

LAND ACQUISITION ADVISORY COMMITTEE (LAAC)

The Indian River County (IRC) Land Acquisition Advisory Committee (LAAC) held a meeting on Wednesday, March 12, 2008 at 1:30 p.m. in Room "B1-501" of the County Administration Building B, 1800 27th Street, Vero Beach, Florida. You may hear an audio of the meeting; review the agenda and the minutes on the IRC website - www.ircgov.com/Boards/LAAC//2008. Please note listed at the end of each agenda item refers to time on the recorded minutes.

Present were members: **Chairman Dr. Richard Baker**, Pelican Island Audubon Society (PIAS); **Jim Granse**, Taxpayers' Association; **Bonnie Veron** and **Talmage Rogers**, Members-at-Large; **Michael Walther**, IRC Chamber of Commerce; **Judy Orcutt**, Sierra Club; **Mayor Andrea Coy**, City of Sebastian; **Janice Broda**, Mosquito Control District; **Lois Work**, Board of Realtors; **Denise Waddell**, IRC Historical Society; **Councilmember Bud Oatway**, Town of Orchid; **Councilmember Frannie Atchison**, Town of Indian River Shores; **Toni Robinson**, Indian River Land Trust (IRLT); **Mayor Sara Savage**, Specially Dedicated Alternate for the City of Fellsmere; and **Councilmember Sabin Abell**, City of Vero Beach.

Absent was: **Kevin Doty**, Civic Association; **Council Member Susan Adams**, City of Fellsmere; **Louis Schacht**, Agriculture Interest; and **Adam Bolinger**, Development Community (all excused).

Also present were: **Commissioner Peter O'Bryan**, IRC Commissioner Liaison; **Joseph Flescher**, IRC County Commissioner, District 2; **Marian Fell and George Glenn**, IRC Assistant County Attorneys; **Roland DeBlois**, IRC Chief of Environmental Planning; **Robert Keating**, Community Development Director; and **Terri Collins-Lister**, Commissioner Assistant, District 4. Others present were: **Tim Glover**, Friends of St. Sebastian River; **Jason Nunemaker**, City Manager, City of Fellsmere; **Ralph Monticello**, Indian River Land Trust; **Charlie Wilson**, Media Arts Group; **Charles Lee**, Audubon of Florida; **Jens Tripson** and **Graham Cox**, PIAS; **Joseph Paladin**, Black Swan Consulting; **Robert Christianson** and **Ed Garland**, St. Johns Water Management District (SJWMD); **Henry Stephens**, Press Journal; and **Richard Reuben**, Interested Citizen.

Call to Order (00:00:05)

Chairman Baker called the meeting to order at 1:30 p.m. and introductions

were made.

Approval of February 13, 2008 Meeting Minutes (00:02:50)

ON MOTION BY Mr. Granse, SECONDED BY Mr. Rogers, the members voted unanimously (15-0) to approve the minutes of the meeting of February 13, 2008 as presented.

Consideration of a Proposed Intergovernmental Management Agreement with the St. Johns River Water Management District for the North Sebastian Conservation Area Addition (a.k.a Roseland Satellite Field Tract LAAC Site)
(00:03:18)

Mr. Roland DeBlois, IRC Chief Environmental Planner, reviewed the information contained in his memorandum, a copy of which is on file in the Commission Office. He pointed out a clause contained in the proposed agreement which states that any party may terminate the agreement with or without cause with a written 90-day notice of its intent to do so. Mr. DeBlois noted that IRC staff felt that termination of the agreement was unlikely and less likely to ever be used for any purpose other than uses compatible with conservation.

A discussion ensued on the 33% undivided title interest in Roseland Satellite Field Tract. There was concern if one of the parties involved terminated their agreement and if a conservation easement could be placed over the property by multiple conservation organizations to hold that easement for additional protection.

ON MOTION BY Ms. Broda, SECONDED BY Mayor Coy, to approve staff's recommendation that the Board of County Commissioners approve the Intergovernmental Management Agreement for the North Sebastian Conservation Area Addition and to include in the title a conservation easement with a neutral third party, like the Indian River Land Trust, to hold a conservation easement on the property.

UNDER DISCUSSION, a question was raised on the third party holding a conservation easement on the property. Concern was expressed whether or not it was prudent to give a conservation easement to a private non-profit

organization instead of to a public agency due to implications relating to county management.

THE CHAIRMAN CALLED THE QUESTION and the vote was (8-7) to approve the Motion. Mr. Rogers, Mr. Granse, Mayor Savage, Councilmember Oatway, Councilmember Atchison, Ms. Work and Ms Waddell opposed.

Commissioner Liaison O'Bryan asked for clarification as to why those opposed to the motion voted against it. The consensus was those opposed did not support giving a third party conservation easement to a private organization.

Consideration of County Purchase of 460 Acres from the Corrigan Family Partnership for Exchange with the St. Johns River Water Management District for Purposes of Conserving the 460 Acres and the Sand Lake Tract
(00:44:35)

Mr. George Glenn, IRC Assistant County Attorney, reviewed the information contained in his memorandum, a copy of which is on file in the Commission Office.

Mr. DeBlois added that there was a section in the County Environmental Lands Program Guide which allowed the purchase to be considered as an "emergency acquisition" for expenditure of bond funds.

There was a discussion on the possibility of matching funds from the Florida Communities Trust (FCT) which Mr. DeBlois indicated would not be available in this case due to SJWMD ownership. A discussion followed by Mr. Robert Christianson, SJWMD.

Ms. Veron questioned the availability of funds and whether the Jones's accepted the proposal for Jones's Pier. Mr. DeBlois replied in the affirmative that the Jones's accepted the purchase price of \$6.75 million. He confirmed there was approximately \$6.1 million cash balance and noted there would be a 45% match from the FCT for \$3.8 million in County Bond Funds. He also anticipated receiving funds for \$1.4 million in the near future and the following year another \$8 million.

Mr. Peter O'Bryan, Commissioner Liaison, explained the BCC's appeal to keep the Sand Lake Tract in conservation and gave a timeline of events. He noted that SJWMD promised to provide public access and recreational activities for the Sand Lake Tract and supported the proposed settlement.

A lengthy discussion ensued on an independent third party group holding the conservation easement such as the Governor's Cabinet.

ON MOTION BY Mr. Walther, SECONDED BY Mayor Coy, to recommend the Board of County Commissioners purchase the 460 acre tract, retain a conservation easement with a conservation easement held by a third party for purposes of disposition on the tract and deed the 460 tract to the St. John's Water Management District for an undivided interest in the Sand Lake Tract, contingent upon the County's appraisals supporting the values described herein.

UNDER DISCUSSION, Mayor Savage asked who would maintain the 460 acre tract. Commissioner O'Bryan replied the SJWMD would be the lead manager and guaranteed public access and recreational opportunities on the Sand Lake Tract. A discussion followed on the conservation easement held by a third party. Commissioner O'Bryan asked Attorney Fell if a portion of the ownership interest could be assigned to a third party which gave ownership rights with no management rights. Attorney Fell stated it was something that would need to be coordinated closely with Bond Counsel.

THE CHAIRMAN CALLED THE QUESTION and the members voted unanimously (15-0) to approve the Motion.

Consideration of a Conservation Easement in Lieu of Undivided Title Interest in the Fellsmere Preserve LAAC Site due to FCT Trust Program Rules (01:36:59)

Mr. Roland DeBlois, IRC Chief Environmental Planner, reviewed the information contained in his memorandum, a copy of which is on file in the Commission Office. He emphasized there would be public access and the City of Fellsmere would be responsible for the public access improvements and management. A discussion followed on the total amount of funds that the City of Fellsmere was receiving for the Fellsmere Preserve project.

ON MOTION BY Councilmember Atchison, SECONDED BY Ms. Broda, the members voted unanimously (15-0) to recommend the Board of County Commissioners obtain a conservation easement on the Fellsmere Preserve property in lieu of undivided title interest and proceed as a 10% cost-share partner in acquisition of the Fellsmere Preserve property.

ON MOTION BY Councilmember Oatway, SECONDED BY Ms. Broda, the members voted (14-1) to support the City of Fellsmere request to obtain the additional outparcels next to the Fellsmere Preserve property. Mayor Coy opposed.

Other Business (01:36:59)

Ms. Broda asked if Mr. DeBlois could provide an inventory of the properties that had been purchased with LAAC funds and their respective ownerships.

Ajournment

There being no further business, the meeting adjourned at 3:25 p.m.