

# 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, December 4, 2018

9:00 AM

Commission Chambers

### Board of County Commissioners

*Bob Solari, Chairman, District 5*

*Susan Adams, Vice Chairman, District 1*

*Joseph E. Flescher, District 2*

*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**

**ROLL CALL**

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

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

**2.B. INVOCATION**

Chaplain Chad Elberson, Indian River Estates West

**3. PLEDGE OF ALLEGIANCE**

Commissioner Joseph E. Flescher

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

**A motion was made by Commissioner O'Bryan, seconded by Commissioner Flescher, to approve the Agenda as presented. The motion carried by the following vote:**

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

**5. PROCLAMATIONS and PRESENTATIONS**

**6. APPROVAL OF MINUTES**

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

**7.A.**     [18-2553](#)     Update on All Aboard FL/Vero Electric Expenses

**Recommended Action:** No Action Required

**Attachments:**   [Staff Report](#)  
                          [All Aboard FL Expenses](#)  
                          [FP&L-Vero Beach-FMPA expenses](#)

**No Action Taken or Required**

**7.B.**     [18-2551](#)     Florida Public Service Commission Order PSC-2018-0559-FOF-EI approving

tariffs for Duke Energy, effective with the first billing cycle of 1/19; docket shall remain open pending Commission's final decision on Duke Energy's petition is on file in the Office of the Clerk to the Board.

**Recommended Action:** Information Only

**No Action Taken or Required**

**7.C.**     [18-2537](#)     Indian River County Venue Event Calendar Review

**Recommended Action:** This is an informational item only; no Board action is required

**Attachments:**   [Staff Report](#)

Chairman Solari pointed out the upcoming Christmas events.

**No Action Taken or Required**

**8. CONSENT AGENDA**

Assistant County Administrator Mike Zito announced that Ann Shepherd, the Director of Library Services, is retiring, and that one of her accomplishments is the re-establishment of the Marian Fell Library in Fellsmere. The Marian Fell Library Grand Opening will be on January 24, 2019 from 1:00 to 5:00 p.m.

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

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

**8.A.**     [18-2533](#)     Checks and Electronic Payments November 9, 2018 to November 16, 2018

**Recommended Action:** Approve the list of checks and electronic payments issued by the Comptroller's office for the time period of November 9, 2018 to November 16, 2018

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

**Approved**

**8.B.**     [18-2534](#)     Dori Slosberg Driver Education Safety Act - Indian River County Traffic Education Program Trust Fund Report - Cumulative Reporting Through 09/30/18

**Recommended Action:** Accept the report.

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

**Accepted**

8.C. [18-2546](#) Internal Audit Report for Fiscal Year 2018

**Recommended Action:** Accept the report.

**Attachments:** [Finance Department Staff Report - Internal Audit](#)

**Accepted**

8.D. [18-2547](#) Quarterly Tourist Development Tax Report for the Quarter Ending 09/30/18

**Recommended Action:** Accept the report.

**Attachments:** [Finance Department Staff Report - Tourist Tax](#)

**Accepted**

8.E. [18-2548](#) Quarterly Investment Report for Quarter Ending 09/30/18

**Recommended Action:** Accept the report.

**Attachments:** [Finance Department Staff Report - Investment Committee 093018](#)

**Accepted**

8.F. [18-2549](#) Quarterly OPEB Trust Report for the Quarter Ending 09/30/18

**Recommended Action:** Accept the report.

**Attachments:** [Finance Department Staff Report - Investment Committee OPEB](#)

**Accepted**

8.G. [18-2550](#) Changes to OPEB Trust Investment Policy

**Recommended Action:** Accept the OPEB Trust Investment Policy changes.

**Attachments:** [Finance Department Staff Report - OPEB Policy Updates](#)

**Accepted**

- 8.H. [18-2506](#) Approval of Renewal of the 800 MHz Communications System Infrastructure Maintenance Contract with Communications International, Inc.

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

**Attachments:** [Staff Report](#)  
[Master Service Agreement \(Contract Number CI-10-146\)](#)  
[2018-2019 Cost Summary](#)  
[CPI Letter](#)  
[Sole Source Letter](#)

**Approved staff's recommendation**

- 8.I. [18-2538](#) Approval of Continuing Geotechnical Services Agreements for RFQ 2018042 (IRC-1812)

**Recommended Action:** Staff recommends the Board approve the sample agreement and submitted rate schedules and authorize the Chairman to execute the agreements once the County Attorney has approved as to form and legal sufficiency.

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

**Approved staff's recommendation, and authorized the Chairman to execute the agreements with Anderson Andre Consulting Engineers, Inc.; Terracon Consultants, Inc.; Ardaman & Associates, Inc.; Nutting Engineers of Florida, Inc.; GFA International, Inc.; Universal Engineering Sciences, Inc.; and Tierra South Florida, Inc.**

- 8.J. [18-2540](#) Adrienne Dissis' Request for Release of a Portion of an Easement at 7775 134th Street (Town of Wauregan Subdivision)

**Recommended Action:** Staff recommends that the Board, through adoption of the resolution, approve release of the 20-foot wide portion of the drainage and utility easement described in the resolution.

**Attachments:** [Staff Report](#)  
[Maps Depicting Easement](#)  
[County Resolution 2003-148](#)  
[Proposed Resolution Releasing Easement](#)

**Approved Resolution 2018-122, releasing a portion of an easement reserved over**

abandoned short street right-of-way abutting Block 52A, Town of Wauregan Subdivision.

**8.K.**     [18-2541](#)     Deputy Occupancy Lease/License Agreements

**Recommended Action:** Staff respectfully requests that the Board authorize renewal of the existing Gifford Park lease; the termination of the existing License Agreements at Donald MacDonald Campground and the Indian River County Fairgrounds; and, authorize the Chairman to execute the License Agreements for Donald MacDonald Park and the Indian River County Fairgrounds.

- Attachments:**   [Staff Report](#)  
[License Agmt 2018 - Campground- name redacted Revised 11-26-2018](#)  
[License Agmt 2018 - Fairgrounds - name redacted](#)  
[Gifford Park Lease Renewal with Tenant Name Redacted](#)  
[2018 Gifford Park Lease Renewal Request Acknowledgement](#)

**Approved staff's recommendation**

**8.L.**     [18-2558](#)     Work Order No. 1 Stantec Consulting Services, Inc. Indian River County Beach Preservation Plan - Update 2019

**Recommended Action:** The recommendation of staff is for the Board to approve Work Order No. 1 in the amount of \$198,608 to initiate a contract with Stantec Consulting Services, Inc. and authorize the Chairman to sign on behalf of the County

- Attachments:**   [Staff Report](#)  
[Stantec Consulting Services, Inc. WO # 1](#)

**Approved staff's recommendation**

**8.M.**     [18-2561](#)     Designation of Excess Equipment as Surplus

**Recommended Action:** Staff recommends the Board declare the items on the Excess Equipment List for 120418 Agenda as surplus, and authorize their sale and/or disposal, as indicated.

- Attachments:**   [Staff Report](#)  
[Excess Equipment List for 120418 Agenda](#)

**Approved staff's recommendation**

- 8.N.**     [18-2562](#)     Work Order No. 2018006-4, Aptim Environmental & Infrastructure, Inc. Sector 3 Beach and Dune Renourishment - 2018 Pre-Construction Biological Monitoring

**Recommended Action:** The recommendation of staff is for the Board to approve Work Order No. 2018006-4 to the contract with Aptim Environmental & Infrastructure, Inc. and authorize the Chairman to sign on behalf of the County.

**Attachments:**   [Staff Report](#)  
                          [Aptim WO# 2018006-4](#)

**Approved staff's recommendation**

- 8.O.**     [18-2544](#)     Approval of Interlocal Agreement with the City of Fellsmere for Library Services at the Marian Fell Library

**Recommended Action:** Staff respectfully recommends that the Board of County Commissioners approve the Interlocal Agreement between Indian River County and the City of Fellsmere, and authorize Chairman to sign.

**Attachments:**   [Staff Report](#)  
                          [Interlocal Agreement - City of Fellsmere Library for 12-04-2018](#)

**Approved staff's recommendation**

## **9. CONSTITUTIONAL OFFICERS and GOVERNMENTAL AGENCIES**

### **10. PUBLIC ITEMS**

#### **A. PUBLIC HEARINGS**

- 10.A.1**   [18-2536](#)     County Initiated Request to Amend the 5 Year Capital Improvements Program and the Supporting Data and Analysis of the Capital Improvements Element of the Comprehensive Plan for the Period FY 2018/19 - 2022/23. Plan Amendment Number: CPTA 2018100152-83037 (Legislative)

**Recommended Action:** Based on the analysis conducted, staff recommends that the Board of County Commissioners: 1. Approve the update to the 5 Year Capital Improvements Program for the period FY 2018/19 - 2022/23 and supporting data and analysis of the Capital Improvements Element (CIE) of the Comprehensive Plan by adopting the proposed ordinance; and 2. Authorize staff to initiate update amendments to the CIE and the Transportation Element in the January 2019 amendment submittal window.

**Attachments:** [Staff Report](#)  
[Comprehensive Plan Text Amendment Application](#)  
[Comprehensive Plan Text Amendment Ordinance](#)  
[Strike Through and Underline Version of CIE](#)  
[5 Year Schedule of Capital Improvements](#)

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

Chairman Solari made note that page 6 of staff's report had been replaced.

Community Development Director Stan Boling, through the use of a PowerPoint Presentation, explained the purpose of the text amendment to the Comprehensive Plan, and provided details regarding the adoption process as well as the preparations involved with the Capital Improvements Element (CIE) of the Plan. He highlighted the revisions made to the 5 Year Capital Improvements Program (CIP), summarized the expenditures by category, and announced proposed and ongoing projects.

Director Boling explained that the correction to page 6 pertained to the Lagoon-benefitting projects, which will be funded by 20% of the proceeds of the first five years of the extended One-Cent Local Option Sales Tax. Among the Transportation projects mentioned was the proposed Aviation Boulevard Extension project, which would require negotiations with the Indian River Hospital District (the District). He also mentioned that staff has identified changes to the Transportation Element and portions of the CIE that need to be updated, and asked the Board to approve staff's recommendation and provide authorization for staff to approach the District about the Aviation Boulevard Extension project.

Comments ensued about having the County's Public Works Department manage the Capital Improvements Projects for the Sheriff's Office; advancing certain water projects (particularly Lagoon friendly projects), in readiness for potential State funding; whether the improvements at the Sandridge Golf Club could be completed sooner than outlined; and developing out the new Pickleball Complex at South County Park sooner, in response to requests from residents.

The Board consensus was to have the Lagoon-benefitting projects moved along to take advantage of a two-year window wherein Senator Debbie Mayfield would chair the State Appropriations Committee for Water Projects.

Chairman Solari sought and received Board consensus to add a Public Education component to the proposed AMR (Automatic Meter Reading) AMI (Advanced Meeting Infrastructure) Meter Conversion project, and for staff to report back to



the Board on post-recession deferred maintenance or capital expenditure items still outstanding.

The Chairman opened the public hearing; there were no speakers, and the public comments section was closed.

**A motion was made by Commissioner O'Bryan, seconded by Commissioner Zorc, to: (1) approve staff's recommendation and adopt Ordinance 2018-025, amending the text of the Comprehensive Plan's Capital Improvements Element by updating the County's 5 year Capital Improvements Program (CIP) Schedule and related data and analysis sections; and providing severability and effective date; and (2) authorize staff to begin negotiations with the Indian River Hospital District on the Aviation Extension Project. The motion carried by the following vote:**

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

## **B. PUBLIC DISCUSSION ITEMS**

- 10.B.1. [18-2568](#)** Request to Speak from Fred Mensing Regarding All Aboard Florida/Brightline/Virgin Trains/Florida East Coast Railway Railroad Crossings - Tunnels and Bridges

**Recommended Action:** Request to Speak - Action Not Required

**Attachments:** [Request to Speak Form](#)

Frederick Mensing, 4123 18th Place, addressed the Board about Florida's East Coast Railway's (FEC's) expanding freight service, and how it will impact the ability of emergency responders to cross the railroad tracks and get people to an emergency facility. He mentioned that other cities have constructed tunnels or bridges to alter the railroad crossing areas. Mr. Mensing also deemed that the Board of County Commissioners had expended funds to fight Virgin Trains (also known as the Brightline and All Aboard Florida) rather than protecting the residents west of the FEC Railroad.

**No Action Taken or Required**

## **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. [18-2554](#)** Reserve Accounts

**Recommended Action:** A summary of the recommendations contained herein is listed below: 1. Approve (or approve with modification) proposed ordinance change depicted in Attachment 1 to allow for the relinquishment of ERUs acquired during one of the voluntary assessment programs between 1984 and 1989. Such relinquishment shall include a refund of any impact fees or fees in lieu of impact fees that were paid to reserve capacity, provided that the property remains undeveloped and/or service is not available within two hundred feet of the parcel. Refunds shall be made at the rate at which the fees were paid. Accounts shall be brought current before allowing any such relinquishment. Direct staff to hold a public hearing on December 18th regarding this matter; 2. Modify County Code to allow for the relinquishment of ERUs purchased at any time if the owner desires to relinquish them. Unless the ERUs were purchased within the past twenty-four months or during one of the voluntary assessment programs described earlier herein, relinquishment shall not include a refund of impact fees. Accounts shall be brought current before allowing any such relinquishment; 3. Modify County Code to accommodate the County reclaiming any ERUs wherein twenty-four months of service availability fees are past due. Under this scenario, a partial refund would be processed for the impact fees. However, all account balances due would be deducted from that refund; 4. Approve (or approve with modifications) the draft amnesty ordinance and direct staff to hold a public hearing to adopt the proposal. A copy of the draft ordinance is presented in Attachment 3; and, 5. If approved, direct staff to work with the County Attorney to develop a proposed ordinance to accommodate Refund, Relinquishment, and Reclaiming ERUs as described in items 2 and 3 of this recommendation, and to proceed with advertising for a public hearing regarding said matter. A draft of the proposed ordinance is included in Attachment 4.

**Attachments:** [Staff Report](#)[Attachment 1 - Proposed Code Modification \(Section 201.09 E\)](#)[Attachment 2 - Resolution 87-142](#)[Attachment 3 - Proposed Ordinance regarding Amnesty](#)[Attachment 4 - Proposed Code Modification regarding Recommendations 2 and 3](#)

Chairman Solari disclosed that he was the owner of ten (10) Equivalent Residential Units (ERU's) as part of a voluntary assessment, and that the County Attorney confirmed that there was no conflict of interest.

Director of Utility Services Vincent Burke reported that staff was returning with recommendations pursuant to the Board's direction at the November 13, 2018 Board of County Commission meeting. Assisted by Utility Finance Manager Cindy Corrente, he made use of a PowerPoint presentation to detail the key points of each recommendation.

The first issue was about modifying County Code to permit the refund of impact fees paid to gain capacity in the water and/or wastewater system, if requests are made within 24 months of purchase. Commissioner O'Bryan advocated that the amendment stipulate that accounts must be current, with no delinquent charges.

The following speakers addressed the Board:

Chuck Mechling, North Highway A1A  
Joseph Paladin, President of Black Swan Consulting and President of Atlantic Coast Building

**A motion was made by Commissioner O'Bryan, seconded by Commissioner Flescher, to approve language for an amendment to County Code Section 201.09E, to allow for any customer who purchased Equivalent Residential Units (ERUs) to apply to the Indian River County Department of Utility Services (IRDUS) for a refund, provided the application is made within 24 months of the payment of the impact fees, and provided that the account is current, and the customer has not connected to the system. The reimbursement will be based on the impact fee schedule in effect at the time of original payment. The motion carried by the following vote:**

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

Director Burke outlined three scenarios for staff's recommendation to modify County Code to allow for a refund of impact fees paid during one of the voluntary assessment

programs that were adopted by resolution between 1984 and 1989.

A brief question and answer period ensued as the Board sought additional information on the proposed impact fee refunds, after which County Administrator Jason Brown affirmed that he did not envision that the proposed refunds would strain the County's budget.

The following speakers addressed the Board:

Richard Maxwell, 920 Truman Street, Sebastian  
Joseph Paladin, President Black Swan Consulting and President Atlantic Coastal Construction

A motion was made by Commissioner Flescher, seconded by Chairman Solari, to approve an amendment to County Code Section 201.09, to allow for refund of impact fees paid for certain voluntary assessments adopted by resolution between 1984-1989, if the reserve account is current and the property is either undeveloped, or if the property is located 200 or more feet from an existing water and/or sewer line, whichever is applicable; refunds will be equated to a per ERU basis and refunded at the amount actually paid.

County Attorney Dylan Reingold confirmed that the Board approved of incorporating the two amendments into one Ordinance for adoption at the December 18, 2018 Public Hearing.

**Motion was amended by Commissioner Flescher, seconded by Chairman Solari, to: (1) approve an amendment to County Code Section 201.09E, to allow for a refund of impact fees paid for certain voluntary assessments adopted by resolution between 1984-1989, if the reserve account is current and the property is either undeveloped, or if the property is located 200 or more feet from an existing water and/or sewer line, whichever is applicable; refunds will be equated to a per ERU basis and refunded at the amount actually paid; and (2) to incorporate both amendments into one Ordinance to be heard at a Public Hearing on December 18, 2018. The motion carried by the following vote:**

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

Next, discussion ensued dealing with the County's ability to reclaim any ERU's after 24 months of unpaid service availability charges.

Commissioner O'Bryan wanted to make sure that the 24 months would be

cumulative.

**A motion was made by Commissioner Flescher, seconded by Commissioner O'Bryan, to approve an amendment to County Code Section 201.09E, to allow the County to reclaim any ERUs after 24 months of unpaid service availability charges; any impact fees paid will be applied to the account balance and any excess of such fees will be refunded. The motion carried by the following vote:**

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

After a brief discussion, a motion was made to bring the proposed amendment to the public hearing of December 18, 2018. However, due to the timeframe noted by Attorney Reingold, the Board consensus was to have staff report back on reclaiming the ERU's.

#### **Postponed/Continued**

Director Burke continued his briefing, proffering staff's recommendation to approve or amend a draft 90-day amnesty ordinance and hold a public hearing for adoption on December 18, 2018.

Discussion ensued about issuing this additional amnesty period, in addition to those previously provided by the County. Administrator Brown pointed out that only customers who have not previously participated in amnesty are eligible for the upcoming amnesty period.

**A motion was made by Commissioner O'Bryan, seconded by Vice Chairman Adams, to approve the draft 90-day amnesty Ordinance and direct staff to hold a public hearing on December 18, 2018 to adopt the proposal. The motion carried by the following vote:**

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

Director Burke next presented three options for dealing with the large Planned Unit Development (PUD) Reserve Accounts with outstanding fees.

Deliberations followed about the proposed final settlement agreement wherein the County would reclaim the ERU's and write off the bad debt; the potential to affix a transfer fee to the ERU's that are reclaimed by the County; and the possibility of using utility foreclosures as a means of clearing the large debts.

A conversation was also introduced about having a mechanism for a utility account holder to relinquish ERU's that are no longer desired.

The following speakers addressed the Board:

Chuck Mechling, 5070 North Highway A1A  
Joseph Paladin, President of Black Swan Consulting  
Wesley Davis, 7001 84th Avenue  
Peter Robinson, 315 Greytwig Road

**A motion was made by Vice Chairman Adams, seconded by Commissioner Flescher, to direct staff to work with the County Attorney's office to approve a process that allows the County to enter into a final settlement agreement with the large Planned Unit Development (PUD) ERU Reserve Accounts, whereby the County reclaims ERUs and writes off the bad debt, with the caveat that if the final executed settlement agreement is not performed within the time certain of six (6) months from December 18, 2018, the County will move into a foreclosure process, with the County Attorney to place the Final Settlement Agreement sample contract under Informational Items on a County Commission Agenda; and (2) directed staff to provide public notice to the relevant ERU account holders. The motion carried by the following vote:**

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

Chairman Solari asked staff to return with discussion on relinquishing the ERU's in cases where the accounts are current.

The Chairman called a recess at 11:11 a.m., and reconvened the meeting at 11:21 a.m., with all members present.

#### **12.G.2. [18-2555](#)**

Fellsmere Franchise Agreement

**Recommended Action:** Staff recommends that the Board of County Commissioners authorize the chairman to execute the franchise agreement with the City of Fellsmere.

**Attachments:** [Staff Report](#)  
[Fellsmere Franchise Agreement](#)  
[Exhibit A Service Area Map](#)

Director of Utility Services Vincent Burke provided background and analysis on the proposed agreement with the City of Fellsmere (the City), which would bring County water/wastewater utility services to an area just east of I-95 and abutting County Road 512. He disclosed that the Fellsmere City Council has already approved the agreement, which would provide for the County and the City to split the franchise fee.

Fellsmere City Manager Jason Nunemaker was present in support of this item.

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

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

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

**13.A. [18-2539](#)** Costs Associated with Injunction Against Dallas Yates, Jane Yates and The Yates Group LLC

**Recommended Action:** The County Attorney's Office recommends that the Board County Commissioners authorize County staff to work with and support the Health Department of Indian River County to take steps to remove any tenants from the Subject Property, to abandon 5 septic tanks located on the Subject Property, and to remove the large pile of solid waste and vegetation from the Subject Property.

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

Assistant County Attorney Kate Pingolt Cotner presented this item, providing background on the County's attempt to seek injunctive relief to mitigate sanitary nuisances on a multi-family property owned by Dallas Yates, Jane Yates, and the Yates Group, located at 8835, 8845, 8883, 8885, 8887, and 8889 64th Avenue in Sebastian. She described the Court's ruling, authorizing the County to remove any tenants, clean up the property, and perfect a lien on the subject property to recover costs associated with the nuisance abatement.

Cheryl Dunn, Environmental Manager of the Indian River County Health Department, relayed that it appears all of the tenants on the subject property have departed, although some vehicles remain on site.

**A motion was made by Commissioner Flescher, seconded by Commissioner O'Bryan, to approve staff's recommendation and to authorize the County, through its agents, employees, and the Department of Health in Indian River County, to perfect a lien against the property located at 8835, 8845, 8883, 8885, 8887, and 8889 64th Avenue in Sebastian, Florida, and any other property as permitted by law to recover the costs associated with removing the solid waste, sanitizing the areas impacted by raw effluent, and anything else that may be necessary to stop future sanitary violations from occurring (i.e. abandoning septic tanks). The motion carried by the following vote:**

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

### **14. COMMISSIONERS MATTERS**

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

**B. Commissioner Susan Adams, Vice Chairman**

14.B.1. [18-2563](#) Request Board Consideration for Discussion re Oslo Cemetery

**Recommended Action:** Discuss and Consider

**Attachments:** [Commissioners Memorandum](#)  
[Oslo Cemetery Draft Agreement](#)

Vice Chairman Adams recapped that people who have relatives buried at the Oslo Cemetery (the Cemetery) have formerly not been allowed on the site, and relayed that the current owner, Michael Gregory M.D., is now willing to donate the property to the County. She noted that one individual has been waiting two years to bury her mother at the site, and that the use of the Cemetery would be restricted to individuals who have family interred there. She mentioned that the original deed stipulates that if the property ceases to be used as a cemetery, it should automatically revert to the grantee (the County).

Chairman Solari voiced that owning a cemetery was not a proper government function; whereas Commissioner Flescher remarked that the Oslo Cemetery was still an active cemetery.

**A motion was made by Vice Chairman Adams, seconded by Commissioner O'Bryan, to approve the Gift Agreement by and between Indian River County and Michael W. Gregory, M.D. a/k/a Oslo Cemetery, Inc. The motion carried by the following vote:**

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

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

**C. Commissioner Joseph E. Flescher****D. Commissioner Peter D. O'Bryan****E. Commissioner Tim Zorc**

14.E.1. [18-2564](#) Request to Discuss Scheduling a Workshop on Housing Affordability

**Recommended Action:** Discussion

**Attachments:** [Commissioners Memorandum](#)

Commissioner Zorc proposed a workshop to be held to discuss housing affordability in the County. He noted that the workshop would be to explore how the wage scale of County businesses compares to the housing market.



A brief discussion followed about housing costs and wages, after which the Board consensus was to task the Affordable Housing Advisory Committee (AHAC) to research this topic.

County Administrator Jason Brown confirmed that he would convene a meeting of the AHAC to discuss this topic. It was suggested that Commissioner Zorc invite any interested builders to the meetings on affordable housing.

**Referred to Staff**

**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 Chairman adjourned the meeting at 11:49 a.m.