



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

**COMMISSION AGENDA  
TUESDAY, OCTOBER 11, 2016**

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

**COUNTY COMMISSIONERS      DISTRICT**

Bob Solari, Chairman	District 5	Present	Jason E. Brown, 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	Present
Peter D. O'Bryan	District 4	Present	Court and Comptroller	
Tim Zorc	District 3	Present	Shelli Gagnon, 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**              Jason E. Brown, County Administrator
4.      **ADDITIONS/DELETIONS TO THE AGENDA / EMERGENCY ITEMS**

Addition: Request made by the Chairman to speak regarding Hurricane Matthew

9:04 a.m.      Addition: Emergency Item 14.D.1. Request to discuss Hurricane Matthew debris clean up

**ON MOTION** by Commissioner Davis, **SECONDED** by Vice Chairman Flescher, the Board unanimously approved the Agenda as amended.

5.      **PROCLAMATIONS and PRESENTATIONS**

9:05 a.m.              Chairman Solari expressed sincere gratitude and appreciation for the coordinated efforts of all of the agencies and personnel involved in providing

information and expediting the recovery during Hurricane Matthew.

9:09  
a.m.

County Administrator Jason Brown provided an overview of Hurricane Matthew through a PowerPoint Presentation; and (1) gave a detailed timeline of the events leading up to, during, and after the storm; (2) presented information on the number of customers affected by power outages and the efforts made to restore power to the County; and (3) discussed the substantial amount of debris to be removed, along with the cleanup efforts that are currently taking place.

Administrator Brown also provided information on the damage that the beaches and roads sustained from the storm, and gave a preliminary estimate of \$14.5 million in total damages Countywide. He noted the tremendous amount of work and sacrifice involved in getting the County back up and running, and gave his sincere appreciation to the Emergency Services operation, Road & Bridge, Fire Rescue, Management Staff, Law Enforcement, and all other agencies involved for their efforts before, during and after the storm.

Commissioner Davis compared the differences in technology and the events that occurred between the hurricanes in 2004 and Hurricane Matthew. He commented on how valuable social media is in providing preparedness information to the public. He also addressed the need for a mobile cell phone tower for use during an emergency, and the need to find a solution to alleviate the traffic issues at Yeehaw Junction during an evacuation.

A short discussion ensued about the use of portable cell phone towers and improvements that could be made to prepare for future emergencies. The Board commended staff for their outstanding performance and thanked the citizens of Indian River County for heeding the warnings and making proper preparations for the storm.

6. **APPROVAL OF MINUTES**

None

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

None

8. **CONSENT AGENDA**

None

9. **CONSTITUTIONAL OFFICERS and GOVERNMENTAL AGENCIES**

None

10. **PUBLIC ITEMS**

A. **PUBLIC HEARINGS**

- 9:51  
a.m.
1. Request from Stellar Transport for a Class E1 Certificate of Public Convenience and Necessity to provide Wheelchair and Non-Emergency Stretcher transports originating from Indian River County (memorandum dated September 26, 2016) 1-13

**Administrative**

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

**The Chairman opened the Public Hearing for comments.**

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

**ON MOTION by Commissioner Davis, SECONDED by Vice Chairman Flescher, the Board voted unanimously to continue this Public Hearing to the October 18, 2016 meeting.**

- 9:52  
a.m.
2. Final Hearing: Consideration of Amendments to Land Development Regulations (LDRs) Chapters 901 (Definitions), 911 (Zoning), and 971 (Specific Land Use Criteria) to Establish Regulations for Medical Marijuana Treatment Centers (memorandum dated October 5, 2016) 14-30

**Legislative**

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

**The Chairman opened the Public Hearing for comments.**

**Bob Johnson, Coral Winds Subdivision, spoke in opposition of medical marijuana.**

**The Chairman closed the Public Hearing.**

**ON MOTION by Commissioner Davis, SECONDED by Vice Chairman Flescher, the Board voted unanimously to continue this Public Hearing to the October 18, 2016 meeting.**

**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**

None

**D. Human Resources**

None

**E. Office of Management and Budget**

None

**F. Public Works**

None

G. Utilities Services

None

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

None

D. Commissioner Peter D. O'Bryan

1. Request to discuss Hurricane Matthew debris removal on private roads  
**Commissioner O'Bryan spoke on the removal of hurricane related debris from private roads and requested a policy change to include the removal of vegetative hurricane debris from private roads and to have those property owners submit a Right of Entry Permit Agreement to hold harmless the County and its subcontractors for any damages that may occur as a result of the removal.**

**A discussion ensued regarding the debris removal for both public and private roads and the necessity for the Right of Entry Permit Agreement. The Board also discussed the need for the document to be submitted by the property owner or by an authorized agent of the Homeowner's Association of a private subdivision or private road.**

**Administrator Brown suggested the use of outside emergency contractors to provide service to the public roads, and the use of Public Works to provide service to the private roads.**

**David Nolte, 900 Royal Palm Place, inquired about reimbursement to the citizens who have already paid their own private contractors for debris removal.**

9:54  
a.m.

Susan Boyd, 8025 24<sup>th</sup> Street, sought and received information from the Board regarding the Right of Entry Permit Agreement and how it would apply to her circumstances. After a brief discussion, the Board instructed Ms. Boyd to speak with the County Attorney in an attempt to work out the details.

Trisha Stoddard, President of Forest Lake Homeowner's Association, spoke about the savings that the citizens who live on private roads provide to the County by repairing and maintaining their own roads and lighting, and expressed concern that those homeowners were being denied services that every other tax paying citizen in the County receives.

County Administrator Brown addressed Ms. Stoddard's concerns, and stated that staff had received direction from the Board to provide a press release by the end of the day that will address these issues.

Susan Adams, 100 South Pine St, echoed Ms. Stoddard's comments, and stated that these same issues will be affecting the residents of Fellsmere and Vero Lake Estates, and made a request to include any pertinent information regarding the issues addressed today to the press release and to attach the Right of Entry Permit Agreement for citizens to download to expedite the process.

Joseph Paladin, President of Black Swan Consulting, addressed the Board regarding the Right of Entry Permit and requested for it to be placed on the web with the ability to be returned through email.

**ON MOTION** by Commissioner O'Bryan, **SECONDED** by Vice Chairman Flescher, the Board voted unanimously to authorize staff to amend policy to include the removal of hurricane related vegetative debris on private roads within the unincorporated areas of Indian River County with release documentation, and directed staff to form a press release to distribute to the media by the end of the day today.

Bart Gaetjens, Florida Power & Light (FPL), provided an update on FPL'S restoration efforts, observed where improvements could be made and expressed appreciation to the Board, the personnel that came from all over the country, and all those individuals involved in the response to the storm.

E. Commissioner Tim Zorc

None

15. SPECIAL DISTRICTS AND BOARDS

A. Emergency Services District

None

B. Solid Waste Disposal District

None

C. Environmental Control Board

None

16. ADJOURNMENT

There being no further business, the Chairman declared the meeting adjourned at **10:59 a.m.**

ATTEST:

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

\_\_\_\_\_  
Joseph E. Flescher, Chairman

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

Approved: November 22, 2016

BCC/SMG/2016Minutes