

# Indian River County Florida

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



## Meeting Minutes - Final

**Tuesday, October 18, 2016**

**9:00 AM**

**Commission Chambers**

## **Board of County Commissioners**

*Bob Solari, Chairman, District 5  
Joseph E. Flescher, Vice Chairman District 2  
Wesley S. Davis, District 1  
Peter D. O'Bryan, District 4  
Tim Zorc, District 3*

**Jason E. Brown, County Administrator  
Dylan Reingold, County Attorney  
Jeffrey R. Smith, Clerk of the Circuit Court and Comptroller**

**1. CALL TO ORDER****ROLLCALL**

**Present:** 5 - Chairman Bob Solari  
Vice Chairman Joseph Flescher  
Commissioner Wesley Davis  
Commissioner Peter O'Bryan  
Commissioner Tim Zorc

**2. INVOCATION**

Deputy Teddy Floyd, Indian River County Sheriff's Office

**3. PLEDGE OF ALLEGIANCE**

Commissioner Joseph Flescher

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

Addition: Emergency Item 11. County Administrator Update on Hurricane Matthew

Addition: Emergency Item 14.D.1. Discussion on Suicide Awareness/Prevention

Move: Item 14.E.1. to be heard prior to Item 10.

Addition: Emergency Item 15.B.2. Eighth Amendment to Feedstock Supply Agreement

Addition: Emergency Item 15.B.3. Agreement with Florida Department of Transportation (FDOT) for Hurricane Generated Vegetative Debris Disposal from State Roads

**A motion was made by Vice Chairman Flescher, Seconded by Commissioner Zorc, to approve the agenda as amended. The motion carried by the following vote:**

**Aye:** 5 - Chairman Solari, Vice Chairman Flescher, Commissioner Davis, Commissioner O'Bryan, and Commissioner Zorc

**5. PROCLAMATIONS and PRESENTATIONS**

**A. 16-911** Presentation of Proclamation Designating the Month of October 2016, as National Arts and Humanities Month

Commissioner O'Bryan read and presented the Proclamation to Patrick Farrah, Chairman of the Board of Directors; and Donna Lindsay, Secretary to the Board of Directors of the Cultural Council of Indian River County.

- B. 16-864** Presentation of Proclamation Designating the Day, October 23, 2016, as Breast Cancer Awareness/Wear Pink Day in Indian River County, Florida
- Chairman Solari read and presented the Proclamation to numerous breast cancer survivors in recognition of Breast Cancer Awareness.
- C. 16-871** Presentation of a Resolution In Support of The One Cent Sales Tax Referendum by Indian River County Chamber of Commerce
- Penny Chandler, President of the Indian River County Chamber of Commerce, presented the Board with a Resolution from the Chamber's Board of Directors, in support of the One Cent Sales Tax Referendum.

## **6. APPROVAL OF MINUTES**

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

- A. 16-862** Resignation of the Interested in Tourist Development, Not an Operator Representative to the Tourist Development Council
- Attachments:** [TDC - Resignation of Susan Adams](#)
- B. 16-867** Proclamation and Retirement Award Honoring Linda Kern on Her Retirement from Indian River County Board of County Commissioners Library Services Division with Eleven Years of Service
- Attachments:** [Linda Kern Proclamation2](#)  
[Linda Kern Service Award](#)
- Commissioner O'Bryan recognized Linda Kerns on her retirement.
- C. 16-866** Proclamation and Retirement Award Honoring Ronald Hunt on His Retirement from Indian River County Board of County Commissioners Water Production Division with Twenty-Five Years of Service
- Attachments:** [Ron Hunt Proclamation](#)  
[Ron Hunt Service Award](#)
- Commissioner O'Bryan recognized Ronald Hunt on his retirement.
- D. 16-872** Proclamation and Retirement Award Honoring Edward Majcher on His Retirement from Indian River County Board of County Commissioners Department of Emergency Services/Fire Rescue With Twenty-Seven Years of Service
- Commissioner O'Bryan recognized Edward Majcher on his retirement.
- E. 16-873** Proclamation and Retirement Award Honoring Daniel Brooks on His

Retirement from Indian River County Board of County Commissioners  
Department of Emergency Services/Fire Rescue With Thirty Years of  
Service

Commissioner O'Bryan recognized Daniel Brooks on his retirement.

- F. 16-875** Florida Public Service Commission Consummating Order  
No.PSC-16-0362-TRF-EI re: Petition for approval to include in base rates  
the revenue requirement for the Hines chillers uprate project, by Duke  
Energy Florida, LLC has been received and is available for review in the  
Office of the Clerk to the Board
- G. 16-876** Florida Public Service Commission Order No.PSC-16-0423-TRF-EI in re:  
Petition for approval of modification to and extension of the approved  
economic development and re-development rider experimental pilot tariffs,  
by Duke Energy Florida, LLC has been received and is available for review  
in the Office of the Clerk to the Board
- H. 16-877** Florida Public Service Commission Order No. PSC-16-0424-TRF-EI in re:  
Petition for approval of 2016 revisions to underground residential and  
commercial differential tariffs, by Florida Power & Light Company has been  
received and is available for review in the Office of the Clerk to the Board
- I. 16-878** Florida Public Service Commission Order No. PSC-16-0427-PAA-EU in re:  
Petition for modification of territorial order based on changed legal  
circumstances emanating from Article VIII, Section 2(c) of the Florida  
Constitution, by the Town of Indian River Shores has been received and is  
available for review in the Office of the Clerk to the Board
- J. 16-879** Sebastian River Improvement District Fiscal Year 2016-2017 Regular Board  
Meeting Schedule has been received and is available for review in the  
Office of the Clerk to the Board

## **8. CONSENT AGENDA**

**A motion was made by Vice Chairman Flescher, seconded by Commissioner O'Bryan, to approve the Consent Agenda as amended, pulling Items 8.B. and 8.F. for discussion. The motion carried by the following vote:**

**Aye:** 5 - Chairman Solari, Vice Chairman Flescher, Commissioner Davis, Commissioner O'Bryan, and Commissioner Zorc

- A. 16-880** Approval of Checks and Electronic Payments - September 23, 2016 to  
September 29, 2016

**Approved**

- B. 16-881** Banking and Lockbox Services Contracts

**Recommended Action:** Selection committee recommends awarding the banking services contract to Wells

Fargo Bank and awarding the lockbox services contract to Regions Bank, with each contract to have an initial term of three years and an option to renew for two additional terms of two years each. Upon Board approval of the recommendations, we will work with the County Attorney's Office and bring back the contracts for approval by the Board at a later date.

Commissioner O'Bryan pulled this item to voice his concerns over the recommended banking services contract with Wells Fargo Bank, due to the recent scandal. He recommended awarding the banking services contract to TD Bank, which was ranked second by the selection committee.

Clerk of the Circuit Court and Comptroller Jeffrey Smith spoke about the Request for Proposal (RFP) process for banking contracts; pointed out that the scandal was within the retail section, not the governmental and institutional banking division; and responded to the Board's questions.

Wells Fargo Representatives Paul Vincent, Todd Morley, and Jackie Kobialko addressed the Board regarding the bank's scandal, rectifying behaviors, and rebuilding trust with the community.

**A motion was made by Commissioner O'Bryan, seconded by Commissioner Zorc, to accept staff's recommendation of Regions Bank for lockbox services, with an initial term of three years and an option to renew for two additional terms of two years each. The motion carried by the following vote:**

**Aye:** 5 - Chairman Solari, Vice Chairman Flescher, Commissioner Davis, Commissioner O'Bryan, and Commissioner Zorc

**A motion was made by Commissioner O'Bryan, seconded by Commissioner Davis, awarding the banking services contract to TD Bank, with an initial term of three years and an option to renew for two additional terms of two years each. The motion carried by the following vote:**

**Aye:** 5 - Chairman Solari, Vice Chairman Flescher, Commissioner Davis, Commissioner O'Bryan, and Commissioner Zorc

- C. 16-882** First Amendment to Indian River County Public Works Department Professional Surveying & Mapping Services Master Agreement for Annual Professional Surveying & Mapping Services - IRC Project No. 1605 with Morgan & Eklund, Inc.

**Recommended Action:** The County Attorney's Office recommends ratifying the First Amendment to the Indian River County Public Works Department Professional Surveying and Mapping Services Master Agreement and authorize the Chairman to execute the same.

**Approved staff's recommendation.**

- D. 16-883** Escheated Property Located Within the Municipal Boundaries of the City of Fellsmere

**Recommended Action:** Authorize the Chairman of the Board of County Commissioners to execute the County Deed conveying the property to the City of Fellsmere, pursuant to Section 197.592(3), Florida Statutes.

**Approved staff's recommendation.**

**E. 16-884 Resolutions Canceling Taxes on Properties Acquired by Indian River County for Public Purposes**

**Recommended Action:** Authorize the Chairman of the Board of County Commissioners to execute the attached three Resolutions to cancel certain taxes upon publicly owned lands, and the Clerk to send a certified copy of same to the Tax Collector and the Property Appraiser so that any delinquent or current taxes can be cancelled.

**Approved Resolution 2016-105, Cancelling certain taxes upon publicly owned lands, pursuant to Section 196.28, Florida Statutes. (Spanish Lakes Subdivision, dedicated to Indian River County by Florida Power and Light Company for cornerclip for right-of-way)**

**Approved Resolution 2016-106, Cancelling certain taxes upon publicly owned lands, pursuant to Section 196.28, Florida Statutes. (Ventures Trust 2013-I-H-R by MCM Capital Partners, LLC, its trustee for future 43rd Avenue right-of-way)**

**Approved Resolution 2016-107, Cancelling certain taxes upon publicly owned lands, pursuant to Section 196.28, Florida Statutes. (Michael J. and Lisa B. Giessert for future 26th Street right-of-way)**

**F. 16-885 Board of Trustees of the Internal Improvement Trust Fund of the State of Florida v. Kim Blair, Jay Scott, Carol Scott and Indian River County**

**Recommended Action:** The County Attorney's Office recommends that the Board of County Commissioners approve the Consent Final Judgment and the Quitclaim Deed and authorize the Chairman to execute the Consent Final Judgment, the Quitclaim Deed and any and all documents necessary to effectuate the Consent Final Judgment.

Commissioner O'Bryan noted this was the final settlement of the "stilt house" case and requested the County Attorney to provide the details regarding the Consent Final Judgment and the Quitclaim Deed.

County Attorney Dylan Reingold summarized the details of the case and ensured the Board's concerns were addressed.

**Approved staff's recommendation. The motion carried by the following vote:**

**Aye:** 5 - Chairman Solari, Vice Chairman Flescher, Commissioner Davis, Commissioner O'Bryan, and Commissioner Zorc

**G. 16-886 Countywide Septic to Sewer Conversion Evaluation/Ranking - Work Order No. 2 to Schulke, Bittle & Stoddard, LLC**

**Recommended Action:** Staff recommends approval of Work Order No. 2 authorizing Countywide septic to sewer services and requests to authorize the Chairman to execute Work Order No. 2 on their behalf for a lump sum amount of \$86,300.00 to Schulke, Bittle & Stoddard,

LLC.

**Approved staff's recommendation.**

- H.     **16-887**     Change Order No. 1 with Harn R/O Systems for the Implementation of Membrane Replacement for RO Skids at North County RO Water Treatment Plant

**Recommended Action:** Staff requests the BCC to authorize the Chairman to execute Change Order No. 1 on their behalf to increase the sum amount to Harn R/O Systems, Inc. by \$90,007.58, thereby increasing the total contract amount to \$1,131,636.58.

**Approved staff's recommendation.**

- I.     **16-888**     2016 - Fall and Winter Holiday Schedules for the Indian River County Library System, Aquatic Centers, Sandridge Golf Course, Indian River County Public Shooting Range, Recreation Aquatic Centers, iG Recreation Center and County Parks

**Recommended Action:** Staff recommends observance of Veteran's Day, Thanksgiving, Christmas, and New Year's holidays by the Library System, Sandridge Golf Clubhouse, Shooting Range, the Aquatic Centers, and iG Recreation Center's operations. With the Board's acceptance and approval, these holiday hours will be observed and posted at their respective county facilities sites, as well as Indian River County's website.

**Approved staff's recommendation.**

- J.     **16-889**     Recommended Ranking of Consultants - RFQ 2016016 - 58th Avenue Pavement Reclamation and Resurfacing Project - 57th Street to CR-510

**Recommended Action:** Staff recommends the Board approve the committee's final ranking and authorize negotiations with the top ranked firms (and the subsequently ranked firms, should negotiations with any higher ranked firms fail) in accordance with FS 287.055, Consultant's Competitive Negotiation Act.

**Approved staff's recommendation.**

- K.     **16-890**     Recommendation of Award - Bid 2017010 - Signal Repairs at 20th Street and 10th Avenue

**Recommended Action:** Staff recommends the Board award Bid 2017010 to Traffic Control Devices, Inc. and authorize the Purchasing Division to issue a Purchase Order for the work upon review and approval of the required insurance by Risk Management.

**Approved staff's recommendation.**

- L.     **16-891**     Renewal of Pictometry Connect Software Agreement

**Recommended Action:** Staff requests that the Board of County Commissioners authorize the execution of the agreement with Pictometry in the amount of \$8,850.00 and requests that the Board authorize the Chairman to execute the Agreement once reviewed and approved by the County Attorney.

Approved staff's recommendation.

**M. 16-892** Reject Warehouse Bids

**Recommended Action:** The staff of the Utilities Department recommends that the Board of County Commissioners (BCC) reject all bids so that staff can re-advertise the bid with a more inclusive list of bid items. Secondly, staff also recommends that the BCC approve the extension of the current annual bids, which expired on September 30, 2016, until a new warehouse stock bid is advertised and awarded.

Approved staff's recommendation.

**N. 16-893** Approval of a Public Transportation Supplemental Joint Participation Agreement (JPA) with the Florida Department of Transportation (FDOT) for Section 5339 Public Transportation Capital Funds

**Recommended Action:** The staff recommends that the Board of County Commissioners approve the Public Transportation Supplemental Joint Participation Agreement and adopt the resolution authorizing the Chairman to execute the agreement.

**Approved Resolution 2016-108, authorizing the execution of a Public Transportation Supplemental Joint Participation Agreement with the Department of Transportation, along with staff's recommendation.**

**O. 16-894** FDOT Small County Outreach Program (SCOP) Amendment Number One and Resolution Authorizing the Chairman's Signature for Construction (Resurfacing) and Construction Engineering Inspection (CEI) Services of CR512 from Roseland Road to US-1

**Recommended Action:** Staff recommends the Board of County Commissioners approve the Small County Outreach Program (SCOP) Amendment Number One and Resolution, and authorize the Chairman to execute the same.

**Approved Resolution 2016-109, with the Florida Department of Transportation authorizing the Chairman's execution of Amendment Number One to the Small County Outreach Program Agreement for Construction (resurfacing) and Construction Engineering Inspection (CEI) services of CR512 from Roseland Road to US-1, along with staff's recommendation.**

**P. 16-895** FDOT Small County Outreach Program (SCOP) Agreement and Resolution Authorizing the Chairman's Signature for Reconstructing 58th Avenue from 26th Street to 57th Street, IRC Project No. 1324, FM No. 434840-1-54-01

**Recommended Action:** Staff recommends the Board of County Commissioners approve the updated Small County Outreach Program (SCOP) Agreement and Resolution, and authorize the Chairman to execute the same.

**Approved Resolution No. 2016-110, with the Florida Department of Transportation authorizing the Chairman's execution of a Small County Outreach Program Agreement (Updated) for reconstructing of 58th Avenue from 26th Street to 57th**



Street, along with staff's recommendation.

- Q. 16-896** Acceptance and Approval of Expenditures for Emergency Management State-Funded Subgrant Agreement 17-BG-83-10-40-01-037

**Recommended Action:** Staff recommends the acceptance of State Funded Subgrant Agreement 17-BG-83-10-40-01-037 and approval of the expenditures.

**Approved staff's recommendation.**

- R. 16-897** Acceptance and Approval of Expenditures of Emergency Management Federally-Funded Subgrant Agreement and Expenditure Approval 17-FG-P9-10-40-01-104

**Recommended Action:** Staff recommends approval of the Federally Funded Subgrant Agreement (17-FG-P9-10-40-01-104), associated expenditures and authorization of the Chairman to execute agreement between Indian River County Emergency Management and the State of Florida, Division of Emergency Management.

**Approved staff's recommendation.**

- S. 16-898** Post Hurricane Matthew Beach Profile Surveys - Contract No. 1605; Work Order No. 1 - Morgan and Eklund, Inc.

**Recommended Action:** Staff recommends for the Board to approve Work Order No. 1 to the Professional Land Surveying and Mapping Services Contract No. 1605 with Morgan and Eklund, Inc. and authorize the Chairman to execute on behalf of the County.

**Approved staff's recommendation.**

- T. 16-899** Approval of a Public Transportation Supplemental Joint Participation Agreement (SJPA) with the Florida Department of Transportation (FDOT) for Block Grant Funds

**Recommended Action:** Staff recommends that the Board of County Commissioners approve the Public Transportation Supplemental Joint Participation Agreement and adopt the resolution authorizing the Chairman to execute the agreement.

**Approved Resolution No. 2016-111, authorizing the execution of a Public Transportation Supplemental joint Participation Agreement with the Florida Department of Transportation, along with staff's recommendation.**

- U. 16-900** Approval of a Public Transportation Supplemental Joint Participation Agreement (SJPA) with the Florida Department of Transportation (FDOT) for Rural Service Funds

**Recommended Action:** Staff recommends that the Board of County Commissioners approve the Public Transportation Supplemental Joint Participation Agreement and adopt the resolution authorizing the Chairman to execute the agreement.

**Approved Resolution No. 2016-112, authorizing the execution of a Public Transportation Supplemental Joint Participation Agreement with the Florida Department of Transportation, along with staff's recommendation.**

---

**9. CONSTITUTIONAL OFFICERS and GOVERNMENTAL AGENCIES****10. PUBLIC ITEMS****A. PUBLIC HEARINGS**

1.       **16-901**       Continued from Meeting of October 11, 2016  
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 (Administrative)

**Recommended Action:** Indian River County Ordinance, Chapter 304, Life Support and Wheelchair Services states that the issuance of a Certificate of Public Convenience and Necessity shall be regulated by additional needs of the public.

Staff recommends that the Board of County Commissioners based upon the needs assessment as outlined in Indian River County Ordinance, Chapter 304.07, to approve and grant a Class "E1" COPCN to Stellar Transport for a period of two (2) years.

Proof of Publication of Advertisement for this hearing is on file in the Office of the Clerk to the Board.

Assistant Fire Chief Brian Burkeen highlighted the Indian River County Codes and asked the Board to consider granting a Class E1 Certificate of Public Convenience and Necessity (COPCN) to Stellar Transport.

The Chairman opened the public hearing; there being no speakers the Chairman closed the public hearing.

**A motion was made by Vice Chairman Flescher, seconded by Commissioner O'Bryan, to approve and grant a Class "E1" Certificate of Public Convenience and Necessity (COPCN) to Stellar Transport for a period of two (2) years. The motion carried by the following vote:**

**Aye:** 5 - Chairman Solari, Vice Chairman Flescher, Commissioner Davis, Commissioner O'Bryan, and Commissioner Zorc

2.       **16-902**       Continued from Meeting of October 11, 2016  
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 (Legislative)

**Recommended Action:** Staff recommends that the Board of County Commissioners adopt the proposed LDR amendment ordinance and authorize the County Attorney to advertise for a public hearing for an ordinance amending Chapter 315.

Proof of Publication of Advertisement for this hearing is on file in the Office of the Clerk to the Board.

Community Development Director Stan Boling provided a recap of the amendments to the Land Development Regulations (LDRs). He also pointed out that there are only two parcels in the unincorporated areas of the County that would possibly qualify for the placement of a medical marijuana treatment center if the Constitutional Amendment is passed by voters next month.

County Attorney Dylan Reingold responded to questions and concerns from the Board.

The Chairman opened the public hearing.

Bob Johnson, Coral Wind Subdivision, supported zoning regulations, but opposed voting for the marijuana amendments. He recommended voting "no" on the ballot.

Bob McPartlan, 650 Belfast Terrace, supported the LDR amendments. He asked the Board to consider the hours of operation and the costs associated with providing security to the medical marijuana treatment centers.

Sheriff Deryl Loar spoke about legislation, resources, and the security measures in place for the treatment centers.

There being no additional speakers, the Chairman closed the public hearing.

**A motion was made by Commissioner O'Bryan, seconded by Commissioner Davis, to adopt Ordinance 2016-011, concerning amendments to its Land Development Regulations (LDRs); providing for amendments to Chapter 901, Definitions, Chapter 911, Zoning, and Chapter 971, Regulations for Specific Land Uses; by amending Section 901.03, establishing the definition for "Marijuana" and "Medical Marijuana Treatment Center"; by amending Section 911.11(4), Industrial Uses; by amending Section 971.13, Commercial Uses to establish criteria for Medical Marijuana Treatment Centers; and by providing for repeal of conflicting provisions; codification; severability; and effective date. The motion carried by the following vote:**

**Aye:** 5 - Chairman Solari, Vice Chairman Flescher, Commissioner Davis, Commissioner O'Bryan, and Commissioner Zorc

**A motion was made by Commissioner O'Bryan, seconded by Vice Chairman Flescher, to authorize the County Attorney to advertise for a public hearing to amend Chapter 315. The motion carried by the following vote:**

**Aye:** 5 - Chairman Solari, Vice Chairman Flescher, Commissioner Davis, Commissioner O'Bryan, and Commissioner Zorc

**B. PUBLIC DISCUSSION ITEMS**

1.       **16-903**        Request to Speak from The Laurels Community Association, Inc. Regarding Much Needed Repairs In Our Community. Entrance Repairs, Sidewalks Repairs, Regrading of 4000 Block of 9th Lane for Proper Drainage, Change Sidewalks so They are Handicap Accessible

Michael McCann, 4040 9th Place, President of the Laurels Homeowners Association, used a PowerPoint presentation to outline his request for repairs in the Laurels community. He requested the Board to authorize the Roads and Bridges Department to make the necessary repairs.

Public Works Director Rich Szpyrka said he needed time to assess Mr. McCann's concerns.

2.       **16-904**        Request to Speak from Wanda Scott, Gifford Economic Development Council Regarding Updating Gifford Community Activities

Wanda Scott, 4306 26th Avenue, representing the Gifford Economic Development Council, provided information on how the County's support services and the Emergency Management Plan helped the Gifford community during Hurricane Matthew. She expressed gratitude for earlier repairs within the Gifford community, which allowed for minimal damage and flooding during Hurricane Matthew.

The Chairman declared the meeting in recess at 10:30 a.m. to allow for the scheduled time certain Attorney-Client Session.

Ms. Scott concluded her presentation following Item 10.B.3.

3.       **16-905**        Request to Speak from Brian Heady Regarding Elected Officials Doing the Right Thing

Brian Heady asked the Board to "do the right thing" regarding issues that pertain to commercial events and turtle lighting violations.

The Board and staff responded to Mr. Heady's issues and concerns.

**C. PUBLIC NOTICE ITEMS****11. COUNTY ADMINISTRATOR MATTERS**

- 16-927**        Addition: Emergency Item 11. County Administrator Update on Hurricane Matthew

County Administrator Jason Brown provided an update on Hurricane Matthew issues and debris removal.

## 12. DEPARTMENTAL MATTERS

### A. Community Development

### B. Emergency Services

### C. General Services

#### 1. Human Services

#### 2. Sandridge Golf Club

#### 3. Recreation

### D. Human Resources

### E. Office of Management and Budget

### F. Public Works

### G. Utilities Services

1. **16-906** Approval of Bid Award for IRC Bid No. 2017011 Annual Bid to Maintain and Operate the West Regional WWTF Wetlands System

**Recommended Action:** Staff requests the BCC to authorize the Chairman to execute on their behalf to retain Ecotech Consultants, Inc. for one year. Staff also requests that the BCC authorize the Purchasing Manager to renew for up to two one-year extensions subject to satisfactory performance and staff's determination that a renewal would be in the best interest of the County.

Director of Utility Services Vincent Burke discussed the bid results and the scope of work required for maintaining and operating the West Regional Wastewater Treatment Facility Wetlands System, and recommended the Board retain Ecotech Consultants, Inc. for one year.

Tim Maslin, President of Florida Environmental Consulting, Inc., explained his company's protest and appeal to the recommended award for the project.

County Purchasing Manager Jennifer Hyde discussed the Request for Proposal (RFP) and bid award process; and responded to the Board's questions regarding the bid proposals.

Director Burke outlined what was to be included in the base bid.

**A motion was made by Commissioner O'Bryan, seconded by Chairman Solari, to award the bid to Ecotech Consultants, Inc. for a one-year contract with no renewal options. The motion carried by the following vote:**

**Aye:** 4 - Chairman Solari, Vice Chairman Flescher, Commissioner Davis, and Commissioner O'Bryan

**Nay:** 1 - Commissioner Zorc

### **13. COUNTY ATTORNEY MATTERS**

- A. 16-907** Time Certain - 10:30 a.m. Attorney-Client Session  
Relating to Indian River County's Petition for Administrative Hearing  
Challenging the St. Johns River Water Management District's Notice of  
Intent to Issue Environmental Resource Permit No. 135214-2 for All Aboard  
Florida within Segment D08

The Board broke from the regular Board of County Commission Meeting at 10:30 a.m. to conduct the Attorney-Client Session that was scheduled for 10:30 a.m.

The Chairman read into the record the opening remarks of the Attorney-Client Session scheduled for 10:30 a.m. The estimated time of the closed Attorney-Client Session was 90 minutes. Present at the meeting were Commissioners Bob Solari, Joseph E. Flescher, Wesley S. Davis, Peter D. O'Bryan, and Tim Zorc. Also present were County Attorney Dylan Reingold, County Administrator Jason E. Brown, and Certified Court Reporter Greg Campbell.

The Board returned to the Chambers at 11:10 a.m. The Chairman announced the termination of the Attorney-Client Session, and the resumption of the County Commission meeting.

### **14. COMMISSIONERS MATTERS**

#### **A. Commissioner Bob Solari, Chairman**

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

#### **A. Commissioner Wesley S. Davis**

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

- 1. 16-926** Emergency Addition: Item 14.D.1. Discussion on Suicide Awareness Prevention

Commissioner O'Bryan announced the tragic loss of Indian River County Fire Rescue Battalion Chief David Dangerfield. He questioned whether licensed professional counselors should be brought to the Emergency Operation Centers for discussions on the stress on emergency personnel. He proposed having a meeting with Emergency Services Fire Chief John King and Union personnel to decide what precautions could be taken to prevent suicide and other illnesses for our first responders.

**E. Commissioner Tim Zorc**

1. **16-874** Economic Development Opportunities Along State Route 60

**Recommended Action:** No action taken

Commissioner Zorc provided an update on the cooperative public/private partnership between the Indian River State College and the surrounding land owners regarding the ingress and egress to their properties.

**15. SPECIAL DISTRICTS AND BOARDS****A. Emergency Services District****B. Solid Waste Disposal District**

The Board reconvened as the Board of Commissioners of the Solid Waste Disposal District. The minutes will be approved under the next Solid Waste Disposal District meeting.

1. **16-908** CCNA-2014-Work Order No. 5 to Geosyntec for Title V Air Operation Permit Renewal

**Recommended Action:** SWDD staff recommends that its Board approve CCNA-2014-Work Order No. 5 with Geosyntec in the amount of \$64,107 to provide engineering services for preparation and submittal to FDEP of the application for renewal of the Title V air operation permit, authorize the County Administrator to sign the application, and authorize the Chairman to execute the same.

Director of Utility Services Vincent Burke explained the details of the Title V Air Operation Permit renewal for the Clean Air Act requirements, and the proposed tasks of the Work Order.

**A motion was made by Commissioner O'Bryan, seconded by Vice Chairman Flescher, to: (1) approve CCNA-2014-Work Order No. 5 with Geosyntec in the amount of \$64,107 to provide engineering services for preparation and submittal to the Florida Department of Environmental Protection (FDEP) of the application for renewal of the Title V Air Operation Permit; (2) authorize the County Administrator to sign the application; and (3) authorize the Chairman to execute the same. The motion carried by the following vote:**

**Aye:** 5 - Chairman Solari, Vice Chairman Flescher, Commissioner Davis, Commissioner O'Bryan, and Commissioner Zorc

2. **16-912** Emergency Addition: Eighth Amendment to Feedstock Supply Agreement

**Recommended Action:** Staff recommends that the Board ratify and approve the Final Eighth Amendment to the Feedstock Supply Agreement and authorize the Chairman to execute same upon final review and approval by the County Attorney.

Director Burke provided background and recommended the Board ratify and approve the proposed Eighth Amendment to the Feedstock Supply Agreement between the Indian River County Solid Waste District and INEOS New Planet BioEnergy, LLC, to process excessive hurricane generated vegetative debris.

**A motion was made by Commissioner O'Bryan, seconded by Vice Chairman Flescher, to ratify and approve the Eighth Amendment, and authorize the Chairman to execute same upon final review and approval by the County Attorney. The motion carried by the following vote:**

**Aye:** 5 - Chairman Solari, Vice Chairman Flescher, Commissioner Davis, Commissioner O'Bryan, and Commissioner Zorc

**3. 16-913** Emergency Addition: Agreement with FDOT for Hurricane Generated Vegetative Debris Disposal from State Roads

**Recommended Action:** Staff recommends that the Board ratify and approve the Draft Hurricane Matthew Generated Vegetative Debris Disposal Agreement and authorize the Chairman to execute the Agreement upon final review and approval by the County Attorney.

Director Burke recapped the proposed Hurricane Matthew Generated Vegetative Debris Disposal Agreement between the Indian River County Solid Waste Disposal District and the Florida Department of Transportation (FDOT), to utilize the Indian River County landfill for the disposal of hurricane generated vegetative debris located on state highways.

**A motion was made by Vice Chairman Flescher, seconded by Commissioner O'Bryan, to ratify and approve the Agreement, and authorize the Chairman to execute same upon final review and approval by the County Attorney. The motion carried by the following vote:**

**Aye:** 5 - Chairman Solari, Vice Chairman Flescher, Commissioner Davis, Commissioner O'Bryan, and Commissioner Zorc

The Board of Commissioners adjourned the Solid Waste Disposal District meeting and reconvened as the Board of County Commissioners of the regular meeting.

### **C. Environmental Control Board**

## **16. ADJOURNMENT**

The Board reconvened as the regular meeting. There being no further business, the Chairman declared the meeting adjourned at 1:14 p.m.