

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, February 7, 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

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

2. INVOCATION

Father David G. Newhart, Rector, St. Elizabeth's Episcopal Church

3. PLEDGE OF ALLEGIANCE

Dylan Reingold, County Attorney

4. ADDITIONS/DELETIONS TO THE AGENDA / EMERGENCY ITEMS

A motion was made by Vice Chairman O'Bryan, seconded by Commissioner Solari, to approve the Agenda, as presented. 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

5.A [17-0089](#) Presentation of Proclamation Designating the Week of February 5-11, 2017, as "2-1-1 Awareness Week"

Recommended Action: Read and Presented

Attachments: [2-1-1 Proclamation](#)

Commissioner Susan Adams presented the Proclamation to Page Woodward, Community Relations Specialist, 2-1-1.

No Action Taken

6. APPROVAL OF MINUTES

6.A [17-0108](#) Regular Meeting of December 20, 2016

Recommended Action: Approve

Attachments: [12202016BCC](#)

County Administrator Jason Brown pointed out that on the December 20, 2016, Solid Waste Disposal District Meeting Minutes, Item 15.B.4, staff's recommendation should read January 1, 2018, instead of March 1, 2017. The Board suggested that

this be addressed under Item 15.B.1, Approval of Minutes Meeting of December 20, 2016, of the Solid Waste Disposal District.

Approved

6.B [17-0123](#) Regular Meeting of January 10, 2017

Recommended Action: Approve

Attachments: [01102017BCC](#)

Approved

6.C [17-0122](#) Regular Meeting of January 17, 2017

Recommended Action: Approve

Attachments: [01172017BCC](#)

A motion was made by Vice Chairman O'Bryan, seconded by Commissioner Zorc, to approve the Regular Meeting Minutes of December 20, 2016, January 10, 2017, and January 17, 2017. The motion carried as follows:

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 [17-0110](#) Appointment of District 1 Appointee to the Planning & Zoning Commission

Recommended Action:

Attachments: [Patrick Grall App & Resume](#)

No Action Taken

7.B [17-0118](#) 2017 Election of Code Enforcement Board Chairman and Vice Chairman

Recommended Action:

Attachments: [Code Chair & Vice Chair 2017](#)

No Action Taken

7.C [17-0119](#) 2017 Election of Planning and Zoning Commission (P&Z) Chairman and Vice

Chairman

Recommended Action:

Attachments: [P&Z Chair & Vice Chair 2017](#)

No Action Taken

7.D [17-0101](#) Road Diet Webinar & Live Courses

Recommended Action: No action required

Attachments: [Road Diet Webinar & Live Courses](#)

No Action Taken

7.E [17-0102](#) Florida 2030

Recommended Action: No Action Required

Attachments: [Florida 2030 Town Halls](#)

No Action Taken

7.F [17-0099](#) Proclamation and Retirement Award Honoring Bobby G. Cummings on His Retirement From Indian River County Board of County Commissioners Department of Public Works/Road and Bridge Division with Thirty-One Years of Service

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

Commissioner O'Bryan recognized Bobby G. Cummings on his retirement with thirty-one years of service with the Department of Public Works, Road and Bridge Division.

No Action Taken

7.G [17-0114](#) All Aboard Florida/FMPA Vero Electric Expenses

Recommended Action: No action required

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

No Action Taken

7.H [17-0125](#) Modification to Cone of Silence Policy

Recommended Action: No action is required by the Board.

Attachments: [Staff Report](#)

No Action Taken

7.I [17-0139](#) Indian River County Venue Event Calendar Review

Recommended Action: No Board Action is Required

Attachments: [IRC Venue Event Calendar Review](#)

No Action Taken

8. CONSENT AGENDA

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

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

8.A [17-0090](#) Approval of Checks and Electronic Payments - January 13, 2017 to January 19, 2017

Recommended Action: Approve the list of checks and electronic payments issued by the Comptroller's office for the period January 13, 2017 to January 19, 2017

Attachments: [Finance Department Staff Report](#)

Approved

8.B [17-0098](#) Approval of Checks and Electronic Payments January 20, 2017 to January 26, 2017

Recommended Action: Approve the list of checks and electronic payments issued by the Comptroller's office for the period of January 20, 2017 to January 26, 2017

Attachments: [Finance Department Staff Report](#)

Approved

8.C [17-0103](#) Regions Lockbox Contract

Recommended Action: Approve the documents and authorize the Chairman to sign them

Attachments: [Finance Department Staff Report](#)
[Regions Master Agreement](#)
[Regions Amendment](#)
[Regions Customer Profile](#)

Approved

8.D [17-0130](#) Quarterly OPEB Trust Report for the Quarter Ending 12/31/16

Recommended Action: Staff Recommends that the Board of County Commissioners Accept the Quarterly OPEB Trust Report

Attachments: [Finance Department Staff Report](#)

Approved

8.E [17-0129](#) Quarterly Investment Report for the Quarter Ending 12/31/16

Recommended Action: Staff Recommends that the Board of County Commissioners Accept the Quarterly Investment Report

Attachments: [Finance Department Staff Report](#)

Approved

8.F [17-0104](#) Resolution Formally Designating a Portion of County Owned Property for 26th Street and 52nd Avenue Right-Of-Way

Recommended Action: Adopt the resolution, and authorize the Chairman to execute same for recordation in the Public Records of Indian River County, Florida.

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

Approved Resolution 2017-007, Formally designating certain County owned property for 26th Street and 52nd Avenue right-of-way, and directing the Property Appraiser to cut out the property designated as right-of-way from the parent

parcel (Lot 1, Block C, Dodgertown Subdivision, Recorded in Plat Book 3, Page 49, of the Public Records of Indian River County, Florida.)

- 8.G** [17-0100](#) Resolution Formally Designating a Portion of County Owned Property for 26th Street and 54th Avenue Right-Of-Way

Recommended Action: Adopt the resolution, and authorize the Chairman to execute same for recordation in the Public Records of Indian River County, Florida.

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

Approved Resolution 2017-008, Formally designating certain County owned property for 26th Street and 54th Avenue right-of-way, and directing the Property Appraiser to cut out the property designated as right-of-way from the parent parcel (Metes and Bounds description within Tract 14, Section 33, Township 32 South, Range 39 East, in Indian River County, Florida.)

- 8.H** [17-0096](#) Award of Bid No: 2017016 Lakes Golf Course Irrigation System Project

Recommended Action: Staff Recommends that the project be awarded to Duinick, Inc., for the Irrigation Project on the Lakes Course at Sandridge Golf Club in the amount of \$1,246,000.00 and Requests that the Board of County Commissioners Approve the Sample Agreement and Authorize the Chairman to execute said agreement after receipt and approval of the required Public Construction Bond and certificate of insurance and after the County Attorney has approved the agreement as to form and legal sufficiency.

Attachments: [Staff Report](#)
[Sample Agreement - Duinick Inc](#)

Vice Chairman O'Bryan commented for the purpose of transparency on the funding request for the Lakes Golf Course Irrigation System Project, as it involves authorization for an interfund loan to provide the funding to replace the irrigation system on the Dunes Course.

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

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

- 8.I** [17-0107](#) Release of Retainage - Work Order No. 1 Morgan & Eklund, Inc. Post Hurricane Matthew Beach Profile Surveys

Recommended Action: Staff recommends the Board approve the release of all withheld retainage under

Work Order No. 1 in the amount of \$3,150

Attachments: [Staff Report](#)
[Morgan & Eklund Retainage Invoice](#)

Approved

8.J [17-0094](#) Request for Board Authorization for Design of South US Highway 1 Median Landscape Improvements and County Welcome Sign

Recommended Action: Staff recommends that the Board of County Commissioners: 1). Approve Work Order No. 9 to Kimley-Horn & Associates, Inc. authorizing professional design services for south US 1 median landscape improvements and welcome sign; 2). Authorize the Chairman to execute Work Order No. 9 on the Board's behalf for a lump sum amount of \$65,025.00; 3). Authorize expenditure of \$100,000.00 from the County's Tree Ordinance Fund for installation of landscaping improvement within the south US 1 median and to use such funds as the local match for a state highway beautification grant.

Attachments: [Staff Report](#)
[BCC minutes on previous entry sign discussion](#)
[South US 1 Aerial Map](#)
[Work Order No. 9](#)

Approved

8.K [17-0133](#) Pinson Subdivision Petition Water Assessment Project UCP #4126 - Bidding Status: Bid No. 2017015

Recommended Action: Staff recommends rejection of the bid submitted, approve retaining Blue Goose Construction, approve Work Authorization No. 2017-001, and authorize staff to directly purchase materials.

Attachments: [Staff Report](#)
[Work Authorization No. 2017-001](#)
[Blue Goose Construction Quote](#)
[Materials Cost Estimate](#)

Vice Chairman O'Bryan explained that the total preliminary assessment cost for the Pinson Subdivision Petition Water Assessment Project was originally estimated to be \$48,406.95, but the bids came in significantly higher at \$119,100.00. He provided

assurances that the deficit would be absorbed through assessment reserves, and that the additional costs would not be passed along to the homeowners.

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

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

8.L [17-0075](#) Miscellaneous Budget Amendment 006

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](#)
 [Attachment "A"](#)

Approved Resolution 2017-009, Amending the Fiscal Year 2016-2017 Budget.

8.M [17-0111](#) Miscellaneous Budget Amendment 007

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](#)
 [Attachment "A"](#)

Approved Resolution 2017-010, Amending the Fiscal Year 2016-2017 Budget.

8.N [17-0132](#) Miscellaneous Budget Amendment 008

Recommended Action: Staff recommends the Board of County Commissioners approve the budget resolution amending the Fiscal Year 2016/2017 budget

Attachments: [Staff Report](#)
 [2016 2017 Resolution](#)
 [Attachment "A"](#)

Approved Resolution 2017-011, Amending the Fiscal Year 2016-2017 Budget.

8.O [17-0137](#) Acceptance of Utility Easements - Plat of Jackson Street Corners Subdivision
(Located Within the City of Sebastian)

Recommended Action: Staff recommends acceptance of the non-exclusive utility easements as depicted on the proposed plat of Jackson Street Corners Subdivision and requests the Chairman of the Board of County Commissioners be authorized to execute the mylar of Jackson Street Corners Subdivision to accept the utility easements depicted thereon.

Attachments: [Staff Report](#)
[Plat of Jackson Street Corners Subdivision](#)

Approved

8.P [17-0138](#) Emergency Purchase Order for Southern Management for Spoonbill Marsh Maintenance Work

Recommended Action: Staff recommends approval of the proposal authorizing the mentioned services and requests the Board direct the Purchasing Manager to issue a purchase order to Southern Management.

Attachments: [Staff Report](#)
[Proposal from Southern Management](#)

Approved

9. CONSTITUTIONAL OFFICERS and GOVERNMENTAL AGENCIES

9.A [17-0128](#) **Indian River County Clerk of the Circuit Court and Comptroller, Jeffrey R. Smith:** Government Finance Officers Association's Best Practice for the Investment Policy

Recommended Action: No action required

Attachments: [Finance Department Staff Report](#)
[GFOA Best Practice](#)

Through the use of a PowerPoint Presentation, Clerk of Circuit Court and Comptroller Jeffrey R. Smith provided background on the Government Finance Officers Association's (GFOA's) Best Practice for the Investment Policy. He reviewed eight key policy provisions contained in the GFOA Best Practices Policy, and noted that the County follows two additional provisions that are not included in the Best Practices Policy. Mr. Smith felt that those provisions were necessary, as they contain sections covering bid requirements for purchase of investments and continuing education requirements of eight (8) hours annually. Mr. Smith concluded that Indian River County has been both proactive in investment management, and compliant with the GFOA's Best Practices guidelines.

Approved

10. PUBLIC ITEMS

A. PUBLIC HEARINGS

B. PUBLIC DISCUSSION ITEMS

C. PUBLIC NOTICE ITEMS

- 10.C.1** [17-0117](#) Notice of a Scheduled Public Hearing on February 14, 2017, for an Application for a Certificate of Public Convenience and Necessity for a Class E1 Certificate from ETS Experience Transportation Services Inc. to Provide Wheelchair Transportation Originating in Indian River County.

Attachments: [Staff Report-Public Hearing Notice](#)

County Attorney Dylan Reingold read the Notice of Public Hearing into the record.

No Action Taken

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

- 12.F.1** [17-0105](#) Indian River County Courthouse Judges Security Upgrades Funding Request

Recommended Action: Staff recommends authorization of funding to construct the Courthouse Judge

Security Upgrades in the amount of \$396,000.

Attachments: [Staff Report](#)

[Masteller & Moler Inc. Quote for IRC Courthouse Judges Security Upgrades](#)

Rich Spyrka, Public Works Director, provided an update on the progress of the security improvements to the Judges' parking area at the Indian River County Courthouse. He described the project as a 10-foot concrete wall surrounding the existing judges' parking area with a remote-operated security gate, and a security door on the south side of the area, as well as sidewalk upgrades to meet the Americans with Disabilities Act accessibility requirements. He stated the estimated cost to be \$396,750.00, and requested this amount to fund the construction of the project.

County Administrator Jason Brown assisted Director Spyrka with answering questions from the Board regarding funding allocations, project design, and security concerns. Administrator Brown relayed that the recommended funding source would be the Optional Sales Tax, and that this project would address the security concerns mentioned by Indian River County Sheriff's Department and Court Administration.

Thomas Genung, Trial Court Administrator, 19th Judicial Circuit, expressed appreciation to the Board for consideration of the funding for the project, and stated that it would be essential in providing for the safety and well-being of the judges. He noted that there were full walls protecting judges at all of the courthouses in the circuit, with the exception of Indian River County's Courthouse.

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

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

12.F.2 [17-0106](#)

Work Order No. 2 Masteller & Moler, Inc. Amendment No. 2, Indian River County Courthouse Security Upgrades

Recommended Action: Staff recommends approval of Amendment No. 2 to Masteller & Moler, Inc. authorizing the professional services outlined in the Scope of Services (Exhibit A) and requests the Board to authorize the Chairman to execute Amendment No. 2 on their behalf for a total lump sum amount of \$2,875

Attachments: [Staff Report](#)

[Amendment No. 2 IRC Courthouse Judges Security Upgrades](#)

[Exhibit A IRC Courthouse Judges Security Upgrades](#)

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

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

G. Utilities Services

13. COUNTY ATTORNEY MATTERS

13.A [17-0135](#) 16th Street Ball Fields

Recommended Action: Staff presents the following four options concerning the 16th Street Ball Fields. Staff recommends that the Board discuss the four options and direct staff accordingly: (1) Direct staff to offer the ball field parcel for sale in its current state via the sealed bid process, adding terms and conditions of the sale deemed acceptable to the Board; (2) Direct staff to petition the City for a zoning change and comprehensive plan amendment necessary for multifamily zoning and a higher density land use designation; (3) Direct staff to negotiate a property trade for one or more of the parcels on the list presented by the School District for the ball field parcel. One of the conditions of the trade could include a reverter clause, requiring the District to return the property to the County when the District's use of the property ends; or (4) Just before the agenda deadline, staff has been contacted by a group interested in keeping the baseball fields intact and used for youth baseball. The group has asked for two weeks' time in order to formulate a business plan and present the plan to staff and ultimately the Board.

Attachments: [Staff Report](#)

[Exhibit "A" - aerial photo](#)

[Exhibit "B" - zoning map and future land use map](#)

[Exhibit "C" - list of parcels and property cards](#)

Deputy County Attorney William DeBaal provided background on the 16th Street ball field property through a PowerPoint presentation, and described several surplus parcels offered by the Indian River School District as a potential trade for the ball field parcel. He described the lengthy process of changing the future land use designation, and explained that the recent appraisal of the property assumed that 0.92 acres of the property was developable, but staff had confirmed that the 0.92 acres was a utility easement and the site of a production well used daily by the City of Vero Beach for drinking water. He further reviewed four options for the Board to consider: (1) The ball field parcel could be offered for sale in its current state by sealed bid; (2) The City of Vero Beach could be petitioned for a zoning change and an amendment to the

land use designation; (3) A trade could be negotiated for one or more surplus parcels owned by the School District; or (4) The parties interested in keeping the ball field could be given an opportunity to form a business plan to present to the Board.

County Administrator Brown pointed out that the ball field property was currently being maintained, and that staff had been directed to surplus and dispose of the property. He stated that staff's preference would be to begin the process of selling the property, with the caveat of providing time for the interested parties to develop and bring a business plan back to the Board.

A lengthy discussion ensued, with each Commissioner voicing their opinions, making time frame clarifications, and providing their individual preferences concerning the property. Commissioner Adams asked if staff would include in the land trade discussions, a small portion of property that runs along the south side of Sebastian River High School, in order to provide for a sidewalk connection to Vero Lake Estates.

Laura Zorc, School Board Member for District 3, stated that she was hopeful that the School District would work with the County to negotiate a resolution for the ball field property, and made inquiries about the possibility of Indian River State College being interested in the property.

A motion was made by Vice Chairman O'Bryan, seconded by Commissioner Solari, to: (1) direct staff to simultaneously send letters with a formal offer to the School District Staff as well as School Board Members, to include the specific South County parcels discussed in Exhibits "A," "B," and "C", as well as the additional parcel of land along the south side of Sebastian River High School and Vero Lake Estates; and (2) direct staff to offer the ball field parcel for sale in its current state, but not to commence the advertising process until after March 14, 2017. The motion carried by the following vote:

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

14. COMMISSIONERS MATTERS

A. Commissioner Joseph E. Flescher, Chairman

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

C. Commissioner Susan Adams

D. Commissioner Bob Solari

E. Commissioner Tim Zorc

15. SPECIAL DISTRICTS AND BOARDS**A. Emergency Services District**

The Board reconvened as the Board of Commissioners of the Emergency Services District. The minutes will be approved under the next Emergency Services District meeting.

15.A.1 [17-0126](#) Approval of Minutes Meeting of December 20, 2016

Recommended Action: Approve

Attachments: [12202016ESD](#)

A motion was made by Commissioner Solari, seconded by Vice Chairman O'Bryan, to approve the Minutes of December 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.A.2 [17-0115](#) Request to Purchase an ALS Fire Engine for Fire-Rescue Station 14

Recommended Action: Staff recommends authorization to order the ALS Fire Engine for Station No. 14 as detailed in the Fiscal Year 2017/18 CIE

Attachments: [Staff Report](#)
[Proposal for Furnishing Fire Apparatus](#)

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

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

15.A.3 [17-0136](#) Fire Station #14 (SP-MA-15-10-26 / 2002010089-75062) Dedication of 26th Street Right-Of-Way

Recommended Action: Authorize the Chairman of the Board of County Commissioners to execute the County Deed for recordation in the Public Records of Indian River County, Florida.

Attachments: [Staff Report](#)
[County Deed](#)

Vice Chairman O'Bryan made mention of the modular Fire Station No. 15, and spoke of the difficulties involved with providing service connections for a modular unit. He congratulated Emergency Services Director and Fire Chief John King

and others involved with the modular station, and felt that it was a great addition to the Emergency Services District.

A motion was made by Commissioner Solari, seconded by Chairman Flescher, to authorize the Chairman to execute the County Deed for recordation in the Public Records of Indian River County, Florida, for the Fire Station No. 14 dedication of 26th Street right-of-way. The motion carried by the following vote:

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

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 [17-0127](#) Approval of Minutes Meeting of December 20, 2016

Recommended Action: Approve

Attachments: [12202016SWDD](#)

Approved as amended

15.B.2 [17-0124](#) Approval of Minutes Meeting of January 10, 2017

Recommended Action: Approve

Attachments: [01102017SWDD](#)

Approved

A motion was made by Commissioner Solari, seconded by Commissioner Zorc, to approve the Minutes of December 20, 2016, to reflect the correction of the date on staff's recommendation from March 1, 2017, to January 1, 2018, on Item 15.B.4., as amended, and the Minutes of January 10, 2017, as written. 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 [17-0131](#) Notice of 90-Day Option Agreement to Alliance BioEnergy +, Inc.

Recommended Action: Staff Recommends that the Board of County Commissioners Approve, and Authorize the Chairman to Sign, the 90-day Option Agreement with Alliance BioEnergy +, Inc.

Attachments: [Staff Report](#)
[Historical Summary of Yard Waste Processing](#)
[Letter from ArborOne](#)
[90 Day Option Agreement with Alliance](#)
[Balance Sheet](#)

Director of Utility Services Vincent Burke recalled the meeting of January 24, 2017, where staff was directed to draft a 90-day Option Agreement for Processed Vegetative Waste with Alliance Bioenergy +, Inc. (Alliance Bioenergy), and to provide Backup information on the processing costs historically. Director Burke stated that a Historical Summary of Yard Waste Processing information was provided by Consolidated Resources Recovery (CRR), a company utilized by the Solid Waste Disposal District (SWDD) for processing vegetative debris. He summarized the conditions contained in the proposed 90-Day Option Agreement for Processed Vegetative Waste with Alliance BioEnergy, and noted that if Alliance Bioenergy was successful in obtaining the former Indian River BioEnergy Center, it would result in Alliance Bioenergy taking SWDD's processed mulch at no charge; and therefore, providing a significant cost savings per year for the SWDD.

A discussion ensued regarding the time frames mentioned in the 90-Day Options Agreement. With the assistance of County Attorney Dylan Reingold, County Administrator Jason Brown clarified the time frames in question and the associated terms in the paragraph referring to the "Exercise of the Option, the Option Term, and the Expiration of the Option" in the 90-Day Options Agreement.

Daniel De Liege, Chief Executive Officer of Alliance Bioenergy +, Inc., provided an update to the Board on the progress of their third revised offer, and stated that they have supplied the bank with their financial and banking information, recommendations, and letters of support from the community, and they are currently waiting on the sales agent in order to proceed.

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

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

C. Environmental Control Board

16. ADJOURNMENT

There being no further business, the Chairman declared the meeting adjourned at 10:26 a.m.