

Indian River County Florida

*Indian River County Administration Complex
1801 27th Street, Building A
Vero Beach, Florida, 32960-3388
www.ircgov.com*



Meeting Minutes

Tuesday, October 23, 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

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

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

2.B. INVOCATION

Reverend Dr. Joe LaGuardia, First Baptist Church of Vero Beach

3. PLEDGE OF ALLEGIANCE

Commissioner Susan Adams

4. ADDITIONS/DELETIONS TO THE AGENDA / EMERGENCY ITEMS

Move: Item 10.B.1. to be heard in conjunction with Item 5.D.

Add: Item 11.C. Ratification of Red Tide Clean Up Work Order #2, Ceres Environmental Services

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

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

5. PROCLAMATIONS and PRESENTATIONS

5.A. [18-2431](#) Presentation of Proclamation Designating October 2018 as Manufacturing Month in Indian River County, Florida

Recommended Action: Read and Presented

Attachments: [Proclamation](#)

Commissioner Adams presented the Proclamation to Helene Caseltine, Director of Economic Development for the Indian River Chamber of Commerce. Ms. Caseltine presented information about the Manufacturing Boot Camp Task Force which was created to encourage young people to choose manufacturing jobs.

Read and Presented

5.B. [18-2425](#) Presentation of Proclamation Honoring Kim Denmark's "Walk Across America" Campaign

Recommended Action: Read and Presented

Attachments: [Proclamation](#)

Commissioner Zorc presented the proclamation to Kim Denmark and thanked her for her efforts to help homeless veterans.

Read and Presented

- 5.C.** [18-2413](#) Presentation on International Coastal Cleanup Results, Lagoon Friendly Lawn Program, and Announcement of Paddle Dash Fundraiser by Ashima Wild, President, Keep Indian River Beautiful, and Daisy Packer, Executive Director, Keep Indian River Beautiful

Ashima Wild, President, Keep Indian River Beautiful (KIRB), presented information on KIRB's efforts to increase recycling, reduce litter, and beautify Indian River County.

No Action Taken or Required

- 5.D.** [18-2335](#) Presentation by Indian River County Health Department on Trap, Neuter, Vaccinate, and Release (TNVR)

Recommended Action: Informational Presentation - No Action Required

Attachments: [Power Point Presentation](#)

[Clerk's Note: Item 10.B.1. Public Discussion Item was heard in conjunction with this item.]

Miranda Hawker, Administrator, Indian River County Health Department, used a PowerPoint presentation to provide information on the numbers of free-roaming cats in Indian River County and the public health risks they pose. The report highlighted the difficulty and ineffectiveness of Trap-Neuter-Vaccinate-Release (TNVR) programs in controlling stray cat populations or the spread of disease. Alternates to TNVR such as educating the public against feeding strays, increasing adoptions, and strategies to keep cats indoors were also presented.

Commissioners asked and received answers regarding the concentrations of strays across the county and whether there were preventative measures against the spread of diseases such as toxoplasmosis carried by cats.

The following speakers addressed the issue:

- Tony Brown, NAACP President, addressed the relatively high number of stray animals in Gifford.
- Emergency Services Director Tad Stone spoke about the challenges facing animal control officers.

No Action Taken or Required

6. APPROVAL OF MINUTES

6.A. [18-2419](#) Regular Meeting of September 11, 2018

Recommended Action: Approve

Attachments: [09112018BCCdraft](#)

Approved

6.B. [18-2417](#) Regular Meeting of September 18, 2018

Recommended Action: Approve

Attachments: [09182018BCC](#)

A motion was made by Commissioner Adams, seconded by Commissioner Zorc, to approve the Regular Meeting Minutes of September 11, 2018 and September 18, 2018, as written. The motion carried by the following vote:

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

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

7.A. [18-2421](#) Resignation & Replacement of Juliana Mendelsohn to the Transportation Disadvantaged Local Coordinating Board

Recommended Action: Informational

Attachments: [Staff Report](#)

Ms. Milory Senat, Agency for Persons with Disabilities, will fill the vacancy left by Ms. Mendelsohn.

No Action Taken or Required

7.B. [18-2429](#) Florida Public Service Commission Order No. PSC-2018-0435-TRF-EI, In re: Petition for Limited Proceeding for Approval of a Smart Meter Opt-out Tariff, by Duke Energy Florida, LLC is on file in the Office of the Clerk to the Board

Recommended Action: Information Only

No Action Taken or Required

8. CONSENT AGENDA

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 O'Bryan, Vice Chairman Solari, Commissioner Adams, Commissioner Flescher, and Commissioner Zorc

8.A. [18-2412](#) Checks and Electronic Payments October 5, 2018 to October 11, 2018

Recommended Action: Approve the list of checks and electronic payments issued by the Comptroller's office for the time period of October 5, 2018 to October 11, 2018

Attachments: [Finance Department Staff Report](#)

Approved

8.B. [18-2379](#) 43rd Avenue Bridge over IRFWCD South Relief Canal Railing Repair Final Payment, Release of Retainage and Change Order No. 1 IRC-1523

Recommended Action: Staff recommends approval of Change Order No. 1 and payment of Application for Payment No. 2 to Timothy Rose Contracting, Inc. for final payment and release of retainage in the amount of \$12,930.55

Attachments: [Staff Report](#)
[Contractor's Application for Payment No. 2](#)
[Change Order No. 1](#)

Approved staff's recommendation

8.C. [18-2415](#) Approval of Work Order No. 2 with GK Environmental, Inc. for Shallow Marsh #2 Landscaping Services at Osprey Acres Flowway and Nature Preserve

Recommended Action: Staff recommends the Board: Approve Work Order No. GKE OA2, executed by GK Environmental, Inc. and authorize the Chairman to execute it on behalf of the County

Attachments: [Staff Report](#)
[Work Order No. 2, GKE OA2](#)

Approved staff's recommendation

8.D. [18-2416](#) Microsoft Enterprise Agreement Contract Renewals

Recommended Action: Staff recommends that the Board of County Commissioners approve the Microsoft Enterprise Agreements and authorize the Commission Chairman to sign the Microsoft Enterprise Agreement Contracts.

Attachments: [Staff Report](#)
[Enterprise Agreement Contract 7409364.pdf](#)
[Enterprise Agreement Contract 5642412.pdf](#)
[SHI Quote-16035634.pdf](#)
[SHI Quote-16038304.pdf](#)

Approved staff's recommendation

8.E. [18-2433](#) Base Grant Recipient Request for Match Reduction

Recommended Action: Approve and authorize the Chairman to sign the letter requesting a reduction in the Base Grant match requirement.

Attachments: [Staff Report](#)
[Request for Match Reduction](#)
[IRC Emergency Management Budget History](#)

Approved staff's recommendation

8.F. [18-2430](#) Work Order No. 5 with Kimley Horn and Associates for Design and Implementation of Membrane Replacement for Reverse Osmosis (RO) Skids at South (Oslo) RO Water Treatment Plant

Recommended Action: Staff recommends approval of Work Order No. 5 authorizing the professional services and requests the Board of County Commissioners to authorize the Chairman to execute Work Order No.5 on their behalf for a lump sum amount of \$72,366.00 to Kimley-Horn and Associates.

Attachments: [Staff Report](#)
[Work Order No 5 and supporting documents](#)

Approved staff's recommendation

8.G. [18-2424](#) Termination of Bid 2018003 Annual Bid for Aluminum Sign Blanks and Hardware and Rebid

Recommended Action: Staff recommends the Board of County Commissioners: Terminate bid #2018003 with Traffic Supplies & Distribution, LLC and Osburn & Associates, Inc. and Authorize staff to rebid.

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

Approved staff's recommendation

- 8.H. [18-2423](#) CR510/85th Street Right Turn Lane Extension at 66th Avenue, IRC-1745, Bid No. 2018039

Recommended Action: Staff recommends approval of Change Order No. 1 and payment of Application for Payment No. 3 to Mancil's Tractor Service, Inc. for final payment and release of retainage in the amount of \$6,386.30.

Attachments: [Staff Report](#)
[Contractor's Application for Payment No. 3](#)
[Change Order No. 1](#)

Approved staff's recommendation

- 8.I. [18-2435](#) Miscellaneous Budget Amendment 018

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

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

Approved Resolution 2018-105, amending the Fiscal Year 2017-2018 Budget.

9. CONSTITUTIONAL OFFICERS and GOVERNMENTAL AGENCIES

10. PUBLIC ITEMS

A. PUBLIC HEARINGS

B. PUBLIC DISCUSSION ITEMS

- 10.B.1. [18-2422](#) Request to Speak from Dr. David Cox, Audubon Florida and Pelican Island Audubon Society, Regarding Trap, Neuter, Reabandon (TNR)

Recommended Action: Public Discussion Item - No Action Required

Attachments: [Request to Speak Form](#)

[Clerk's Note: This item was heard following Item 5.D. Presentation by Indian River County Health Department on Trap, Neuter, Vaccinate and Release, and is placed here for continuity.]

Dr. David Cox, representing Audubon Florida and the Pelican Island Audubon Society, provided information on free-ranging cats via PowerPoint slides. The

presentation covered the Audubon's position on feral cat colonies, their impact on bird and wildlife populations in Indian River County, and diseases they carry. Dr. Cox concluded with recommendations for the management of free-ranging cats.

Freddy Woolfork, 4590 57th Avenue, spoke in support of the Health Department's efforts to educate the public about the health risks of free-ranging cats.

No Action Taken or Required

C. PUBLIC NOTICE ITEMS

11. COUNTY ADMINISTRATOR MATTERS

11.A. [18-2414](#) Collective Bargaining Agreement between Indian River County and IAFF, Local 2201 - FY2018/19 General Wage Increase

Recommended Action: Staff respectfully recommends approval of a 2.75% general wage increase for employees represented by the International Association of Firefighter's, Local 2201 effective the first full pay period in October 2018 and requests the Board authorize its Chairman to sign the amendment to Article 34 - Salaries of the collective bargaining agreement providing for the general wage increase.

Attachments: [Staff Report](#)
[Third Amendment to IAFF CBA](#)
[Exhibit A](#)

County Administrator Jason Brown recapped the discussions leading to the agreed-upon wage increase and recommended that the Board approve the tentative Collective Bargaining Agreement.

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

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

11.B. [18-2377](#) Meetings of the Indian River County Board of County Commissioners - Proposed 2019 Meeting Dates

Recommended Action: Staff Requests Direction from the Board

Attachments: [Staff Report](#)
[2019 Proposed Meeting Dates List Version](#)
[2019 Proposed Meeting Dates Calendar Version](#)

County Administrator Jason Brown presented the proposed calendar to the Board for approval. Commissioner Adams requested moving or cancelling the March 19, 2019

meeting to accommodate families on Spring Break. The Board agreed to move the meeting to the following week on March 26, 2019.

A motion was made by Commissioner Flescher, seconded by Commissioner Adams, to approve the Proposed 2019 Meeting Dates as amended. The motion carried by the following vote:

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

[Clerk's Note: At this time the Chairman announced that the Board would adjourn from the regular Board of County Commissioners Meeting to conduct the Attorney-Client Session scheduled for 10:30 am. This action appears under Item 13.A. and is placed here for continuity.]

11.C. [18-2436](#) Red Tide Update and Ratification of County Administrator's Actions

Recommended Action: Staff recommends that the Board of County Commissioners: 1.) Ratify the grant agreement with the Florida Department of Environmental Protection to fund debris cleanup for Indian River County as executed by the County Administrator. 2.) Ratify the attached Work Order with Ceres Environmental Services, Inc. as executed by the County Administrator on October 18, 2018. 3.) Ratify the Memorandum of Understanding with Waste Management of Florida as executed by the County Administrator on October 18, 2018. 4.) Authorize a budget amendment to allocate funding for these expenses in the amount of \$144,825.

Attachments: [Staff Report](#)

[Florida Department of Environmental Protection Grant Agreement](#)
[Red Tide Clean Up Work Order with Ceres Environmental Services, Inc.](#)
[Notice to Proceed to Ceres Environmental Services, Inc.](#)
[Memorandum of Understanding Waste Management of Florida](#)
[Emergency Addition Staff Report](#)
[Emergency Addition Work Order No. 2 Ceres Environmental](#)

County Administrator Jason Brown provided an update on actions being taken to combat the effects of Red Tide following the official confirmation of its presence in Indian River County. He reported that staff had executed a grant agreement with the Department of Environmental Protection that would reimburse costs to clean up the resulting fish and debris which washed ashore.

Additionally, Administrator Brown reached an agreement with Ceres Environmental

Services for debris removal along the County's coast, and issued an Emergency Contract Memorandum of Understanding with Waste Management for debris containment, transportation, and disposal. A PowerPoint presentation was used to show the progress of clean-up efforts and provided an update on the amount of debris removed to date.

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

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

E. Office of Management and Budget

12.E.1. [18-2432](#) Quarterly Budget Report

Recommended Action: No Action Required

Attachments: [Staff Report](#)
[Reports at a glance 2017-2018](#)
[Budget Amendment History 2017-2018](#)
[Qtrly Budget Report Q4 2017-2018 revenue](#)
[Qtrly Budget Report Q4 2017-2018 expense](#)
[September 30, 2018 Expense Analysis](#)

Kristin Daniels, Acting Budget Manager, presented the 4th Quarter Fiscal Year 2017-2018 Budget Reports. The overview highlighted notable trends and changes across all the budget categories. As part of an updated Internal Controls Policy, the Budget Analysis Report now will be produced quarterly rather than annually.

Chairman O'Bryan received confirmation that budget categories related to Fleet Management were being flagged and investigated as part of the revised Internal Controls Policy.

No Action Taken or Required

F. Public Works

G. Utilities Services

13. COUNTY ATTORNEY MATTERS

- 13.A.** [18-2434](#) 10:30 a.m. Attorney-Client Session: Martin County, et al. vs. U.S. Department of Transportation, et al. (Case No.: 1:18-cv-00333-CRC)

Attachments: [Staff Report](#)

The Chairman read into the record the opening remarks of the Attorney-Client Session scheduled for 10:30 am. The estimated time of the closed Attorney-Client Session was 90 minutes. Those in attendance were Commissioners Bob Solari (Vice Chairman), Susan Adams, Joseph E. Flescher, Tim Zorc, and Peter D. O'Bryan (Chairman). Also in attendance were County Attorney Dylan Reingold, County Administrator Jason Brown, and Certified Court Reporter Greg Campbell.

The Board reconvened in the Chambers at 11:37 am, and the Chairman closed the Attorney-Client Session. The County Commission Meeting resumed with Item 11.C.

- 13.B.** [18-2439](#) A Resolution Authorizing Participation in a Joint Meeting on Monday, November 26, 2018, with The Board of County Commissioners for St. Lucie County and The Board of County Commissioners for Martin County to Discuss Joint Legislative Priorities

Recommended Action: The County Attorney's Office recommends that the Board adopt the Resolution to hold a joint meeting with the Board of County Commissioners for St. Lucie County and the Board of County Commissioners for Martin County to discuss joint legislative priorities in anticipation of the State of Florida's 2019 legislative session

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

Kate Pingolt Cotner, Assistant County Attorney, presented a Resolution that would permit the Board to participate in a joint meeting with the Board of County Commissioners for both St. Lucie and Martin Counties. The joint meeting is proposed to be held on the morning of November 26, 2018. Some possible topics of discussion include the health of the Indian River Lagoon, biosolids, school safety, and the State Housing Initiative Partnership Program (SHIP) funding.

The Board confirmed that while no official vote could be taken at the proposed meeting, it would be an opportunity to reach consensus among the adjacent counties.

(Clerk's Note: Commissioner Zorc exited the meeting at 12:00 pm.)

A motion was made by Vice Chairman Solari, seconded by Commissioner Flescher, to approve Resolution 2018-106, authorizing the Board of County Commissioners for Indian River County to participate in a joint meeting with the St. Lucie County Commission and Martin County Commission to discuss and plan matters of mutual interest; and providing for an effective date. The motion carried by the following vote:

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

Absent: 1 - Commissioner Zorc

14. COMMISSIONERS MATTERS

A. Commissioner Peter D. O'Bryan, Chairman

14.A.1. [18-2378](#) Additional items for consideration prior to acting on Utility water and wastewater rate study

Recommended Action: Discussion

Attachments: [Commissioner's Memorandum](#)
[Water Challenges](#)

In the wake of the October 2, 2018 Water and Wastewater Impact Fee Study report, Chairman O'Bryan brought forth items to consider in planning for the County's future water needs. The Chairman requested feedback on three items: revisiting plans for a surface water supply project, new outlets for pressurized reuse water, and the feasibility of using reuse water for citrus crop irrigation.

Vice Chairman Solari suggested purchasing land now for possible surface water development projects. Utilities Director Vincent Burke estimated it would be a 5 to 10 year process to permit and plan for a future alternative water supply. Chairman O'Bryan directed staff to look into acquiring land and possible funding sources for it.

The second issue was the County's reuse water which currently is used for golf course irrigation. As the County grows, the supply of reuse water will exceed existing needs, and new outlets for it would be necessary. The Board discussed building infrastructure for pressurized reuse water in developing areas along 66th Avenue and in South County. Staff was instructed to consider the concept of expanding reuse water and return to a future Board meeting with suggestions and

timelines for planning.

The third item was a follow-up to a suggestion made at the October 2, 2018 meeting regarding the viability of using reuse water to irrigate citrus crops. The Board expressed their opinions on the concept. Staff was authorized to explore grant opportunities that would cover the cost of experimentally using reuse water for citrus.

Referred to Staff

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 for the Solid Waste Disposal District. The minutes will be approved at an upcoming Solid Waste Disposal District meeting.

15.B.1. [18-2420](#) Approval of Minutes Meeting of September 11, 2018

Recommended Action: Approve

Attachments: [09112018SWDDdraft](#)

Approved

15.B.2. [18-2418](#) Approval of Minutes Meeting September 18, 2018

Recommended Action: Approve

Attachments: [09182018SWDD](#)

A motion was made by Vice Chairman Solari, seconded by Commissioner Flescher, to approve the Solid Waste Disposal District minutes of September 11, 2018 and September 18, 2018, as written. The motion carried by the following vote:

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

Absent: 1 - Commissioner Zorc

15.B.3. [18-2437](#) Solid Waste Disposal District Quarterly Recycling Update Fiscal Year 2017/2018 - 4th Quarter

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

Attachments: [Staff Report](#)
[General Information about Recycling in Indian River County](#)

Stephanie Fonvielle, Recycling Education and Marketing Coordinator, reported that recycling tonnages had reached 21,701 tons for Fiscal Year 2017/18, which was 7% higher than last year and exceeded the SWDD's goal of 20,000 tons. The report continued with a PowerPoint presentation which provided updates on recycling markets, and new programs and initiatives. Updated public education marketing materials were also showcased.

Ms. Fonvielle announced her plan to step down as marketing educator and introduced her successor, Sue Flak, who provided plans and goals for Fiscal Year 2018/19.

The Board expressed appreciation and thanks for the success Ms. Fonvielle achieved with the County's recycling program.

No Action Taken or Required

15.B.4. [18-2426](#) Final Pay to Geosyntec for Work Authorization No. CCNA-2014-Work Order No. 1 - Class 1 Landfill Permit Renewal Services

Recommended Action: Solid Waste Disposal District staff recommends that its Board approve Geosyntec's final invoice amount of \$182.83.

Attachments: [Staff Report](#)
[Geosyntec Project Completion Report and Final Invoice](#)

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

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

Absent: 1 - Commissioner Zorc

15.B.5. [18-2438](#) Request to Approve Work Order CCNA2018 WO No. 3 to Geosyntec

to provide consulting services associated with Phase 1 of the Former South Gifford Road Landfill Redevelopment Plan

Recommended Action: Staff recommends that the Solid Waste Disposal District Board approves and authorizes the Chairman to sign CCNA-2018 WO No. 3 authorizing Geosyntec to provide consulting services associated with Phase 1 of the Gifford Road Landfill Redevelopment Plan, at a not to exceed fee of \$15,882.

Attachments: [Staff Report](#)
[Geosyntec CCNA2018 WO No. 3](#)

Vice Chairman Solari highlighted details of the improvements being done at the former South Gifford Road Landfill and the positive effect it will have on the surrounding area.

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

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

Absent: 1 - Commissioner Zorc

C. Environmental Control Board

16. ADJOURNMENT

There being no further business, the Chairman declared the meeting adjourned at 12:37 p.m.