

# 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, November 22, 2016**

**9:00 AM**

**Commission Chambers**

## **Board of County Commissioners**

*Bob Solari, Chairman, District 5  
Joseph E. Flescher, Vice Chairman District 2  
Susan Adams, District 1  
Peter 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 E. Flescher  
Commissioner Susan Adams  
Commissioner Peter D. O'Bryan  
Commissioner Tim Zorc

**2. INVOCATION**

Deputy Teddy Floyd, Indian River County Sheriff's Office

**3. PLEDGE OF ALLEGIANCE**

Dylan Reingold, County Attorney

**OATH OF OFFICE BOARD OF COUNTY COMMISSIONERS**

The Honorable Robert L. Pegg, Circuit Judge, Nineteenth Judicial Circuit Court of Florida, administered the Oath of Office to Commissioner Susan Adams, Commissioner Bob Solari, and Commissioner Tim Zorc.

**ELECTION OF BOARD OF COUNTY COMMISSION CHAIRMAN**

County Attorney Dylan Reingold conducted the election of the new Chairman and Vice Chairman of the Board of County Commissioners by opening the floor to nominations.

Commissioner O'Bryan nominated Commissioner Flescher for Chairman. There were no other nominations.

**A motion was made by Commissioner O'Bryan, seconded by Commissioner Solari, to close the floor to nominations. The motion carried by the following vote:**

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

**A motion was made by Commissioner O'Bryan, seconded by Commissioner Solari, to elect Commissioner Flescher as Chairman of the Board of County Commissioners, effective November 22, 2016. The motion carried by the following vote:**

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

**ELECTION OF BOARD OF COUNTY COMMISSION VICE-CHAIRMAN**

Commissioner Solari nominated Commissioner O'Bryan for Vice Chairman. There were no other nominations.

**A motion was made by Commissioner Adams, seconded by Commissioner O'Bryan, to close the floor to nominations. The motion carried by the following vote:**

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

Attorney Reingold passed the gavel to Chairman Flescher.

**A motion was made by Commissioner Solari, seconded by Chairman Flescher, to elect Commissioner O'Bryan as Vice Chairman of the Board of County Commissioners, effective November 22, 2016. The motion carried by the following vote:**

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

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

Move: Item 8.D. to be heard before Item 8.C.

**A motion was made by Vice Chairman O'Bryan, seconded by Commissioner Solari, to approve the Agenda as amended. The motion carried by the following vote:**

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

**5. PROCLAMATIONS and PRESENTATIONS****6. APPROVAL OF MINUTES**

**6.A 16-1041** Regular Meeting of October 4, 2016

**Recommended Action:** Approve

**A motion was made by Commissioner Zorc, seconded by Vice Chairman O'Bryan, to approve the regular meeting minutes of October 4, 2016. The motion carried by the following vote:**

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

**6.B 16-1038** Regular Meeting of October 11, 2016.

**Recommended Action:** Approve

**A motion was made by Commissioner Zorc, seconded by Vice Chairman O'Bryan, to approve the regular meeting minutes of October 11, 2016. The motion carried by the following vote:**

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

**6.C 16-1033** Regular Meeting of October 18, 2016

**Recommended Action:** Approve

**A motion was made by Commissioner Zorc, seconded by Vice Chairman O'Bryan, to approve the regular meeting minutes of October 18, 2016. The motion carried by the following vote:**

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

**7. INFORMATION ITEMS FROM STAFF OR COMMISSIONERS NOT REQUIRING BOARD ACTION****7.A 16-1070** Public Design Workshop: Gifford Road Landfill Site Redevelopment Plan, Saturday, December 10, 2016, 9:30 a.m. to 3:00 p.m., Gifford Community Center, 4855 43rd Avenue.

**Recommended Action:** Informational only. No Action Required.

**Attachments:** [Gifford Redevelopment Workshop Flyer](#)

Vice Chairman O'Bryan requested staff to ensure that notification is provided to the appropriate individuals in the Gifford community.

**8. CONSENT AGENDA**

**A motion was made by Vice Chairman O'Bryan, seconded by Chairman Flescher, to approve the Consent Agenda as amended, and reversing the sequence of items 8.C. and 8.D. The motion carried by the following vote:**

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

**8.A 16-1049** Approval of Checks and Electronic Payments November 4, 2016 to November 10, 2016

**Recommended Action:** Approve the attached list of checks and electronic payments issued by the Comptroller's office for the time period of November 4, 2016 to November 10, 2016

**Attachments:** [Approval of Checks](#)

Approved

- 8.B 16-1048** Dori Slosberg Driver Education Safety Act, Indian River County Traffic Education Program Trust Fund Report, Cumulative Reporting through 09/30/16

**Recommended Action:** Staff recommends that the Board of County Commissioners accept the attached report

**Attachments:** [Dori Slosberg](#)

**Accepted the Indian River County Traffic Education Program Trust Fund Report.**

- 8.C 16-1057** Annual Resolution Delegating the Authority to the County Administrator or his Designee, to execute Resolutions Calling Letters of Credit as Necessary During a Declared State of Local Emergency or Declared State of Florida Emergency Affecting Indian River County

**Recommended Action:** Adopt the attached resolution delegating authority to the County Administrator, or his designee, to execute resolutions calling letters of credit as necessary during a declared state of local emergency or declared State of Florida emergency affecting Indian River County from November 22, 2016 through December 31, 2017.

**Attachments:** [Staff Report](#)  
[Resolution](#)

Vice Chairman O'Bryan pulled this item to express the intent of the Resolution.

**A motion was made by Vice Chairman O'Bryan, seconded by Commissioner Solari, to approve Resolution 2016-121, delegating the authority to the County Administrator or his designee, to execute Resolutions Calling Letters of Credit as necessary during a declared State of Local Emergency or declared State of Florida Emergency affecting Indian River County; rescinding Resolution No. 2015-128, effective November 22, 2016; and providing an effective date. The motion carried by the following vote:**

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

- 8.D 16-1056** Annual Resolution re Delegation of Authority Concerning Declarations of State of Local Emergencies and to Act in a State Declared Emergency Affecting Indian River County

**Recommended Action:** Adopt the attached resolution delegating authority to the County Administrator, or his designee, to declare states of local emergencies and to act in a state declared emergency affecting Indian River County effective from November 22, 2016 through December 31, 2017.

**Attachments:** [Staff Report](#)  
[Resolution](#)

Vice Chairman O'Bryan pulled this item to express the intent of the Resolution.

**A motion was made by Vice Chairman O'Bryan, seconded by Commissioner Solari, to approve Resolution 2016-120, delegating authority to the County Administrator to declare States of Local Emergencies and to act in a State of Florida Declared Emergency affecting Indian River County; rescinding Resolution No. 2015-127 effective November 22, 2016; and providing an effective date. The motion carried by the following vote:**

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

**8.E 16-1055 Annual Resolution re Signatories**

**Recommended Action:** Adopt the attached resolution and authorize the newly selected Chairman as well as the Clerk to sign the attached resolution and the respective Certificate of Facsimile Signature; and to instruct the Clerk to the Board of County Commissioners to transmit to the Department of State each original Certificate of Facsimile Signature which bears the original manual signatures of those Indian River County officers authorized to use facsimile signatures in lieu of manual signatures.

**Attachments:** [Staff Report](#)  
[Resolution](#)  
[Certificate of Facsimile Signature \(2\)](#)

**Approved Resolution 2016-122, directing depositories of County funds to honor certain authorized signatures on County checks, warrants, and other orders for payment; providing for Board of County Commissioners and Clerk of the Circuit Court signatories; rescinding Resolution No. 2015-129 effective November 22, 2016 which speaks to authorized signatories on County checks, warrants, and other orders for payment; and providing an effective date.**

**8.F 16-1053 Approval to Reclassify Certain Positions to Non-Exempt and to Increase the Salary of Individuals in Exempt Positions to the New Minimum Effective November 25, 2016 due to a Change in the FLSA White Collar Exemption which Becomes Effective December 1, 2016.**

**Recommended Action:** Staff recommends that the Board approve the reclassification of certain positions to non-exempt, authorize the payment of overtime for hours worked during the hurricane consistent with other non-exempt positions, and approve the increase in salary of individuals in exempt positions to the new minimum effective November 25, 2016 due to a change in the Fair Labor Standards Act white collar exemption which becomes effective December 1, 2016.

**Attachments:** [FLSA Change in Salary Level of Exempt Positions \(003\)](#)

**Approved staff's recommendation.**

**8.G 16-1052** Approval to Provide Lump Sum Bonus to Exempt Employees Who Worked Additional Hours Related to Hurricane Matthew

**Recommended Action:** Staff recommends that the Board approve to provide a lump sum bonus ranging from \$200 to \$800 to exempt employees who worked additional hours related to Hurricane Matthew.

**Attachments:** [Hurricane Pay for Exempt Employees](#)

**Approved staff's recommendation.**

**8.H 16-1051** Approval to Renew the Agreement with Gehring Group dated May 11, 2010 to Provide Agent of Record Services Relating to Employee Benefits for One Additional One-Year Term

**Recommended Action:** Staff recommends that the Board approve the renewal to the agreement with Gehring Group dated May 11, 2010 for one additional one-year term through May 10, 2017.

**Attachments:** [Renewal Gehring Group - 1 yr through 5.11.17](#)  
[Gehring Group Agreement 5.2010](#)  
[2016 Renewal to Agreement](#)

**Approved staff's recommendation.**

**8.I 16-1062** Miscellaneous Budget Amendment 001

**Recommended Action:**

**Attachments:** [Staff Report](#)  
[Exhibit "A"](#)  
[Resolution](#)

**Approved Resolution 2016-123, amending the Fiscal Year 2016-2017 Budget.**

**8.J 16-1054** Declaration of Excess Equipment as Surplus for Sale or Disposal

**Recommended Action:** Staff recommends the Board declare the items on the attached Excess Equipment List as surplus and authorize their sale and/or disposal as indicated.

**Attachments:** [Staff Report](#)  
[Excess Equipment List Dated November 15, 2016](#)

**Approved staff's recommendation.**

**8.K 16-1006** DiVosta Homes, LP's Request for Final Plat Approval for The Lakes at Waterway Village 2A-2 PD [PD-11-09-02 / 2004010124-77526]

**Recommended Action:** Based on the above analysis, staff recommends that the Board of County Commissioners grant final plat approval for The Lakes at Waterway Village 2A-2 PD

**Attachments:** [Staff Report](#)  
[Application](#)  
[Location Map](#)  
[Plat Graphics](#)  
[Contract for Construction of Required Improvements](#)

**Approved staff's recommendation.**

**8.L 16-1046** Amendment No. 1 to 12th Street Watermain Design Contract with MBV Engineering, Inc.

**Recommended Action:** Staff recommends approval of the attached Amendment No. 1 to Work Order No. 2 authorizing the professional services, and requests the Board authorize the Chairman to execute Amendment No. 1 to Work Order No. 2 for a lump sum amount of \$11,500.00 to MBV Engineering, Inc.

**Attachments:** [Staff Report](#)  
[Amendment 1 Work Order 2](#)

**Approved staff's recommendation.**

**8.M 16-1044** Approval of Renewal of the 800 MHz Communications System Infrastructure Maintenance Contract with Communications International

**Recommended Action:** Staff recommends the Board to approve the 800 MHz Communications System Master Service Agreement with Communications International Inc.

**Attachments:** [Staff Report-800 MHz](#)  
[Master Agreement \(CI-10-146\)](#)  
[Cost Summary for Oct 2016-Sept 2017](#)  
[CPI Letter](#)  
[Sole Source Letter](#)

**Approved staff's recommendation.**

**8.N 16-1063** Florida Fish & Wildlife Conservation Commission Gopher Tortoise Habitat Management Funding Assistance

**Recommended Action:** Staff respectfully recommends the Board to authorize staff to provide FWC a letter of agreement for receiving gopher tortoises from Incidental Take Permitted sites and further authorize the necessary budget amendment for reimbursable expenses as provided in the FWC purchase order.



**Attachments:** [Staff Report](#)  
[FWC Terms and Conditions \(rev.10-10-16\)](#)  
[Sample Agreement Letter](#)

Approved staff's recommendation.

**9. CONSTITUTIONAL OFFICERS and GOVERNMENTAL AGENCIES**

**10. PUBLIC ITEMS**

**A. PUBLIC HEARINGS**

**B. PUBLIC DISCUSSION ITEMS**

**C. PUBLIC NOTICE ITEMS**

**10.C.1 16-1029** Notice of Scheduled Public Hearing for December 6, 2016: County Initiated Request to Amend the 5 Year Capital Improvements Program and Supporting Data and Analysis of the Capital Improvements Element of the Comprehensive Plan. [Legislative]

**Recommended Action:** The above referenced public hearing item is provided for the Board's information. No action is needed at this time.

Attorney Reingold read the Notice into the record.

**11. COUNTY ADMINISTRATOR MATTERS**

**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**

**12.E.1 16-1060** Quarterly Budget Report

**Recommended Action:** No Action Required

**Attachments:** [Staff Report](#)

[Quarterly Budget Report](#)

Management and Budget Director Michael Smykowski presented the preliminary fourth quarter Budget Report for fiscal year 2015-2016.

**F. Public Works****G. Utilities Services****13. COUNTY ATTORNEY MATTERS****13.A 16-1047** Tourist Development Council Vacancy Appointment

**Recommended Action:** The County Attorney recommends that the Board review the applicants' résumés/applications, and determine whether to appoint one of the applicants to fill the unexpired term for the representative "who is involved in the tourist industry and is interested in tourist development" to the Tourist Development Council.

**Attachments:** [Staff Report](#)

[TDC Vacancy - Applications](#)

Attorney Reingold announced there was a vacancy on the Tourist Development Council and recommended the Board determine the appointment.

John Kim, Young's Market, explained how he relates to the tourist industry and why he should be nominated to the Council.

Amanda Smalley, Skydive Sebastian, spoke about her background and business, and expressed why she should be nominated for the vacant position on the Council.

Vice Chairman O'Bryan felt both candidates were qualified, but he appreciated the distinct market that Skydive Sebastian brings to the community.

**A motion was made by Commissioner Adams, seconded by Vice Chairman O'Bryan, to appoint Amanda Smalley to the Tourist Development Council. The motion carried by the following vote:**

**Aye:** 3 - Chairman Flescher, Vice Chairman O'Bryan, and Commissioner Adams

**Nay:** 2 - Commissioner Solari and Commissioner Zorc

**13.B 16-1061** Indian River County Committees - Member Reappointments

**Recommended Action:** The County Attorney recommends that the Board consider the attached list of committee members requesting reappointment, and reappoint such members as the Board deems appropriate.

**Attachments:** [Staff Report](#)

161115 Reappointments- Committees

[161115 Vacancy Information](#)

Attorney Reingold reported that his office had contacted the committee members whose terms will expire in January 2017. He requested the Board to review the list in the Agenda Packet of the members who have requested reappointment to the various committees in which they serve.

**A motion was made by Vice Chairman O'Bryan, seconded by Chairman Flescher, to approve the list of committee reappointments as presented by the County Attorney. The motion carried by the following vote:**

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

**13.C 16-1064** Termination of the License Agreement for Jones Pier

**Recommended Action:** Staff recommends that the Board authorize the Chairman to sign the attached Termination of License Agreement between Indian River County and Sgt. Fojtik.

**Attachments:** [Staff Report](#)

[Termination of License Agreement](#)

Deputy County Attorney Bill DeBraul explained the License Agreement that the County has with the Indian River County Sheriff's Department for living arrangements at the Jones Pier, in exchange for a law enforcement presence at the property. Due to the property damage from Hurricane Matthew, staff recommends terminating the Lease Agreement.

A brief discussion ensued regarding the restoration of the property.

**A motion was made by Commissioner Solari, seconded by Commissioner Zorc, to terminate the License Agreement. The motion carried by the following vote:**

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

**13.D 16-1066** Request for Tenth Lease Amendment with St. Francis Manor

**Recommended Action:** Staff recommends the Board of County Commissioners approve the Tenth Amendment and Modification to Ninety-Nine Year Lease with the accompanying resolution and authorize the Chairman to execute the two documents on behalf of the Board.

**Attachments:** [Staff Report](#)  
[Tenth Amendment to Lease](#)  
[Resolution](#)

Attorney DeBraul recapped his memorandum of November 16, 2016, and requested the Board approve the Tenth Amendment and Modification of Ninety-Nine Year Lease by approving the accompanying resolution.

**A motion was made by Commissioner Zorc, seconded by Vice Chairman O'Bryan, to approve Resolution 2016-124, authorizing the Chairman to execute documents consistent with the Tenth Amendment and Modification of 99 Year Lease with St. Francis Manor and request for a City of Vero Beach Comprehensive Plan Amendment and rezoning for County owned property by St. Francis Manor. The motion carried by the following vote:**

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

**13.E 16-1068** Fellsmere Water Control District Interlocal Agreement for Maintaining Unpaved Roads

**Recommended Action:** County staff is at an impasse with the FWCD staff and recommends that the Board provide guidance as to how to proceed in discussions with FWCD.

**Attachments:** [Staff Report](#)  
[Proposed Third Amendment](#)  
[Revised Third Amendment](#)

Attorney Reingold provided background concerning the Interlocal Agreement for maintaining unpaved roads in the Fellsmere Water Control District (FWCD); described the revisions and issues with the Agreement; and requested guidance in moving forward.

A lengthy discussion ensued among the Board regarding the Interlocal Agreement, maintaining the rights-of-way and ungraded roads, poor drainage, permitting issues, and the duties under the independent district.

Attorney Michael O'Haire, representing the FWCD, discussed the Interlocal Agreement as proposed by the FWCD, and responded to the Board's questions and concerns.

Commissioner Adams suggested that County staff meet with Attorney O'Haire and his Board, and bring back an Agreement in final form at a future Board meeting.

Further discussion followed as the Board debated the specifics of moving forward with modifying the 1975 Agreement.

Karen Ledford, 14850 107 Street, Fellsmere, requested that the maintenance of the roads be expedited.

Jason Nunemaker, Fellsmere City Manager, suggested the Board look at the two St. John's River Water Management District future water farming projects to resolve water treatment issues, and offered surplus material that might be available after the two intercept facilities are completed.

**A motion was made by Commissioner Adams, seconded by Commissioner Solari, to amend the Third Amendment to the 1975 Interlocal Agreement by: (1) adding additional roads to the grading list; (2) adding indemnity/hold harmless language; (3) including a paragraph that no more roads will be added to the list; (4) including a time limit of three years with two one year extensions; and (5) modifying maintenance to grading responsibilities in the Interlocal Agreement. The motion carried by the following vote:**

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

The Chairman called for a break at 11:05 a.m., and reconvened the meeting at 11:18 a.m., with all members present.

## **14. COMMISSIONERS MATTERS**

### **A. Commissioner Bob Solari**

### **B. Commissioner Joseph Flescher**

### **C. Commissioner Susan Adams**

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

### **E. Commissioner Tim Zorc**

#### **14.E.1 16-1069 Indian River Lagoon Council**

**Recommended Action:** Discussion Item

**Attachments:** [Indian River Lagoon Council Revisit](#)

Commissioner Zorc requested the Board to reconsider participation in the Indian River Lagoon Council, and gave his reasons why it would be beneficial to the County.

The Board discussed and debated Commissioner Zorc's request to join the Council.

Carter Taylor, acting Executive Director of the Indian River Neighborhood Association and a member of the Indian River Neighborhood Association Lagoon Committee, supported the County's membership in the Council.

Andrea Ring, 407 Quarry Lane, Sebastian, and Chairman of the Sebastian Natural Resource Board, supported the motion.

**A motion was made by Commissioner Zorc, seconded by Commissioner Adams, to approve the County's membership in the Indian River Lagoon Council. The motion carried by the following vote:**

**Aye:** 3 - Vice Chairman O'Bryan, Commissioner Adams and Commissioner Zorc

**Nay:** 2 - Chairman Flescher and Commissioner Solari

## **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.

#### **15.B.1 16-986** Approval of Minutes Meeting of September 13, 2016

**Recommended Action:** Approve

**A motion was made by Vice Chairman O'Bryan, seconded by Commissioner Solari, to approve the Solid Waste Disposal District Meeting Minutes of September 13, 2016. The motion carried by the following vote:**

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

#### **15.B.2 16-1059** Approval of Minutes Meeting of September 20, 2016

**Recommended Action:** Approve

**A motion was made by Vice Chairman O'Bryan, seconded by Commissioner Solari, to approve the Solid Waste Disposal District Meeting Minutes of September 20, 2016. The motion carried by the following vote:**

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

#### **15.B.3 16-1042** Approval of Minutes Meeting of October 4, 2016

**Recommended Action:** Approve

**A motion was made by Vice Chairman O'Bryan, seconded by Commissioner Solari, to approve the Solid Waste Disposal District Meeting Minutes of October 4, 2016. The motion carried by the following vote:**

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

**15.B.4 16-1040** Approval of Minutes Meeting of October 18, 2016

**Recommended Action:** Approve

**A motion was made by Vice Chairman O'Bryan, seconded by Commissioner Solari, to approve the Solid Waste Disposal District Meeting Minutes of October 18, 2016. The motion carried by the following vote:**

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

**15.B.5 16-1065** Final Eighth Amendment to Feedstock Supply Agreement

**Recommended Action:** Staff recommends that the Board ratify and approve the attached Final Eighth Amendment and authorize the Chairman to execute the Eighth Amendment.

**Attachments:** [Staff Report](#)  
[Final Eighth Amendment](#)

Attorney Reingold referenced the two non-substantive changes to the Agreement with INEOS New Planet BioEnergy, LLC.

**A motion was made by Vice Chairman O'Bryan, seconded by Commissioner Solari, to ratify and approve the Final Eighth Amendment to the Feedstock Supply Agreement. The motion carried by the following vote:**

**Aye:** 5 - Chairman Flescher, Vice Chairman O'Bryan, Commissioner Adams, Commissioner Solari 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**

There being no further business, the Chairman declared the meeting adjourned at 12:17 p.m.

Approved: January 10, 2017