



# 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

### Board of County Commissioners

*Peter O'Bryan, Chairman, District 4*  
*Joseph H. Earman, Vice Chairman, District 3*  
*Susan Adams, District 1*  
*Joseph Flescher, District 2*  
*Laura Moss, District 5*

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

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Tuesday, July 12, 2022

9:00 AM

Commission Chambers

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#### 1. CALL TO ORDER

**Present:** 5 - Chairman Peter O'Bryan  
Vice Chairman Joe Earman  
Commissioner Susan Adams  
Commissioner Joseph Flescher  
Commissioner Laura Moss

#### 2.A. A MOMENT OF SILENT REFLECTION FOR FIRST RESPONDERS AND MEMBERS OF THE ARMED FORCES

#### 2.B. INVOCATION

**Pastor Jeremy Rebman, First United Methodist Church**

#### 3. PLEDGE OF ALLEGIANCE

**Commissioner Joseph Flescher**

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

Added: Item 8.L. Request for PO Increase  
Added: 14.A. FAC letter request re: SB 620  
Updated: 11.A. Backup information updated  
Deleted: 12.A.1.Exception to cut and fill

**A motion was made by Commissioner Moss, seconded by Commissioner Flescher, to approve the Agenda as amended. The motion carried by the following vote:**

**Aye:** 5 - Chairman O'Bryan, Vice Chairman Earman, Commissioner Adams, Commissioner Flescher, and Commissioner Moss

## 5. PROCLAMATIONS and PRESENTATIONS

- 5.A. [22-0434](#) Presentation of Proclamation Honoring Siglinde Preston on Her Retirement From Indian River County Board of County Commissioners Department of General Services / Library Services Division with Thirty-one Years of Service

**Attachments:** [Proclamation](#)

Ms. Siglinde Preston was joined by family, friends, and colleagues as she accepted the Proclamation and recounted her educational and work experience during her more than 30-year career. Commissioner Flescher commended Ms. Preston's smile and friendliness, and Assistant County Administrator Mike Zito spoke of her legacy.

**Read and Presented by Chairman O'Bryan**

- 5.B. [22-0584](#) Presentation of Lithographs to Fire Rescue and Sheriff's Office in Appreciation of their Support of 2022 Vero Beach Air Show

Marty Zickert, Blue Angels liaison for the Vero Beach Air Show, recounted the history of the Air Show and praised the monumental efforts of staff and volunteers who made the Blue Angels' biennial visit possible.

Mr. Zickert presented signed and personalized lithographs from the Blue Angels to the Indian River County Fire Rescue Department and the Sheriff's Department in recognition of the work staff put in to make the show safe and secure.

**Presented by Marty Zickert**

- 5.C. [22-0519](#) Proclamation Designating the Week of July 16, 2022 Through July 24, 2022 As Treasure Coast Waterway Cleanup Week

**Recommended Action:** Recommend Read and Present

**Attachments:** [Proclamation](#)

April Price, Event Coordinator for Treasure Coast Waterway Cleanup Week, accepted the Proclamation and thanked the Board for their support. She informed this was the 15th year of the event conducted by the Marine Industries of the Treasure Coast and the Florida Inland Navigation District, and volunteers have removed over 96 tons of trash from the waterways and spoil islands.

**Read and presented by Vice Chairman Earman**

## 6. APPROVAL OF MINUTES

**A motion was made by Commissioner Flescher, seconded by Commissioner Adams, to approve the Regular Meeting Minutes of May 10, 2022, and May 17, 2022 as written. The motion carried by the following vote:**

**Aye:** 5 - Chairman O'Bryan, Vice Chairman Earman, Commissioner Adams, Commissioner Flescher, and Commissioner Moss

**6.A.**     [22-0576](#)     Regular Meeting of May 10, 2022

**Recommended Action:** Approve

**Attachments:**   [05102022 BCC Draft Minutes](#)

**Approved**

**6.B.**     [22-0580](#)     Regular Meeting of May 17, 2022

**Recommended Action:** Approve

**Attachments:**   [05172022 BCC Draft Minutes](#)

**Approved**

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

**7.A.**     [22-0545](#)     Proclamation Honoring Matthew Brower on His Retirement From Indian River County Board of County Commissioners Department of Public Works / Road & Bridge Division with Thirty-One Years of Service

**Attachments:**   [Proclamation](#)

Chairman O'Bryan acknowledged and thanked Mr. Brower for his 31 years of service to the County.

**No Action Taken or Required**

**7.B.**     [22-0544](#)     2023 Holiday Schedule

**Recommended Action:** None required. Informational only.

**Attachments:**   [Staff Report](#)

**No Action Taken or Required**

**7.C.**     [22-0568](#)     Florida Public Service Commission PSC-2022-0203-PAA-EQ, issued June 9, 2022, this Commission proposed to take certain action, subject to a Petition for Formal Proceeding as provided in Rule 25-22.029, Florida Administrative Code, a copy is on file in the Office of the Clerk to the Board.

**Recommended Action:** Informational only

**No Action Taken or Required**

**8. CONSENT AGENDA**

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

**Aye:** 5 - Chairman O'Bryan, Vice Chairman Earman, Commissioner Adams, Commissioner Flescher, and Commissioner Moss

**8.A. [22-0541](#) IRC Tax Collector Carole Jean Jordan re: Tax Roll Recapitulation Report**

**Recommended Action:** Accept the Report

**Attachments:** [Memo from Tax Collector](#)  
[2021 Tax Roll Recap Final](#)

**Approved staff's recommendation**

**8.B. [22-0567](#) Approval of 2022/2023 State Funded Subgrant Agreement (T0201) To Update Indian River County's Hazards Analysis**

**Recommended Action:** Staff recommends approval of this agreement and acceptance of the funding provided in the agreement.

**Attachments:** [Staff Report](#)  
[HA Grant Agreement](#)  
[Grant Form](#)

**Approved staff's recommendation**

**8.C. [22-0358](#) Sole Source Designation Requests and Utilization Update**

**Recommended Action:** Staff recommends the Board of County Commissioners declare the vendors and products indicated as "new" or "renewal" on the list of sole source vendors as sole source for a three-year period, and authorize the Purchasing Division to issue purchase orders in lieu of formal bids or quotes, and as funding is approved by the Budget Department.

**Attachments:** [Staff Report](#)  
[BCC Sole Source List for July 12](#)

Chairman O'Bryan brought forth the item in the interest of financial transparency. He commended Purchasing Manager Jennifer Hyde, and also cautioned against scope creep.

**A motion was made by Commissioner Flescher, seconded by Vice Chairman Earman, to approve staff's recommendation. The motion carried by the following vote:**

**Aye:** 5 - Chairman O'Bryan, Vice Chairman Earman, Commissioner Adams, Commissioner Flescher, and Commissioner Moss

**8.D.**     [22-0566](#)     Request for Purchase Order Increase for Callaway Golf

**Recommended Action:** Staff recommends the Board approve increasing the Purchase Order #91092 with Callaway Golf by \$20,000.00 for a total of \$120,000.00 for the purchase of inventory.

**Attachments:**   [Staff Report](#)

**Approved staff's recommendation**

**8.E.**     [22-0579](#)     Annual HUD Grant Renewals for Continuum of Care (CoC) Programs

**Recommended Action:** Staff recommends the Board acknowledge the renewal of the nine grants awarded by HUD in the aggregate amount of \$1,121,976 and authorize Chairman to execute each individual Continuum of Care Program Grant Agreement.

**Attachments:**   [Staff Report](#)

[FL0113L4H092109](#)

[FL0114L4H092114](#)

[FL0116L4H092114](#)

[FL0119L4H092114](#)

[FL0338L4H092108](#)

[FL0360L4H092112](#)

[FL0380L4H092107](#)

[FL0418L4H092109](#)

[FL0440L4H092110](#)

[2021 HUD Award Letter](#)

**Approved staff's recommendation**

**8.F.**     [22-0564](#)     Calcutta Drive Docks

**Recommended Action:** The County Attorney's Office recommends that the Indian River County Board of County Commissioners approve the resolution and the associated form license agreements. The County Attorney's Office also requests that the Board authorize the County Attorney's Office to record a termination of the license agreement for Dock Number 14 (Cusson) and offer this dock to the first person on the wait list.

**Attachments:**   [Staff Report](#)  
                      [Resolution](#)  
                      [License Agreement - \(Non-Transferrable\)](#)  
                      [License Agreement - \(Transferable\)](#)

County Attorney Dylan Reingold provided the status of Dock Number 14 (Cusson), and clarified that the waiting list for dock space was comprised of property owners in County Club Pointe.

**A motion was made by Vice Chairman Earman, seconded by Commissioner Flescher, to approve staff's recommendation and Resolution 2022-040, delegating authority to the Community Development Director or designee, to execute license agreements pertaining to docks utilizing County riparian land within the Country Club Pointe Subdivision. The motion carried by the following vote:**

**Aye:** 5 - Chairman O'Bryan, Vice Chairman Earman, Commissioner Adams, Commissioner Flescher, and Commissioner Moss

**8.G.**     [22-0581](#)     Resolutions Cancelling Taxes

**Recommended Action:** Authorize the Chairman of the Board of County Commissioners to execute the Resolutions to cancel certain taxes upon the properties purchased by Indian River County for a public purpose, and the Clerk to send a certified copy of the Resolutions to the Tax Collector and the Property Appraiser so that any delinquent or current taxes can be cancelled.

**Attachments:**   [Staff Report](#)  
                      [Resolution Cancelling Taxes - Sexton](#)  
                      [Resolution Cancelling Taxes - Cherry Lane Estates Inc](#)  
                      [Resolution Cancelling Taxes - Ganbin & Jackson](#)

**Approved staff's recommendation and Resolutions 2022-041 (Sexton); 2022-042 (Ganbin/Jackson); and 2022-043 (Cherry Lane Estates), cancelling certain taxes upon publicly owned lands, pursuant to Section 196.28, Florida Statutes.**

- 8.H. [22-0583](#) Award of Bid No. 2022046, Indian River Boulevard Resurfacing from 53rd Street to the Merrill Barber Bridge, IRC-1707, FDOT FM 441919-1-54-01

**Recommended Action:** Staff recommends the Board approve award to the lowest responsive and responsible bidder, C.W. Roberts Contracting, Inc. for \$4,989,884.10. Staff further recommends the Board approve the sample agreement and authorize the Chairman to execute said agreement after review and approval of both the agreement and required Public Construction Bond by the County Attorney as to form and legal sufficiency, and the receipt and approval of required insurance by the Risk Manager.

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

Commissioner Moss received clarification from County Administrator Jason Brown regarding the width of bike lanes planned for Indian River Boulevard during the resurfacing project. He explained that the road could only accommodate five-foot-wide bike lanes due to lack of right-of-way, drainage concerns, and cost considerations. Administrator Brown offered assurance that newly constructed roads were planned with seven-foot bike lanes whenever feasible.

Chairman O'Bryan informed that this project was planned to match up with the south end of Indian River Boulevard which would also have five-foot-wide bike lanes due to land constraints and safety concerns. He noted that the Department of Transportation (DOT) had pledged funds for road resurfacing, not expansion, and that five-foot bike lanes were acceptable to DOT, as well as an improvement to existing conditions.

**A motion was made by Commissioner Adams, seconded by Commissioner Flescher, to approve staff's recommendation. The motion carried by the following vote:**

**Aye:** 4 - Chairman O'Bryan, Vice Chairman Earman, Commissioner Adams, and Commissioner Flescher

**Nay:** 1 - Commissioner Moss

- 8.I. [22-0585](#) Termination of License Agreement between Sebastian Area Soccer Association, Inc. and Indian River County

**Recommended Action:** Staff recommends that the Board approve the attached Termination of License Agreement and authorize the Chairman to sign the attached Termination of License Agreement between Indian River County and Sebastian Area Soccer Association, Inc. upon the County Attorney's review as to Form and Legal Sufficiency.

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

**Approved staff's recommendation**

- 8.J. [22-0586](#) Funding Award from the Indian River Lagoon Council - National Estuary Program for the Lost Tree Islands Conservation Area Phase 4 (Contract # IRL2022-07)

**Recommended Action:** Staff respectfully recommends that the Board accept the Cost-Share Agreement between the IRL Council and Indian River County for the Phase 4 Restoration for the Lost Tree Islands Conservation Area - Contract # IRL2022-07; Encumbrance #GL01-1895/GL01-2205 after review and authorize the Chairman to sign in duplicate and return to staff to forward to the IRLNEP for signatures.

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

**Approved staff's recommendation**

- 8.K. [22-0582](#) TIGR Acquisitions III, LLC - Easement, 1725 17th Avenue, Vero Beach, FL

**Recommended Action:** Staff recommends that the Board of County Commissioners approve the sale of the Easement and the associated Springing Easement to TIGR Acquisitions, LLC. Staff further recommends that the Board authorize the County Administrator to execute the purchase and sale agreement and the other transactional documents which will be part of the closing process for this property following the completion of the due diligence period and after the County Attorney has approved them as to form and legal sufficiency.

**Attachments:** [Staff Report](#)  
[1725 17th Avenue Easement Agreement](#)

**Approved staff's recommendation**

- 8.L. [22-0590](#) Request for Purchase Order Increase for Roger Cleveland Golf Inc

**Recommended Action:** Staff recommends the Board approve increasing the Purchase Order #91110 with Roger Cleveland Golf Inc by \$8,000 for a total of \$83,000.00 for the purchase of inventory.

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

Assistant County Administrator Mike Zito noted this item was similar to Item 8.D., and explained that the sales at Sandridge's Pro Shop were higher than projected at the start of the year when equipment orders were placed.

**A motion was made by Commissioner Flescher, seconded by Chairman O'Bryan, to approve staff's recommendation. The motion carried by the following vote:**

**Aye:** 5 - Chairman O'Bryan, Vice Chairman Earman, Commissioner Adams, Commissioner Flescher, and Commissioner Moss



## 9. CONSTITUTIONAL OFFICERS and GOVERNMENTAL AGENCIES

### 10. PUBLIC ITEMS

#### A. PUBLIC HEARINGS

PROOF OF PUBLICATION FOR THIS HEARING IS ON FILE IN THE OFFICE OF THE CLERK TO THE BOARD.

- 10.A.1. [22-0569](#)** Public Hearing for July 12, 2022, for Ordinance Amending Section 204.06 (Definitions) and Section 204.13 (Terms of Conditions of Franchises) of Part 1 (In General) of Chapter 204 (Solid Waste Disposal) of Indian River County Code (Legislative)

**Recommended Action:** Staff is requesting that the Board of County Commissioners proceed with the following: 1. Open the Public Hearing; obtain input from staff and the public; 2. Close the Public Hearing; and, 3. Approve the changes above to the Part 1 (In General) of Chapter 204 (Solid Waste Disposal) of Indian River County Code and authorize the Chairman to execute the same

**Attachments:** [Staff Report](#)  
[SWDD Ordinance](#)  
[Affidavit of Publication](#)

Solid Waste Disposal District Managing Director Himanshu Mehta presented the proposed Ordinance changes which would eliminate the size restriction on commercial demolition debris containers, as well as removing Waste Management's (WM) exclusivity on approved containers. He explained the effect would be that any provider could collect debris in the Unincorporated areas of the County, in any container, and rates would be adjusted as needed to capture any franchise fees. He added that WM had requested a start date of August 1, 2022.

County Attorney Dylan Reingold confirmed he could amend the language of the Ordinance to reflect an August 1, 2022 effective date.

The Chairman opened the public hearing. There being no comments, the Chairman closed the public hearing.

**A motion was made by Commissioner Flescher, seconded by Commissioner Adams, to adopt Ordinance 2022-011, amending Section 204.06 (Definitions) and Section 204.13 (Terms of Conditions of Franchises) of Part 1 (in general) of Chapter 204 (Solid Waste Disposal) of the Code of Indian River County, to remove the franchise exclusivity of commercial and demolition debris collection in any size container; and providing for codification; severability; conflict of Ordinances; and effective date of the Ordinance; as amended to reflect an effective start date of August 1, 2022. The motion carried by the following vote:**

**Aye:** 5 - Chairman O'Bryan, Vice Chairman Earman, Commissioner Adams, Commissioner Flescher, and Commissioner Moss

**B. PUBLIC DISCUSSION ITEMS**

**C. PUBLIC NOTICE ITEMS**

**10.C.1.** [22-0538](#) Notice of Scheduled Public Hearing for August 16, 2022: Jelmy Right-of-Way Abandonment (Legislative)

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

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

County Attorney Dylan Reingold read the notice into the record.

**No Action Taken or Required**

**11. COUNTY ADMINISTRATOR MATTERS**

**11.A.** [22-0540](#) Second Amendment to the Amended and Restated Facility Lease Agreement

**Recommended Action:** 1. Staff Recommends the Board of County Commissioners approve the attached Second Amendment to the Amended and Restated Facility Lease Agreement for the Jackie Robinson Training Complex and authorize the Chairman to execute the Second Amendment in substantial form subject to minor changes after review and approval by the County Attorney. 2. Staff requests that the Board of County Commissioners waive the requirement for bids in order to allow MLB Verotown to manage the additional projects under the Second Amendment and to complete facility improvement projects contemplated by the Agreement and amended and as detailed above in a similar manner to the original approval on December 18, 2018 and February 9, 2021, respectively. 3. Staff recommends that the Board of County Commissioners approve the funding plan as detailed above and approve the necessary budget amendment to advance funding programmed for FY 2022/23 into the current year for the County's responsibilities under the agreement.

**Attachments:** [Staff Report JRTC](#)  
[Proposed Second Amendment](#)  
[First Amendment -- approved Feb 9, 2021](#)  
[Facility Lease Agreement Agenda Item -- Dec 18, 2018](#)  
[Final Second Amendment \(Red\)](#)  
[Final Second Amendment \(Clean\)](#)

County Administrator Jason Brown referred to staff's memo dated July 7, 2022, as he discussed the County's Facility Lease agreement with Major League Baseball (MLB), operating as Verotown, LLC, to manage the operation of the Jackie Robinson Training Complex (the Complex, formerly known as Historic Dodgertown). Administrator Brown described the changes to the agreement which transferred responsibility for certain planned Complex improvements over to Verotown.

He continued on to describe the three (3) projects which included: 1) reallocating funds earmarked for the cancelled TV Platform refurbishment project; 2) construction of a new Executive Building/Championship Hall; and 3) remediation of hotel rooms. Administrator Brown advised that the County would turn over already-budgeted funds to Verotown for their implementation, and he discussed the rationale behind staff's recommendation to waive the County's bid requirement.

Chairman O'Bryan received confirmation that the County's financial obligation to these projects was capped at the budgeted amounts, and any overruns would be Verotown's responsibility.

Rachelle Madrigal, Managing Director, Jackie Robinson Training Complex, thanked the Board for a successful partnership.

Commissioner Moss expressed opposition to waiving the bid requirement, as well as to using tourism dollars for the Jackie Robinson Training Complex facility, stating it lacked broad community appeal.

**A motion was made by Vice Chairman Earman, seconded by Commissioner Flescher, to approve staff's recommendation. The motion carried by the following vote:**

**Aye:** 4 - Chairman O'Bryan, Vice Chairman Earman, Commissioner Adams, and Commissioner Flescher

**Nay:** 1 - Commissioner Moss

## 12. DEPARTMENTAL MATTERS

### A. Community Development

#### 12.A.1. [22-0539](#) Exception To Cut And Fill Balance Requirements For Commercial / Industrial Development In Flood Hazard Areas

**Recommended Action:** Staff recommends that the Board of County Commissioners review the proposed changes to Land Development Regulation Subsection 930.07(2)(i) and provide direction to Staff regarding the requested cut and fill balance exception.

**Attachments:** [Staff Report](#)  
[Proposed LDR Subsection 930.07\(2\)\(i\)](#)  
[FEMA Compensatory Storage Information](#)  
[Excerpt of 8-15-17 BCC Meeting Minutes](#)

**Deleted**

**12.A.2. [22-0542](#)** American Rescue Plan Act of 2021 - Low Income Housing Tax Credit (LIHTC) project assistance program.

**Recommended Action:** Staff recommends that the Board of County Commissioners consider the proposed LIHTC project assistance program, and approve the program and direct staff to begin administration of this program, or direct staff to make any necessary changes to the program.

**Attachments:** [Staff Report](#)  
[LIHTC Application](#)  
[LIHTC Application Attachments](#)  
[Scoring Matrix](#)

Community Development Director Phil Matson introduced John Stoll, Chief of Long Range Planning, who presented his department's recommendation to set aside \$400,000 from the American Rescue Plan (ARP) package to fund the Low Income Housing Tax Credit (LIHTC) Project Assistance Program which would provide grants to developers to create affordable rental housing. Mr. Stoll displayed demographic data to indicate high-need areas, and noted that any applicants would be brought before the Board for approval.

Commissioner Adams received information regarding the value of building in the high-need areas, and was advised the estimated rent for a family-sized unit would be \$1,100 to \$1,300. Chairman O'Bryan was informed that the State had demographic requirements Developers must meet to ensure affordability.

**A motion was made by Commissioner Adams, seconded by Chairman O'Bryan, to approve staff's recommendation. The motion carried by the following vote:**

**Aye:** 5 - Chairman O'Bryan, Vice Chairman Earman, Commissioner Adams, Commissioner Flescher, and Commissioner Moss

**B. Emergency Services**

**C. General Services**

**D. Human Resources**

**E. Information Technology**

**F. Office of Management and Budget**

**G. Public Works**

## H. Utilities Services

### 13. COUNTY ATTORNEY MATTERS

#### 13.A. [22-0578](#) Agriculture Advisory Committee Appointment

**Recommended Action:** The County Attorney recommends that the Board review the applicant's application and determine whether to appoint her to fill the unexpired term for the "Agritourism Representative" to the Agriculture Advisory Committee.

**Attachments:** [Staff Report](#)  
[Application - Kelly Jackson](#)

County Attorney Dylan Reingold informed that under the Agricultural Advisory Committee restructuring, a new position for "Agritourism Representative" was created, and his office had received an applicant for that position.

Commissioner Adams expressed that there was no urgency to fill the position, and she would prefer to hold off making an appointment until there was a larger pool of candidates. County Attorney Reingold agreed to continue collecting applications.

**A motion was made by Commissioner Adams, seconded by Chairman O'Bryan, to postpone appointment to the Agriculture Advisory Committee for the position of "Agritourism Representative" to allow for additional applicants. The motion carried by the following vote:**

**Aye:** 5 - Chairman O'Bryan, Vice Chairman Earman, Commissioner Adams, Commissioner Flescher, and Commissioner Moss

### 14. COMMISSIONERS MATTERS

#### A. Commissioner Peter D. O'Bryan, Chairman

##### 14.A.1. **22-0593** Florida Association of Counties' request for a Letter to Governor DeSantis

Chairman O'Bryan relayed that he had received a request from the Florida Association of Counties (FAC) to send a letter to Florida Governor Ron DeSantis thanking him for vetoing Senate Bill 620 which would have limited local government rights.

County Attorney Dylan Reingold read a portion of Governor DeSantis' veto letter, and cautioned that the wording indicated there may be future challenges to local government control.

**A motion was made by Commissioner Adams, seconded by Commissioner Moss, to send a letter thanking Florida Governor Ron DeSantis for vetoing Senate Bill 620. The motion carried by the following vote:**

**Aye:** 5 - Chairman O'Bryan, Vice Chairman Earman, Commissioner Adams, Commissioner Flescher, and Commissioner Moss

**B. Commissioner Joseph H. Earman, Vice Chairman**

**C. Commissioner Susan Adams**

**D. Commissioner Joseph E. Flescher**

**E. Commissioner Laura Moss**

## 15. SPECIAL DISTRICTS AND BOARDS

**A. Emergency Services District**

**B. Solid Waste Disposal District**

The Board of County Commissioners reconvened as the Board of Commissioners of the Solid Waste Disposal District. The minutes will be approved at an upcoming Solid Waste Disposal District meeting.

**15.B.1. [22-0577](#)** Approval of SWDD Minutes of May 10, 2022

**Recommended Action:** Approve

**Attachments:** [05102022 SWDD Draft Minutes](#)

**A motion was made by Commissioner Adams, seconded by Commissioner Flescher, to approve the Solid Waste Disposal District Meeting Minutes of May 10, 2022 as written. The motion carried by the following vote:**

**Aye:** 5 - Chairman O'Bryan, Vice Chairman Earman, Commissioner Adams, Commissioner Flescher, and Commissioner Moss

**15.B.2. [22-0565](#)** 2nd Amendment and Renewal to Franchise Agreement with Waste Management, Inc., of Florida

**Recommended Action:** Staff is requesting that the Board approve the following: 1. Approve the 2nd Amendment and Renewal Agreement with Waste Management, Inc., of Florida; and, 2. Authorize the Chairman to execute to execute the same, as presented

**Attachments:** [Staff Report](#)  
[2nd Amendment and Renewal Agreement with WMIF](#)

Himanshu Mehta, Managing Director, Solid Waste Disposal District, presented the amendment and renewal of the County's agreement with Waste Management for an additional three years. Director Mehta noted that all terms remained the same, except for the previously-approved amendment regarding commercial debris containers.

**A motion was made by Commissioner Adams, seconded by Commissioner Flescher, to approve staff's recommendation. The motion carried by the following vote:**

**Aye:** 5 - Chairman O'Bryan, Vice Chairman Earman, Commissioner Adams, Commissioner Flescher, and Commissioner Moss

**15.B.3. [22-0571](#)** Payment Processing Services Statement of Work Agreement with nCourt, LLC

**Recommended Action:** Solid Waste Disposal District (SWDD) staff recommends that its Board approve the following: a) Approve the Payment Processing Services Statement of Work Agreement with nCourt, LLC; and, b) Authorize the Chairman to execute the same, as presented

**Attachments:** [Staff Report](#)  
[Credit Card Agreement with nCourt, LLC](#)

Himanshu Mehta, Managing Director, Solid Waste Disposal District (SWDD), requested approval to upgrade the credit card approval software to the nCourt system, as used by the County Courthouse. Director Mehta also detailed the recommendation to allow credit card fees to be passed along to consumers rather be absorbed by SWDD.

Clerk of Circuit Court and Comptroller Jeffrey R. Smith, spoke favorably of his experience using nCourt.

**A motion was made by Commissioner Adams, seconded by Commissioner Flescher, to approve staff's recommendation. The motion carried by the following vote:**

**Aye:** 5 - Chairman O'Bryan, Vice Chairman Earman, Commissioner Adams, Commissioner Flescher, and Commissioner Moss



**15.B.4. [22-0572](#)** Amendment No. 1 to Work Order No. 45 to Kimley Horn and Associates for Landfill Automated Scale System

**Recommended Action:** Solid Waste Disposal District (SWDD) staff recommends that its Board approve the following: a) Approve Amendment No. 1 to Work Order No. 45 with Kimley-Horn and Associates, Inc. for \$12,821, with an amended total of \$86,251, to provide engineering services related to the Landfill Automated Scale System; and, b) Authorize the Chairman to execute the same, as presented

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

[Amendment No 1 to Work Order No 45 - KHA](#)

There was no discussion regarding this item.

**A motion was made by Commissioner Flescher, seconded by Vice Chairman Earman, to approve staff's recommendation. The motion carried by the following vote:**

**Aye:** 5 - Chairman O'Bryan, Vice Chairman Earman, Commissioner Adams, Commissioner Flescher, and Commissioner Moss

**15.B.5. [22-0573](#)** Amendment No. 2 to Work Order No. 44 to Kimley-Horn for Landfill Gas Flare Skid Improvements and Pipeline Extension Project

**Recommended Action:** Solid Waste Disposal District staff recommends that its Board approve the following: a) Approve Amendment No. 1 to Work Order No. 44 with Kimley-Horn and Associates, Inc. for \$13,306, with an amended total of \$280,556, to provide engineering services related to the Landfill Gas Pipeline Extension and Skid Improvements; and, b) Authorize the Chairman to execute the same, as presented

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

[Amendment No 2 Work Order No 44 - KHA](#)

There was no discussion regarding this item.

**A motion was made by Commissioner Flescher, seconded by Commissioner Adams, to approve staff's recommendation. The motion carried by the following vote:**

**Aye:** 5 - Chairman O'Bryan, Vice Chairman Earman, Commissioner Adams, Commissioner Flescher, and Commissioner Moss

- 15.B.6.** [22-0574](#) Amendment No. 1 to Work Order No. 47 to Kimley-Horn and Associates for Roadway and Drainage Improvements at the IRC Landfill

**Recommended Action:** Solid Waste Disposal District staff recommends that its Board approve Amendment No. 1 to Work Order No. 47 with Kimley-Horn and Associates, Inc. for \$8,580, with an amended total of \$45,640, to provide engineering services related to the Roadway and Drainage Improvements at the Indian River County Landfill and authorize the Chairman to execute the same, as presented

**Attachments:** [Staff Report](#)  
[Amendment No 1 to Work Order No 47 - KHA](#)

There was no discussion regarding this item.

**A motion was made by Commissioner Flescher, seconded by Commissioner Adams, to approve staff's recommendation. The motion carried by the following vote:**

**Aye:** 5 - Chairman O'Bryan, Vice Chairman Earman, Commissioner Adams, Commissioner Flescher, and Commissioner Moss

- 15.B.7.** [22-0575](#) Amendment No. 1 to Work Order No. 42 to Kimley-Horn and Associates - Centrate to Leachate Tank Conversion

**Recommended Action:** Solid Waste Disposal District (SWDD) staff recommends that its Board approve the following: a) Approve Amendment No. 1 to CCNA-2018, amended and extended in 2021, Work Order No. 42 with Kimley-Horn and Associates, Inc., for \$49,447, with an amended total of \$100,390, for the engineering and permitting services related to the Centrate to Leachate Tank Conversion Project; and, b) Authorize the Chairman to execute the same, as presented

**Attachments:** [Staff Report](#)  
[Amendment No 1 to Work Order No 42 - Kimley-Horn](#)

There was no discussion regarding this item.

**A motion was made by Commissioner Flescher, seconded by Vice Chairman Earman, to approve staff's recommendation. The motion carried by the following vote:**

**Aye:** 5 - Chairman O'Bryan, Vice Chairman Earman, Commissioner Adams, Commissioner Flescher, and Commissioner Moss

### C. Environmental Control Board

## 16. ADJOURNMENT

There being no further business, the Chairman adjourned the meeting at 10:24 a.m.