

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, June 5, 2018

9:00 AM

Commission Chambers

Board of County Commissioners

Peter D. O'Bryan, Chairman, District 4

Bob Solari, Vice Chairman, District 5

Susan Adams, District 1

Joseph E. Flescher, District 2

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**

Vice Chairman Solari made mention that Commissioners O'Bryan and Zorc would not be in attendance today because they are attending a Florida Public Service Commission meeting regarding the sale of the City of Vero Beach Electric to Florida Power & Light (FPL).

Present: 3 - Vice Chairman Bob Solari
Commissioner Susan Adams
Commissioner Joseph Flescher

Absent: 2 - Chairman Peter O'Bryan
Commissioner Tim Zorc

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

Pastor Gregory Shreaves, Living Lord Lutheran Church

Commissioners Solari and Flescher related that Pearl Harbor survivor Arnie Schwichtenberg had recently passed away, and asked for his memory to be honored.

3. PLEDGE OF ALLEGIANCE

Commissioner Susan Adams

4. ADDITIONS/DELETIONS TO THE AGENDA / EMERGENCY ITEMS

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

Aye: 3 - Vice Chairman Solari, Commissioner Adams, and Commissioner Flescher

Absent: 2 - Chairman O'Bryan, and Commissioner Zorc

5. PROCLAMATIONS and PRESENTATIONS

- 5.A.** [18-1826](#) Presentation on Veterans Outreach Golf Tournament by U.S. Army Sergeant (Retired) Curtis Paulisin, Vice President, Veterans Council of Indian River County, and U.S. Army Sergeant (Retired) Gary James

Recommended Action: Presentation Only

Curtis Paulisin, Vice President, Veterans Council of Indian River County, and U.S. Army Sergeant (Retired) Gary James provided information on the Veterans Outreach Golf Tournament events and registration, thanked the Board for its support, and

discussed sponsorship opportunities.

No Action Taken or Required

5.B. [18-1877](#) Public Announcement for Hurricane Preparedness - Are You Ready?

Recommended Action: No recommended action needed.

Attachments: [Staff Report](#)
[Public Advertisement and Preparedness Guide Coversheet](#)

Director of Emergency Services Tad Stone, in his PowerPoint Presentation, addressed previous hurricane activity in the County, the projected outlook for the 2018 Hurricane Season, disaster planning, and response training/procedures. Emergency Management Coordinator Etta LoPresti and Solid Waste Disposal District Managing Director Himanshu Mehta were also present.

Recycling Education and Marketing Coordinator Stephanie Fonvielle provided information on preparing for hurricane season and announced the Residential Recycling Event and 2018 Hurricane Expo.

County Attorney Dylan Reingold, assisted by County Administrator Jason Brown, discussed the Florida Department of Transportation's plans to hire debris haulers on an emergency basis after a storm event. It was noted that this could impact the County's ability to utilize local debris haulers, to remove storm debris in a timely manner in order to keep the roads clear, and Federal Emergency Management Agency (FEMA) reimbursement.

No Action Taken or Required

6. APPROVAL OF MINUTES

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

7.A. [18-1875](#) Electronics and Household Hazardous Waste Event on June 9, 2018

Recommended Action: For informational purposes only - no recommended action needed.

Attachments: [Staff Report](#)

No Action Taken or Required

7.B. [18-1907](#) Update on All Aboard FL/Vero Electric Expenses

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

No Action Taken or Required

8. CONSENT AGENDA

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

Aye: 3 - Vice Chairman Solari, Commissioner Adams, and Commissioner Flescher

Absent: 2 - Chairman O'Bryan, and Commissioner Zorc

8.A. [18-1864](#) Checks and Electronic Payments May 11, 2018 to May 17, 2018

Recommended Action: Approve the list of checks and electronic payments issued by the Comptroller's office for the time period of May 11, 2018 to May 17, 2018

Attachments: [Finance Department Staff Report](#)

Approved

8.B. [18-1880](#) Checks and Electronic Payments May 18, 2018 to May 24, 2018

Recommended Action: Approve the list of checks and electronic payments issued by the Comptroller's office for the time period of May 18, 2018 to May 24, 2018

Attachments: [Finance Department Staff Report](#)

Approved

8.C. [18-1789](#) Approval of Updated Statewide Mutual Aid Agreement between Indian River County and the Florida Division of Emergency Management

Recommended Action: Staff recommends approval of the Resolution and updated 2018 Statewide Mutual Aid Agreement between Indian River County and the Florida Division of Emergency Management

Attachments: [Staff Report](#)
[Statewide Mutual Aid Agreement](#)
[Resolution No. 2018-XX](#)

Approved Resolution 2018-052 for adoption of this Statewide Mutual Aid Agreement.

- 8.D.** [18-1856](#) Acceptance and Approval of Expenditures for Emergency Management State-Funded Subgrant Agreement (EMPA) 19-BG-XX

Recommended Action: Staff recommends approval of the State Funded Subgrant Agreement 19-BG-XX, associated expenditures, and authorization of the Chairman to execute this agreement between Indian River County Emergency Management and the State of Florida, Division of Emergency Management.

Attachments: [Staff Report](#)
 [Grant Form](#)
 [2018-19 EMPA Agreement](#)

Approved staff's recommendation

- 8.E.** [18-1858](#) Recommendation of Award of Contract for Replacement of Conveyor Systems at the PC Main Screening System (Bid No. 2018055)

Recommended Action: Staff recommends the Board accept Costello's modification to its bid and award to the lowest responsive and responsible bidder, Costello Brothers Marine Construction, Inc., for \$586,236.60. Staff further recommends the Board authorize the Chairman to execute the agreement upon 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](#)

Approved staff's recommendation

- 8.F.** [18-1861](#) Approval of Six-Month Extension to SJRWMD Cost-Share Grant for Osprey Acres Floway and Nature Preserve

Recommended Action: Staff recommends that the County Commission approve the Amendment #1 to the SJRWMD Cost-Share Agreement and authorize the Chairman to execute it on behalf of the County.

Attachments: [Staff Report](#)
 [Amendment #1 to Cost-Share Agreement](#)

Approved staff's recommendation

- 8.G.** [18-1865](#) Forest Park Water Main Extension: Approval of Change Order and Final Pay for Blue Goose Construction Work Authorization No. 2017-008

Recommended Action: Staff recommends that the Board of County Commissioners approve Change Order #1 to Work Authorization No. 2017-008 to reduce the labor amount to \$60,388.40, and to authorize final payment to Blue Goose Construction including contractor-purchased materials in the amount of \$5,169.41.

Attachments: [Staff Report](#)
 [Change Order #1](#)
 [Blue Goose Construction Final Pay Request](#)

Approved staff's recommendation

- 8.H.** [18-1866](#) 128th Court Water Main Extension: Approval of Change Order and Final Payment of Blue Goose Construction Work Authorization No. 2018-001

Recommended Action: Staff recommends that the Board of County Commissioners approve Change Order #1 to reduce Work Authorization No. 2018-001 and authorize final payment to Blue Goose Construction in the amount of \$34,604.70.

Attachments: [Staff Report](#)
 [Change Order # 1](#)
 [Final Application for Payment](#)

Approved staff's recommendation

- 8.I.** [18-1871](#) Pelican Pointe Water Service Replacement: Approval of Change Order and Final Pay for Blue Goose Construction Work Authorization No. 2017-006

Recommended Action: Staff recommends that the Board of County Commissioners approve Change Order No. 1 to Work Authorization No. 2017-006 for an additional labor amount of \$68,330.95, contractor-purchased materials in the amount of \$6,990.86, and to authorize final payment to Blue Goose Construction in the amount of \$146,131.56.

Attachments: [Staff Report](#)
 [Change Order No. 1](#)
 [Blue Goose Final Pay Request](#)

Approved staff's recommendation

- 8.J.** [18-1873](#) Approval of Six-Month Extension to FDEP Agreement No. NS027 for Osprey Acres Floway and Nature Preserve

Recommended Action: Staff recommends that the County Commission approve the Amendment No. 1 to FDEP Agreement No. NS027 and authorize the Chairman to execute it on behalf of the County.

Attachments: [Staff Report](#)
 [Amendment No. 1 to FDEP Agreement No. NS027](#)

Approved staff's recommendation

- 8.K.** [18-1883](#) MSA Holdings, LLC.'s Request for Final PD Plan/Plat Approval for a Subdivision to be known as Hampton Woods East PD [PD-17-08-05 / 95050141-81436]

Recommended Action: Based on the analysis provided, staff recommends that the Board of County Commissioners grant final PD plan/plat approval for Hampton Woods East PD.

Attachments: [Staff Report](#)
 [Application](#)
 [Location Map](#)
 [Final Plat Layout](#)

Approved staff's recommendation

- 8.L.** [18-1896](#) Amendment No. 1 to Work Order No. 4 with Masteller & Moler, Inc. for the Victor Hart Sr. Complex Drainage Improvement Project

Recommended Action: Staff recommends that the BCC approve Amendment No. 1 to Work Order No. 4 with Masteller & Moler, Inc. for the Victor Hart Sr. Complex Drainage Improvement Project, and authorize the Chairman to execute the Amendment in the lump sum amount of \$6,456.00.

Attachments: [Staff Report](#)
 [Amendment No. 1 to WO No. 4](#)

Approved staff's recommendation

- 8.M.** [18-1897](#) Public Works - Fleet Division, Request for Increase to Existing Kelly Tractor Purchase Order

Recommended Action: Staff recommends the Board approve an increase of \$50,000 to Purchase Order

79330 to Kelly Tractor for the purchase of parts to maintain County equipment.

Attachments: [Staff Report](#)
[FY 17-18 Kelly Tractor Purchases by Equipment](#)

Approved staff's recommendation

8.N. [18-1908](#) Miscellaneous Budget Amendment 011

Recommended Action: Staff recommends the Board of County Commissioners approve the budget resolution amending the fiscal year 2017/18 budget

Attachments: [Staff Report](#)
[2017 2018 Resolution](#)
[Exhibit "A"](#)

Approved Resolution 2018-053, amending the Fiscal Year 2017-2018 Budget.

9. CONSTITUTIONAL OFFICERS and GOVERNMENTAL AGENCIES

10. PUBLIC ITEMS

A. PUBLIC HEARINGS

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

10.A.1. [18-1841](#) FINAL PUBLIC HEARING: County Initiated Request to Amend (Update) the Text of the Sanitary Sewer Sub-Element for Septic to Sewer Conversion and the Associated Text of the Future Land Use Element of the County's Comprehensive Plan (Legislative)

Recommended Action: Based on the analysis, staff and the Planning and Zoning Commission recommend that the Board of County Commissioners approve the proposed Comprehensive Plan text amendment by approving the ordinance, and authorize the Community Development Director to transmit the ordinance and any related materials to the state land planning agency and interested parties

Attachments: [Staff Report](#)
[Comprehensive Plan Text Amendment Application](#)
[July 5, 2017 BCC Agenda Item - Septic to Sewer Conversion](#)
[Minutes from the February 8, 2018 PZC Meeting](#)
[Minutes from the March 20, 2018 BCC Meeting](#)
[Letters from DEO & Review Agencies](#)
[Adoption Ordinance](#)

Community Development Director Stan Boling provided background on the proposed Countywide septic to sewer conversion plan created to help restore the health of the Indian River Lagoon (the Lagoon). In his PowerPoint Presentation, he detailed the proposed policy changes and objectives of the the Sanitary Sewer Sub-Element for Septic to Sewer Conversion and corresponding portions of the Future Land Use Element of the County's Comprehensive Plan. Director Boling announced that staff and the Planning and Zoning Commission (PZC) both recommended that the Board adopt the proposed Ordinance approving the changes.

Commissioner Flescher recommended that this public hearing be continued to the County Commission meeting of June 12, 2018 so the full Board can be present.

The Vice Chairman opened the public hearing.

The following persons gave testimony relative to increasing sewer connections, and imposing stronger regulations and reducing the number of septic systems. The Board was urged to safeguard the health of the waterways.

Dan Lamson, 737 Timberidge Trail, Executive Director Indian River Neighborhood Association
Judy Orcutt, 4665 Pebble Bay
Donna Halloran, 925 Greenbriar, who read a statement from Dr. Richard Baker
Charlie Pope, 2305 46th Avenue, Youth Sailing Foundation founder
Russell Herman, 586 Redwood Court, Vice President, Friends of St. Sebastian River, quoted statements from Dr. Edie Widder and Dr. Brian Lapointe
Mark Yanno, 1001 4th Street

There were no additional speakers and the Vice Chairman CONTINUED the public hearing to the June 12, 2018 Board of County Commission meeting.

A motion was made by Commissioner Flescher, seconded by Commissioner Adams, to continue the public hearing to the Board of County Commission Meeting of June 12, 2018. The motion carried by the following vote:

Aye: 3 - Vice Chairman Solari, Commissioner Adams, and Commissioner Flescher

Absent: 2 - Chairman O'Bryan, and Commissioner Zorc

10.A.2. [18-1862](#)

FINAL PUBLIC HEARING: County Initiated Request to Amend the Text of the Coastal Management Element and Future Land Use Element of the County's Comprehensive Plan Relating to Sea Level Rise **(Legislative)**

Recommended Action: Staff recommends that the Board of County Commissioners approve the proposed Comprehensive Plan text amendments by approving the ordinance and authorize the Community Development Director to transmit the ordinance and any related materials to the state land planning agency and interested parties.

Attachments: [Staff Report](#)

[Minutes from the February 8, 2018 PZC Meeting](#)

[Minutes from the March 20, 2018 BCC Meeting](#)

[Letters from DEO & Review Agencies](#)

[Adoption Ordinance](#)

Community Development Director Stan Boling conveyed that the requirements of the 2015 Senate Bill 1094 and associated Florida Statutes will make updates necessary to the Coastal Management and Future Land Use Elements of the County's Comprehensive Plan. In his PowerPoint Presentation, he reviewed the proposed revisions which pertain to Sea Level Rise (SLR), and advised that the Coastal High Hazard Area is proposed to become an Adaptation Action Area with regards to SLR strategies. Director Boling asked the Board to to adopt the proposed Ordinance approving the changes to the Comprehensive Plan relating to SLR.

The Vice Chairman opened the public hearing.

Judy Orcutt, 4665 Pebble Bay South, asked whether studies have been undertaken regarding potential effects of SLR on groundwater. Director Boling affirmed that staff will continue exploring potential SLR impacts on groundwater.

There were no other speakers, and the Vice Chairman closed the public hearing.

A motion was made by Commissioner Flescher, seconded by Commissioner Adams, to: (1) approve staff's recommendation; and (2) adopt Ordinance 2018-012, amending the text of the Coastal Management Element and the Future Land Use Element of the County's Comprehensive Plan; and providing codification, severability, and effective date. The motion carried by the following vote:

Aye: 3 - Vice Chairman Solari, Commissioner Adams, and Commissioner Flescher

Absent: 2 - Chairman O'Bryan, and Commissioner Zorc

B. PUBLIC DISCUSSION ITEMS

- 10.B.1. [18-1893](#) Request to Speak from Mark Yanno Regarding Future Boating Access to South County

Recommended Action: No Action Required

Attachments: [Request to Speak Form](#)

Mark Yanno, 1001 4th Street, provided background and details on his proposal for the County to develop an alternative mainland boat launch on City of Vero Beach property adjacent to the Vero Beach Causeway. He noted that the City of Vero Beach has offered to lease the property to the County.

No Action Taken or Required

C. PUBLIC NOTICE ITEMS

- 10.C.1. [18-1881](#) Notice of Scheduled Public Hearing for June 12, 2018: Vero 53 Landings, LLC's Request for Conceptual Site Plan and Special Exception Use Approval for the CERTUS of Vero Beach Adult Congregate Living Facility (ACLF) [SP-SE-17-08-15 / 2016070073 -79431] (Quasi-Judicial)

Recommended Action: This notice of public hearing is provided for the Board's information. No action is needed at this time.

No Action Taken or Required

- 10.C.2. [18-1884](#) Notice of Public Hearing for June 12, 2018: Harmony Reserve, LLC's Request to Rezone Approximately 2.18 Acres from RS-3, Residential Single-Family (up to 3 units/acre) and RM-6 (Residential Single-Family (up to 6 unit/acre), to PD, Planned Development Residential, and to Modify the Conceptual PD Plan Approval for the Project known as Harmony Reserve PD [PD-18-04-02 / 97080101-81067] (Quasi-Judicial)

Recommended Action: This notice of public hearing is provided for the Board's information. No action is needed at this time.

No Action Taken or Required

- 10.C.3. [18-1885](#) Notice of Public Hearing for June 19, 2018: Request by David J. Haeseler, Eve D. Haeseler, Nancy Ellen Casey, Trustee, Florida Academy of Impairment Ratings, Inc., and Kashi Church Foundation, Inc. for the Abandonment of Two Twenty Foot Wide Roadway Easements Over Lots 1, 2, 3, and 4, POD G Village of Kashi PD [ROW-18-02-02 / 2008110007-80637] (Legislative)

Recommended Action: This notice of public hearing is provided for the Board's information. No action is needed at this time.

No Action Taken or Required

County Attorney Dylan Reingold read the notices into the record.

11. COUNTY ADMINISTRATOR MATTERS

- 11.A.** [18-1876](#) Approval of a Revision to the Retiree Health Benefits and Subsidy Policy to Provide for Suspension of Subsidy when a Hold or Stay is Placed on Paying a Retiree's Benefits and Providing for Loss of Eligibility for Retiree Subsidy and Benefits when an Individual Ceases to be Deemed a Retiree under Section 112.0801, Florida Statutes

Recommended Action: The County Administrator respectfully requests the Board of County Commissioners approve the revision to the Retiree Health Benefits and Subsidy Policy, authorize the Chairman of the Board to sign the policy, and authorize Human Resources to administer the policy effective immediately.

Attachments: [Staff Report](#)
[Retiree Subsidy Policy 2018](#)

County Administrator Jason Brown stated that the proposed revision to the County's current retirement policy would mirror a provision in the Florida Retirement System (FRS), which suspends or removes retirement benefits for retired employees charged or convicted of a crime. County Attorney Dylan Reingold noted that there is a change to the citation in the SUSPENSION OF SUBSIDY section of the County's Retiree Benefits and Subsidy Policy; the reference should be to Section 112.3173 Florida Statutes, rather than Section 112.3171 Florida Statutes.

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

Aye: 3 - Vice Chairman Solari, Commissioner Adams, and Commissioner Flescher

Absent: 2 - Chairman O'Bryan, and Commissioner Zorc

12. DEPARTMENTAL MATTERS

A. Community Development

B. Emergency Services

C. General Services

1. Human Services**2. Sandridge Golf Club****3. Recreation****D. Human Resources****12.D.1. [18-1874](#)**

Approval of Renewal of the Florida Blue Administrative Services Agreement for the Period October 1, 2018 through September 30, 2023 and Providing for Wellness Contributions of \$300,000 over a Five (5) Year Period

Recommended Action: Staff respectfully requests the Board of County Commissioners approve the renewal proposal from Florida Blue for Administrative Services to include \$300,000 in wellness contribution from Florida Blue over the five (5) year agreement and authorizing the Chairman of the Board to sign the renewal agreement upon review and approval by the County Attorney

Attachments: [Staff Report](#)
[Florida Blue Renewal Proposal 2018 - 2023](#)

Human Resources Director Suzanne Boyll detailed for the Board, the proposed five-year agreement for renewal of the Florida Blue Administrative Services Agreement, which was negotiated by the County's benefits broker, Lockton Companies. She noted that there will be an overall reduction of more than \$120,000 over five years, due to Florida Blue's wellness contribution of \$300,000 over the five-year period.

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

Aye: 3 - Vice Chairman Solari, Commissioner Adams, and Commissioner Flescher

Absent: 2 - Chairman O'Bryan, and Commissioner Zorc

12.D.2. [18-1888](#)

Health Insurance Recommendations for Plan Year 2018/19

Recommended Action: Staff respectfully requests the Board of County Commissioners approve to retain the current health plan benefits and premium relationships without additional changes and authorize the \$25 gift card wellness incentive effective the plan year beginning October 1, 2018.

Attachments: [Staff Report](#)

Human Resources Director Suzanne Boyll discussed the goals of the County's health insurance plan and reported that staff is recommending no changes to employee or County contributions at this time. She advocated that a \$25 gift card

be provided to members who obtain their annual preventive care as an incentive to encourage wellness.

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

Aye: 3 - Vice Chairman Solari, Commissioner Adams, and Commissioner Flescher

Absent: 2 - Chairman O'Bryan, and Commissioner Zorc

E. Office of Management and Budget

F. Public Works

G. Utilities Services

13. COUNTY ATTORNEY MATTERS

14. COMMISSIONERS MATTERS

A. Commissioner Peter D. O'Bryan, Chairman

B. Commissioner Bob Solari, Vice Chairman

C. Commissioner Susan Adams

D. Commissioner Joseph E. Flescher

E. Commissioner Tim Zorc

15. SPECIAL DISTRICTS AND BOARDS

A. Emergency Services District

B. Solid Waste Disposal District

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

15.B.1. [18-1878](#)

CCNA-2018 Work Order No. 1 to CDM Smith, Inc. for Engineering Services with the 2018 Water Quality Technical Report

Recommended Action: SWDD staff recommends that its Board approve the following: a) Approve CCNA-2018 Work Order No. 1 with CDM Smith, Inc. in the amount of \$31,660 to provide engineering services related to the 2018 Water Quality Technical Report; and, b) Authorize the Chairman to execute the same, as

presented.

Attachments: [Staff Report](#)

[CCNA-2018 Work Order No. 1 - CDM Smith, Inc.](#)

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

Aye: 3 - Vice Chairman Solari, Commissioner Adams, and Commissioner Flescher

Absent: 2 - Chairman O'Bryan, and Commissioner Zorc

C. Environmental Control Board

16. ADJOURNMENT

There being no further business, the Vice Chairman adjourned the meeting at 10:15 a.m.