

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, May 23, 2017

9:00 AM

Commission Chambers

Board of County Commissioners

*Joseph E. Flescher, Chairman, District 2
Peter D. O'Bryan, Vice Chairman, District 4
Susan Adams, District 1
Bob Solari, District 5
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: 4 - Vice Chairman Peter O'Bryan
Commissioner Susan Adams
Commissioner Bob Solari
Commissioner Tim Zorc

Absent: 1 - Chairman Joseph Flescher

2.A. A MOMENT OF SILENT REFLECTION FOR FIRST RESPONDERS**2.B. INVOCATION**

Russ Graves, Engineer Fire-Medic, Station 5, Indian River County Fire/Rescue Division

3. PLEDGE OF ALLEGIANCE

Commissioner Susan Adams

4. ADDITIONS/DELETIONS TO THE AGENDA / EMERGENCY ITEMS

A motion was made by Commissioner Solari, seconded by Commissioner Adams, by a 4-0 vote (Chairman Flescher absent), the Board approved the Agenda as presented.

Aye: 4 - Vice Chairman O'Bryan, Commissioner Adams, Commissioner Solari, and Commissioner Zorc

Absent: 1 - Chairman Flescher

5. PROCLAMATIONS and PRESENTATIONS

5.A. [17-0541](#) Presentation of Proclamation and Retirement Award Honoring Richard M. Vaughn on His Retirement From Indian River County Board of County Commissioners Department of Public Works/Road and Bridge Division with Thirty-Two Years of Service

Attachments: [Proclamation](#)
 [Service Award](#)

Vice Chairman O'Bryan presented the Proclamation and Retirement Award to Richard M. Vaughn.

No Action Taken or Required

6. APPROVAL OF MINUTES**7. INFORMATION ITEMS FROM STAFF OR COMMISSIONERS NOT REQUIRING BOARD ACTION**

- 7.A. [17-0534](#) Florida Public Service Commission Order No. PSC-17-0166-PCO-EI In re: Petition for approval of revised underground distribution tariffs, by Duke Energy Florida, Inc., is available for review in the office of the Clerk to the Board.

Recommended Action: Informational Only

Attachments: [PSC-17-0166-PCO-EI](#)

No Action Taken or Required

- 7.B. [17-0542](#) Proclamation and Retirement Award Honoring Kernie D. Fuller on His Retirement From Indian River County Board of County Commissioners Department of Community Development/Building Division with Twenty-Five Years of Service

Attachments: [Proclamation](#)
[Service Award](#)

No Action Taken or Required

- 7.C. [17-0543](#) Proclamation and Retirement Award Honoring Christopher D. Thomas on His Retirement From Indian River County Board of County Commissioners Department of Emergency Services/Fire Rescue Division with Twenty-Seven Years of Service

Attachments: [Proclamation](#)
[Service Award](#)

No Action Taken or Required

8. CONSENT AGENDA

A motion was made by Commissioner Zorc, seconded by Commissioner Adams, by a 4-0 vote (Chairman Flescher absent), the Board approved the Consent Agenda, as amended, pulling Item 8.H. for discussion.

Aye: 4 - Vice Chairman O'Bryan, Commissioner Adams, Commissioner Solari, and Commissioner Zorc

Absent: 1 - Chairman Flescher

- 8.A. [17-0538](#) Checks and Electronic Payments May 5, 2017 to May 11, 2017

Recommended Action: Approve the list of checks and electronic payments issued by the Comptroller's office for the time period of May 5, 2017 to May 11, 2017

Attachments: [Finance Department Staff Report](#)

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

Approved

8.B. [17-0548](#) Quarterly Tourist Development Tax Report for the Quarter Ending 03/31/17

Recommended Action: Accept the Quarterly Tourist Development Tax Report

Attachments: [Finance Department Staff Report](#)

Approved staff's recommendation

8.C. [17-0545](#) Letter of Support for McKee Jungle Garden

Recommended Action: Staff recommends the Board of County Commission approve the letter of support for McKee Jungle Garden to be included in the grant application for General Program Support

Attachments: [Staff Report](#)
[Letter of Support](#)

Approved staff's recommendation

8.D. [17-0537](#) Out of County Travel to Attend Florida Shore & Beach Preservation Association Annual Conference

Recommended Action: Authorization for Commissioners and Staff to Attend the Florida Shore & Beach Preservation Association Annual Conference September 27th to 29th, 2017, in Ft. Lauderdale, Florida

Attachments: [Staff Report](#)
[Conference Information](#)

Approved

8.E. [17-0540](#) Declaration of Excess Equipment as Surplus for Sale or Disposal

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

Attachments: [Staff Report](#)
[List for 052317 Agenda](#)

Approved staff's recommendation

8.F. [17-0552](#) Miscellaneous Budget Amendment 16

Recommended Action: Staff recommends that the Board of County Commissioners approve the budget resolution amending the fiscal year 2016/2017 budget

Attachments: [Staff Report](#)
[2016 2017 Resolution](#)
[BA 016](#)

Approved Resolution 2017-049, amending the Fiscal Year 2016-2017 Budget.

8.G. [17-0521](#) FDOT Local Agency Program (LAP) Supplemental Agreement No. 1 and Resolution Authorizing the Chairman's Signature 8th Street Sidewalk Improvements (58th Avenue to 21st Court)

Recommended Action: Staff recommends approval of Local Agency Program (LAP) Supplemental Agreement No.1 - FM No. 431733-1-58-01 and further recommends adopting the Resolution and authorizing the Chairman to sign Supplement Agreement No. 1.

Attachments: [Staff Report](#)
[Authorizing Resolution](#)
[FDOT LAP Supplemental Agreement No. 1 FM No. 4317331-58-01](#)

Approved Resolution 2017-050, authorizing the Chairman's execution of Local Agency Program Supplemental Agreement Number One for construction of a 5-foot wide concrete sidewalk and minor drainage modifications along the north side of 8th Street from 58th Avenue to 21st Court.

8.H. [17-0533](#) Award of RFQ No. 2016016 58th Avenue Pavement Reclamation and Resurfacing Project

Recommended Action: Staff recommends the Board of County Commissioners approve the proposed agreement with Bowman Consulting Group, LTD in the amount of \$397,746 and authorize the Chairman to execute the agreement.

Attachments: [Staff Report](#)
[Agreement](#)
[Exhibit B](#)
[Exhibit A](#)
[Exhibit C](#)

Commissioner Zorc sought and received a status update from Public Works Director

Rich Szyrka.

A motion was made by Commissioner Zorc, seconded by Commissioner Adams, by a 4-0 vote (Chairman Flescher absent), to approve staff's recommendation.

Aye: 4 - Vice Chairman O'Bryan, Commissioner Adams, Commissioner Solari, and Commissioner Zorc

Absent: 1 - Chairman Flescher

8.I. [17-0544](#) Rejection of Bids 2017042 and 2017043

Recommended Action: Staff recommends that the Board of County Commissioners reject all bids received for bids 2017042 and 2017043 and direct staff to rebid the properties in compliance with F.S. 125.35.

Attachments: [Staff Report](#)

Approved staff's recommendation

8.J. [17-0550](#) Extension of Lease and Agreed Notice to Vacate Property - Mermaid Carwash: 1935 43rd Avenue, Vero Beach, FL

Recommended Action: Staff recommends approval of the 120-day extension so the lease will terminate on August 31, 2017 and authorize the Chairman to execute the Extension of Lease and Agreed Notice to Vacate.

Attachments: [Staff Report](#)
[IRC Letter to Tynes](#)
[FDOT Letter of Assurance to Tynes](#)
[Extension of Lease and Agreed Notice to Vacate](#)

Approved staff's recommendation

9. CONSTITUTIONAL OFFICERS and GOVERNMENTAL AGENCIES

10. PUBLIC ITEMS

A. PUBLIC HEARINGS

10.A.1. [17-0522](#) Robert Pritchett's Request for Abandonment of a Right-of-Way for a 16 Foot Wide Alley Running from 129th Court to 129th Street and Lying Immediately Adjacent and Contiguous to Lots 1-10, Block 18 of the Townsite Plat of Roseland Subdivision [ROWA-17-06-03 / 2017030030-78850] **(Legislative)**

Recommended Action: Staff recommends that the Board of County Commissioners abandon its rights to the subject alley right-of-way and authorize the chairman to execute the

abandonment resolution, with the following condition: 1. That a public utility easement be retained over the entire segment of right-of-way for the alley being abandoned.

Attachments: [Staff Report](#)
[Application](#)
[Location Map and Aerial](#)
[Resolution No. 2000-150](#)
[Abandonment Resolution](#)
[Affidavit of Publication](#)

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

Community Development Director Stan Boling used a PowerPoint Presentation to point out the location of the specified 16 foot alley right-of-way, of which has never been formally improved; has not been used by the four (4) adjoining property owners; and is not needed for access. Staff recommended that a utility easement be retained for the possible use of future utilities.

Vice Chairman O'Bryan opened the Public Hearing.

Fred Mensing, P.O. Box 964, Roseland, felt that the Roseland Community Association was caught off guard, and asked the Board to table this item for 30 days.

Director Boling explained that alley right-of-way abandonments in Roseland have been handled the same in the past, and that there were no objections from the four (4) neighboring property owners.

There being no further comments, Vice Chairman O'Bryan closed the Public Hearing.

Commissioner Solari supported staff's recommendation, noting that the neighbors were notified; therefore, proper notice was given with no objections. He felt that there would be no reason to table this item.

A motion was made by Commissioner Solari, seconded by Commissioner Adams, by a 4-0 vote (Chairman Flescher absent), the Board approved Resolution 2017-051, providing for the closing, abandonment, vacation and discontinuance of a 16 foot wide alley right-of-way running from 129th Court to 129th Street and lying immediately adjacent and contiguous to Lots 1-10, Block 18 of the Townsite Plat of Roseland Subdivision as shown in Plat Book

1, Page 43 of the Public Records of Saint Lucie County, as described herein, said land now lying in Indian River County, Florida; said abandonment subject to retaining a utility easement. The motion carried by the following vote:

Aye: 4 - Vice Chairman O'Bryan, Commissioner Adams, Commissioner Solari, and Commissioner Zorc

Absent: 1 - Chairman Flescher

B. PUBLIC DISCUSSION ITEMS

C. PUBLIC NOTICE ITEMS

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

F. Public Works

G. Utilities Services

12.G.1. [17-0551](#) Septic Hauler Agreement for the Residuals Dewatering (Biosolids) Facility

Recommended Action: Staff recommends that the BCC authorize the implementation of the Application and Agreement for Septage, Food Establishment Sludge and Portable Restrooms' Wastewater to be effective June 1, 2017, and approve the resolution authorizing the Director of IRCDUS to sign said documents with the haulers.

Attachments: [Staff Report](#)
[Application and Agreement](#)
[Resolution](#)
[Exhibit A Manifest Log](#)

Vincent Burke, Director of Utility Services, presented the Indian River County Application and Agreement for Septage, Food Establishment Sludge and Portable Restrooms' Wastewater, in addition to a Resolution, authorizing himself, as the Director of Utility Services, on behalf of the Board, to execute the Application and Agreement. Both items were in reference to waste disposal by local haulers at the Residual Dewatering Facility (RDF). He explained that the Application and Agreement would go into effect June 1, 2017, and would be renewable on an annual basis.

A motion was made by Commissioner Solari, seconded by Commissioner Zorc, by a 4-0 vote (Chairman Flescher absent), the Board approved Resolution 2017-052, authorizing the County Utilities Department Director, on behalf of the Indian River County Board of County Commissioners, to execute the Application and Agreement for Septage, Food Establishment Sludge and Portable Restrooms Wastewater for hauler disposal at the Residual Dewatering Facility.

Aye: 4 - Vice Chairman O'Bryan, Commissioner Adams, Commissioner Solari, and Commissioner Zorc

Absent: 1 - Chairman Flescher

13. COUNTY ATTORNEY MATTERS

14. COMMISSIONERS MATTERS

A. Commissioner Joseph E. Flescher, Chairman

B. Commissioner Peter D. O'Bryan, Vice Chairman

C. Commissioner Susan Adams

Commissioner Adams thanked those involved with the Sebastian Lionfish Festival, which was held on Sunday, May 21, 2017.

D. Commissioner Bob Solari

E. Commissioner Tim Zorc

15. SPECIAL DISTRICTS AND BOARDS

A. Emergency Services District

B. Solid Waste Disposal District

C. Environmental Control Board

16. ADJOURNMENT

There being no further business, the Vice Chairman declared the meeting adjourned at 9:24 a.m.