagoon.

Dr. Ming Ye detailed on how the ArcNLET software could detect the nitrogen loading to each individual water body.

Mr. Hicks indicated that monitor wells were installed at areas of the County that could be potentially higher in nitrogen concentrations and associate them to areas of lower nitrogen concentrations in order to tweak the model.

The Board sought and received information from Mr. Hicks and Dr. Ming Ye on the FDEP Calibration Work, of which the County had been assisting them in the monitoring of the wells.

The Chairman called a recess at 12:35 p.m., and reconvened the meeting at 12:44 p.m., with all members present.

Sam San Miguel, 2250 Southwinds Blvd., Vero Beach, Representative of the Lagoon Committee of the Indian River Neighborhood Association, complimented Director Burke on behalf of the committee for one of the most concise, brief and informative reports he had ever read. Also, he complimented the Board for their interest and grasp of the details.

Judy Orcutt, 4665 Pebble Bay, Vero Beach, sought information and clarification from Mr. Hicks in regards to ammonium contained in the septic tanks.

A discussion ensued on a high water table and ammonium.

Chery Dunn, IRC Department of Health, mentioned that if you have a high water table, what comes out of the septic tank, would go into the water table.

13. **COUNTY ATTORNEY MATTERS**

None

14. **COMMISSIONERS MATTERS**

A. **Commissioner Bob Solari, Chairman**

None

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

None

C. **Commissioner Wesley S. Davis**

1. Lakewood Village Mobile Home Park
(memorandum dated March 2, 2016)

83-85

Commissioner Davis requested consideration in amending the Land Development Regulation (LDR) designation to allow Recreational Vehicles in 25% of Mobile Home Park (MHP) spaces that existed prior to January 1, 2010, which are either less than 20 acres in size or are located adjacent to Interstate 95. He stated the residents of the Lakewood Village are prohibited by County Ordinance to allow for 25% of recreational vehicles (RV's) in the MHP spaces because of the size. He mentioned what made the Lakewood Village MHP different than the other MHP's was that it was resident owned. He added the Lakewood Village MHP had several vacant sites, which was problematic because of the following: 1) hard to find manufactured homes to

1:20
p.m.

fit those sites; and 2) they are paying the water and sewer based capacity charges on vacant sites. He added the Lakewood Village MHP felt allowing RV's would be an opportunity to generate income.

MOTION WAS MADE by Commissioner Davis, **SECONDED** by Chairman Solari, to direct staff to amend the Land Development Regulation designation to allow recreational vehicles in 25% of Mobile Home Park spaces that existed prior to January 1, 2010, which are either less than 20 acres in size, or located adjacent to Interstate 95.

John Gallagher, 1455 90th Avenue, Vero Beach, felt allowing RV's would only be voting to benefit Lakewood Village MHP, as well as the local businesses.

A discussion ensued and Chairman Solari emphasized that the Board would be voting only to give direction to staff to begin a process of amending the LDR's.

Commissioner O'Bryan wanted a measurable word other than the word "adjacent to Interstate 95", such as within "a quarter mile of Interstate 95".

Tamara Lewis, Resident and Employee at Lakewood Village MHP stressed that the MHP wanted to draw more people into the park to avoid raising the rates. She was encouraged and hopeful that the Board would support the MHP in this opportunity to advance the whole community.

Community Development Director Stan Boling explained the LDR process and requested to communicate with the other residents at the other MHP who may have a concern allowing RV's.

Daniel Thompson, 1455 90th Avenue, stated that the Lakewood Village MHP was a business and therefore had to generate income in order to be successful. He added that designating spaces for RV's would generate income, keep the fees low, and improve the MHP for the future.

Vice Chairman Flescher expressed his concerns and felt it was similar to the vacation rentals.

John Leithelm, 1455 90th Avenue, was unsure regarding the plans for the MHP, but does not want to live in a campground. He felt it would be possible to live next to a RV community and was willing to communicate with Lakewood Village MHP and

its residents regarding the matter.

Margaret Bradford, 1455 90th Avenue, stated that after the hurricanes, the Federal Emergency Management Agency, placed approximately 100 units in the south side of the MHP and there were no issues.

Vice Chairman Flescher stated he would be more supportive knowing he had the consensus and support of the MHP community.

The Chairman CALLED THE QUESTION, and by a 4-1 vote (Vice Chairman Flescher opposed), the motion carried.

D. Commissioner Peter D. O'Bryan

1:03
p.m.

1. Budget Proposal for Septic to Sewer Conversion Projects (memorandum dated March 2, 2016)

86-87

Clerk's Note: This Item was heard in conjunction with Item 12.G.1. and is placed here for continuity.

Commissioner O'Bryan requested approval from the Board to give direction to IRC Utilities staff to put together a budget proposal for FY 2016/2017 to develop a countywide priority list for septic to sewer conversion projects. He said this would be an expansion of what has been done to date factoring in the information from the ArcNLET. He broke down his goal in four phases as detailed in the agenda backup.

MOTION WAS MADE by Commissioner O'Bryan, SECONDED by Commissioner Zorc, to direct staff to propose a budget for Fiscal Year 2016/2017 to develop a countywide priority list for septic to sewer conversion projects.

A discussion ensued and the Board emphasized staff's consideration of all factors including financing, the economic component, a cost benefit analysis and the environmental impact that they deemed relevant to create the best septic to sewer conversion projects priority list.

Carter Taylor, 2235 Silver Sands Court, on the Executive Committee of the Indian River Neighborhood Association and the South Beach Property Owners Association, advocated for the Septic and Sewer Conversion Projects and discussed the importance of fund planning.

The Chairman CALLED THE QUESTION and the Motion carried unanimously.

E. Commissioner Tim Zorc

None

15. SPECIAL DISTRICTS AND BOARDS

A. Emergency Services District

None

15. SPECIAL DISTRICTS AND BOARDS

1:51 p.m. 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. Request Approval for a Residential Paper Shredding Event and Request to participate in the Green Market at the IRC Mall on April 2, 2016
(memorandum dated February 29, 2016) 88-98

C. Environmental Control Board

None

16. ADJOURNMENT

There being no further business, the Chairman declared the meeting adjourned at 2:02 p.m.

ATTEST:

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

 Bob Solari, Chairman

By: _____
 Deputy Clerk

Approved: April 12, 2016

BCC/TCL/2016Minutes