

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 18, 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

2. 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

Pastor Billy McCloud, Central Assembly of God

3. PLEDGE OF ALLEGIANCE

Commissioner Bob Solari, Chairman

4. ADDITIONS/DELETIONS TO THE AGENDA / EMERGENCY ITEMS

Moved: Item 11.A., Historic Dodgertown Facility Lease Agreement, was moved to be heard prior to 10.A., Public Hearings.

Added: Emergency Item 14.D.1., Travel to Tallahassee, was added to Commissioner O'Bryan's items.

A motion was made by Commissioner Flescher, seconded by Vice Chairman Adams, to approve the Agenda as amended. 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

5.A. [18-2567](#) Presentation of Proclamation Honoring Dean Filippi on His Retirement From Indian River County Board of County Commissioner Department of Emergency Services/Fire Rescue with Thirty Years of Service

Attachments: [Proclamation](#)

Chairman Solari presented the Proclamation to Dean Filippi, who was present with his family, friends and co-workers.

Members of the Board and County Administrator Jason Brown spoke regarding his profound dedication to the people of Indian River County.

Read and Presented

6. APPROVAL OF MINUTES

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

7.A. [18-2610](#) Landfill Closure and Collection Services Changes for the Christmas and New Year's Holiday

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

Attachments: [Staff Report](#)

No Action Taken or Required

7.B. [18-2566](#) Proclamation Honoring Richard Carter on His Retirement From Indian River County Board of County Commissioners Department of Emergency Services/Fire Rescue with Twenty-Three Years of Service

Attachments: [Proclamation](#)

Chairman Solari thanked Richard Carter for his 23 years of service to Indian River County.

No Action Taken or Required

7.C. [18-2580](#) Proclamation Honoring George Perez on His Retirement From Indian River County Board of County Commissioners Department of Community Development/Building Division with Twenty-Seven Years of Service

Attachments: [Proclamation](#)

Chairman Solari thanked George Perez for his 27 years of service to Indian River County.

No Action Taken or Required

7.D. [18-2453](#) 2019 Treasure Coast Regional Planning Council (TCRPC) Appointments

Recommended Action: For Information.

Attachments: [Staff Report](#)
 [2019 TCRPC Appointments](#)

No Action Taken or Required

7.E. [18-2620](#) 2019 Treasure Coast Regional Planning Council Comprehensive

Economic Development Strategy Committee (TCRPC CEDS) District
Appointment Member Listing

Recommended Action: For Information.

Attachments: [Staff Report](#)
[2019 TCRPC CEDS Appointments](#)

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 written. The motion carried by the following vote:

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

8.A. [18-2602](#) Checks and Electronic Payments November 30, 2018 to December 6, 2018

Recommended Action: Approve the list of checks and electronic payments issued by the Comptroller's office for the time period of November 30, 2018 to December 6, 2018

Attachments: [Finance Department Staff Report](#)

Approved

8.B. [18-2604](#) FY 2017-2018 Records Disposition Compliance Statement and Records Management Liaison Officer Form for the Indian River County Board of County Commission

Recommended Action: It is recommended that the Chairman be authorized to sign the Records Management Compliance Statement for Fiscal Year 2017 - 2018 for the Indian River County Board of County Commission

Attachments: [Staff Report](#)
[Florida Department of State Letter Dated 11/1/18](#)
[Records Management Compliance Statement](#)

Approved staff's recommendation

8.C. [18-2601](#) Lobbyist for 2019 Legislative Session

Recommended Action: The County Attorney's Office recommends that the Board enter into an agreement with Anfield Consulting, Inc., for lobbying services for the term of January 1, 2019, to December 31, 2019, and authorize the County Administrator to execute the referenced agreement.

Attachments: [Staff Report](#)
[Agreement for Professional Services](#)

Approved staff's recommendation**8.D. [18-2357](#)** Request for Approval to Enter into a Bus Shelter License Agreement with Indian River State College for Construction of a Bus Shelter at the Mueller Campus

Recommended Action: Staff recommends that the Board of County Commissioners review the Bus Shelter License Agreement between the County and Indian River State College, make any necessary changes, and authorize the Chairman to execute the agreement.

Attachments: [Staff Report](#)
[Agreement](#)
[Location Map \(Exhibit A\)](#)

Approved staff's recommendation**8.E. [18-2444](#)** Updated Fee Schedule for Indian River County Public Shooting Range - Rifle and Pistol Range, Effective January 1, 2019

Recommended Action: Staff respectfully recommends the Board of County Commissioners approve the increase to the Pistol & Rifle Range range pass fee, and authorize approval to offer the "Buy 10 Range Passes Card."

Attachments: [Staff Report](#)
[FWC Fee Schedule Exhibit B 2008](#)

Approved staff's recommendation**8.F. [18-2507](#)** Consideration of Change Order No. 1 to Contract Agreement with Indian River Docks, LLC for Archie Smith Fish House Dock Restoration

Recommended Action: Staff recommends that the Board of County Commissioners approve the Change Order 1 to the Archie Smith Fish House Dock Restoration Agreement with Indian River Dock, LLC and authorize the County Administrator to sign the Change Order

on behalf of the County.

Attachments: [Staff Report](#)
[Change Order 1](#)
[Indian River Docks LLC Contract Agreement](#)

Approved staff's recommendation

- 8.G.** [18-2557](#) D. R. Horton Inc.'s Request for Final Plat Approval for The Cove at Falcon Trace PD Plat 1 [PD-14-07-06 / 2001050202-80548]

Recommended Action: That the Board of County Commissioners grant final plat approval for The Cove at Falcon Trace PD Plat 1

Attachments: [Staff Report](#)
[Application](#)
[Location Map](#)
[Final Plat Layout](#)
[Contract for Construction and Letter of Credit](#)

Approved staff's recommendation

- 8.H.** [18-2583](#) Mediated Settlement; Jeffrey Wolski

Recommended Action: In keeping with administrative policy, staff now requests Board approval of this settlement in the amount of \$70,000.00. Payment will be made from the Self Insurance Fund.

Attachments: [Staff Report](#)

Approved staff's recommendation

- 8.I.** [18-2597](#) Approval of Resolution Adopting the 2019 Indian River County Emergency Plan for Hazardous Materials

Recommended Action: Staff recommends approval of the Resolution and the 2019 Indian River County Emergency Plan for Hazardous Materials.

Attachments: [Staff Report](#)
[Resolution 2018](#)
[FDEM Approval Letter](#)

Approved staff's recommendation and Resolution 2018-123, approving the Indian River County Hazardous Materials Emergency Plan.

- 8.J.** [18-2598](#) Lawnwood Medical Center Inc.'s Request for Release of a Marginal Access Easement at 660 South U. S. Highway 1

Recommended Action: Staff recommends that the Board, through adoption of the resolution, approve release of the 22-foot wide marginal access easement described in the resolution.

- Attachments:** [Staff Report](#)
 [Maps Depicting Easement](#)
 [Recorded Marginal Access Easement](#)
 [Proposed Resolution Releasing Easement](#)

Approved staff's recommendation and Resolution 2018-124, releasing a marginal access easement at 660 S US Highway 1 (Tax Parcel ID No. 33401900000500000022.0).

- 8.K.** [18-2599](#) Approval of Four-Month Extension to SJRWMD Cost-Share Grant for Osprey Acres Flowway and Nature Preserve

Recommended Action: Staff recommends that the County Commission approve Amendment #2 to the SJRWMD Cost-Share Agreement and authorize the Chairman to execute it on behalf of the County.

- Attachments:** [Staff Report](#)
 [SFRWMD Cost-Share Agreement Amendment #2](#)

Approved staff's recommendation

- 8.L.** [18-2606](#) Willows Development, LLC's Request for Final Plat Approval for a Plat-Over Site Plan Single-Family Development to be known as The Willows Phase 2 [SD-15-09-08 / 2006010188-82614]

Recommended Action: Staff recommends that the Board grant final plat approval for The Willows Phase 2, subject to final review and approval of a Contract for Construction of Required Improvements and letter of credit by the County Attorney's Office.

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

Approved staff's recommendation

- 8.M.** [18-2609](#) Indian River Preserve, LLC Request for Extension of Site Plan Approval for a Multi-Family Development to be Known as The River Preserve (SP-MA-16-09-21 / 2001030063-77155)

Recommended Action: That the Board of County Commissioners approve Indian River Preserve, LLC's request for a one-year extension of the site plan approval for The River Preserve multi-family development with all original approval conditions to remain in effect. The new site plan approval expiration date will be December 8, 2019

Attachments: [Staff Report](#)
 [Request Letter](#)
 [Location Map](#)
 [Site Plan](#)
 [List of Approval Conditions](#)

Approved staff's recommendation

- 8.N.** [18-2612](#) Work Order No. 2 Coastal Waterways Design and Engineering, LLC Construction of Emergency Beach Access at Round Island Park

Recommended Action: The recommendation of staff is for the Board to approve Work Order No. 2 to the contract with Coastal Waterways Design and Engineering, LLC. and authorize the Chairman to sign on behalf of the County.

Attachments: [Staff Report](#)
 [Coastal Waterways Design and Engineering, LLC. WO# 2](#)

Approved staff's recommendation

- 8.O.** [18-2613](#) Release of Retainage for Work Order No. MMRT-1 for Professional Land Surveying and Mapping Services for Osprey Acres Floway and Nature Preserve

Recommended Action: Staff recommends the Board of County Commissioners approve release of retainage in the entire amount of \$2,587.40.

Attachments: [Staff Report](#)
 [Invoice from Masteller Moler & Taylor Inc.](#)

Approved staff's recommendation

- 8.P.** [18-2616](#) Approval to Use Paymentus for Merchant Services

Recommended Action: Staff recommends that the Board of County Commissioners approve Paymentus as its merchant service provider and authorize the Chairman to endorse the Paymentus

Master Services Agreement after review and approval by the County Attorney's office. Staff also recommends to authorize the Purchasing Manager the approval authority to extend the agreement under the same conditions at the time of renewal, by mutual agreement, so long as the Purchasing Manager is satisfied that Paymentus has been performing properly, and if the extension would be in the best interest of the County.

Attachments: [Staff Report](#)
[Paymentus Master Services Agreement](#)

Approved staff's recommendation

- 8.Q. [18-2614](#) The Reserve At Grand Harbor PD Phase 1, Plat 33 - Request for 2-Year Extension to Final Lift of Asphalt Contract - Developer: GH Vero Beach Development LLC

Recommended Action: Approve the Modification to Contract for Construction for Final Lift of Asphalt, Contract No. PD-13-10-03-FLA (2001020101-77703) to extend the completion date to December 16, 2020, and authorize the Chairman to execute same. It is also noted that the supporting security in the form of \$212,131.88 cash would remain in escrow and continue to be subject to the terms and conditions of both the Contract, as modified, and Cash Deposit and Escrow Agreement for Final Lift of Asphalt.

Attachments: [Staff Report](#)
[Letter Request for Extension](#)
[Modification to Contract](#)

Approved staff's recommendation

- 8.R. [18-2622](#) Miscellaneous Budget Amendment 002

Recommended Action: Staff recommends the Board of County Commissioners approve the budget resolution amending the fiscal year 2018/19 budget

Attachments: [Staff Report](#)
[2018 2019 Resolution](#)
[Exhibit "A"](#)

Approved Resolution 2018-125, amending the Fiscal Year 2018-2019 Budget.

- 8.S. [18-2621](#) Municipal Advisory Agreement - Termination of FirstSouthwest and Request to Approve Agreement with Masterson Advisors LLC

Recommended Action: Staff recommends that the Board of County Commissioners terminate the agreement

with FirstSouthwest and approve the agreement with Masterson Advisors LLC.

Attachments: [Staff Report](#)
[Municipal Advisory Agreement](#)

Approved staff's recommendation

8.T. [18-2619](#) Closed Captioning Initiative

Recommended Action: Staff recommends that the Board of County Commissioners waive the bid requirements and authorize the Purchasing Division to issue a Purchase Order for the referenced equipment from the selected vendor Encore Broadcast Solutions.

Attachments: [Staff Report](#)
[Encore Broadcasting Quote](#)
[Municipal Broadcasting Quote](#)
[CASTUS Quote](#)

Approved staff's recommendation

9. CONSTITUTIONAL OFFICERS and GOVERNMENTAL AGENCIES

10. PUBLIC ITEMS

A. PUBLIC HEARINGS

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

10.A.1. [18-2627](#) Public Hearing and Adoption of Ordinance Establishing Amnesty Program for Certain Utility Delinquency Charges (Legislative)

Recommended Action: The County Attorney recommends that the Chairman open the public hearing, take comments from the public and then close the public hearing, and that the Board then adopt the proposed amnesty ordinance.

Attachments: [Staff Report](#)
[Proposed Ordinance re Amnesty Program](#)
[Affidavit of Publication re amnesty](#)

Director of Utility Services Vincent Burke detailed the background relating to the final 90-day amnesty period to benefit accounts with delinquent equivalent residential unit (ERU) charges that have not previously taken advantage of an amnesty program. He explained that the item was previously presented to the

Board on December 4, 2018, and upon adoption of the proposed Ordinance, the Utilities Department will be notifying all owners that they will have 90 days to bring their account current.

Chairman Solari requested feedback from the Board regarding a start date for the 90-day amnesty period; it was the consensus of the Board that the time period for waiving the delinquency charges on certain utility service availability fees that have been paid in full will be December 18, 2018 to March 18, 2019.

Chairman Solari opened the Public Hearing.

There being no speakers, the Chairman closed the Public Hearing.

A motion was made by Commissioner O'Bryan, seconded by Commissioner Flescher, to adopt Ordinance 2018-026, amending Section 201.08 (Rates and Charges) of Chapter 201 (County Water and Sewer Services) of the Code of Indian River County; establishing an amnesty program relating to delinquency charges on certain Utility Service Availability Charges; making findings and providing for severability, codification and an effective date. The motion carried by the following vote:

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

10.A.2. [18-2629](#) Public Hearing ERU Ordinance (Legislative)

Recommended Action: The County Attorney's Office recommends that after the public hearing the Board vote to approve the draft ordinance.

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

Director of Utility Services Vincent Burke detailed the language approved by the Board on December 4, 2018, for an amendment to section 201.09 of the Indian River County Ordinance Code regarding refunds of equivalent residential units (ERUs). He clarified that, in addition, the Board approved a modification to assessments paid in lieu of impact fees within the time period of 1984 -1989 for reserve accounts.

Commissioner O'Bryan sought and received clarification of the ordinance changes from Director Burke.

Chairman Solari opened the Public Hearing.

There being no speakers, the Chairman closed the Public Hearing.

A motion was made by Commissioner O'Bryan, seconded by Commissioner

Zorc, to adopt Ordinance 2018-027, amending Section 201.09 (Impact Fees) of Part 1 (In General) of Chapter 201 (County Water and Sewer Services) of the Code of Indian River County, Florida in order to allow for a refund of water and sewer impacts under certain circumstances; and providing for codification, severability, repeal of conflicting provisions, and an effective date. 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

C. PUBLIC NOTICE ITEMS

10.C.1. [18-2615](#) Public Notice of Public Hearing Scheduled for January 8, 2019 (Legislative)

Attachments: [Staff Report](#)

County Attorney Dylan Reingold read the following Public Notice into the record:

Biosolids Moratorium Extension Ordinance **(Legislative)**

No Action Taken or Required

11. COUNTY ADMINISTRATOR MATTERS

11.A. [18-2624](#) Historic Dodgertown Facility Lease Agreement

Recommended Action: [Enter Recommended Action Here]

Attachments: [Staff Report](#)

[Amended and Restated Facility Lease Agreement](#)

[Exhibit A - Legal Description and Map](#)

[Exhibit B - Parking License Agreement June 2011](#)

[Exhibit C - Inventory](#)

(Clerk's Note: This item was heard prior to the Public Hearing items, and is placed here for continuity.)

County Administrator Jason Brown made mention that Page 3 of the Historic Dodgertown Amended and Restated Facility Lease Agreement (the Agreement) has been replaced. He provided a summary of the Agreement, and confirmed that, upon approval by the Board, Major League Baseball will be stepping into Mr. Peter O'Mally's role to take over Verotown, LLC (Verotown). He made mention that the County has agreed to provide 2,000 parking spaces, and spelled out the financial aspect of the improvements to be completed. He clarified that the roof replacement would be overseen by the County but managed by Verotown; therefore, the bid requirement for the roof replacement project would need to be waived.

Administrator Brown requested that the Board allow for a change to the Code of Indian River County to allow for the use of the County's 4th Cent Tourist Tax; the Public Hearing for the Ordinance adoption would be scheduled for January 15, 2019.

Tony Reagins, Executive Vice President, Baseball & Softball Development for Major League Baseball, was present to answer questions from members of the Board.

The following speakers addressed the Board with support towards Indian River County's partnership with Major League Baseball:

Dori Stone, President of the Indian River County Chamber of Commerce

Joseph Paladin, President of Black Swan Consulting and President of Land Coast Building and Development

Rick Hatcher, Executive Director of the Treasure Coast Sports Commission

Freddie Woolfork, 4590 57th Avenue

Fred Augenstein, 179 Caprona Street, Sebastian

Ruth Stanbridge, County Historian

Commissioner O'Bryan confirmed that the proposed Agreement allowed for 12 days of use by the County, stating that nine (9) of those days would remain earmarked for the St Helen's Harvest Festival.

Peter O'Mally, now residing in Los Angeles, spoke on the history and the responsibility regarding his time at Historic Dodgertown, and of the pride he feels for his role in facilitating the partnership between the County and Major League Baseball.

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

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

Nay: 1 - Chairman Solari

12. DEPARTMENTAL MATTERS

A. Community Development

12.A.1. [18-2608](#) Consideration of a Wabasso Corridor Plan "Report Card"/Progress Report

Recommended Action: Staff recommends that the Board of County Commissioners: 1. Review and accept the Wabasso Corridor Plan 2018 implementation report card/progress report, and 2. Approve the three recommended follow-up actions listed in this report associated with West Wabasso Action 1.1, Action 1.3, and Action 1.5 summarized as follows: a. Hire engineering consultant in 2020 to design Lowes Park/Douglas Subdivision drainage improvements. b. Acquire West Wabasso Park entrance right-of-way for 64th Avenue sidewalk extension project and fund

the sidewalk project for construction in 2019. c. Periodically refurbish the West Wabasso Park walking trail up to twice a year.

Attachments: [Staff Report](#)
[Implementation Matrix-Report Card](#)
[Action Plan](#)

Community Development Director Stan Boling used a PowerPoint Presentation to provide the background of the Wabasso Corridor Plan 2017, approved by the Board on April 4, 2017. He clarified that 100% of the 18 topics listed in the Action Plan have been addressed, and are either completed or in motion. He detailed the three (3) recommended follow-up actions and requested the Board's approval.

A motion was made by Commissioner O'Bryan, seconded by Vice Chairman Adams, 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

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. [18-2611](#) Resolution to Adopt Water, Sewer, and Reclaimed Rates, Fees, and Other Charges

Recommended Action: Staff recommends that the Indian River County Board of County Commissioners (BCC) Chairman allow for public comment on this matter and then have the BCC vote to approve the resolution, as drafted.

Attachments: [Staff Report](#)
[Proposed Resolution](#)
[Schedule of Water and Sewer Rates, Fees and Other Charges](#)

Director of Utility Services Vincent Burke presented the proposed rate resolution to revise the schedule of Water and Sewer Rates, Fees and Other Charges, noting an effective date of March 1, 2019. He explained that, upon approval, customers would be notified and the website would be updated.

Chairman Solari made mention that there were minimal changes to the rates for customers with lower consumptions amounts.

Commissioner Zorc sought and received clarification from Director Burke regarding the handling of water leaks and miscellaneous behind-the-meter issues.

A motion was made by Commissioner O'Bryan, seconded by Commissioner Zorc, to approve Resolution 2018-126, establishing revised Indian River County Department of Utility Services rate schedule. The motion carried by the following vote:

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

12.G.2. [18-2618](#) Equivalent Residential Unit Issues

Recommended Action: Staff recommends that the Indian River County Board of County Commissioners (BCC) authorize staff to come back with an ordinance at a public hearing on January 8, 2019, which will 1) allow for the reclamation of equivalent residential units (ERUs), 2) allow for the relinquishment of ERUs, and 3) provide a method for settlements of delinquent reserve accounts. Finally, staff recommends that the BCC approve the form contract for the settlement of delinquent reserve accounts and decide the payment amount to be made by the property owner.

Attachments: [Staff Report](#)
[Proposed Agreement for Release of ERUs](#)
[Proposed Ordinance](#)

Director of Utility Services Vincent Burke detailed the amendment to Section 201.09 of the Code of Indian River County to allow for the County's reclaiming of equivalent residential units (ERUs) in situations where the customer has been delinquent for 24 or more months, and to allow customers with a current account the option to relinquish ERUs if they no longer have a need for them.

Commissioner O'Bryan sought and received clarification from Director Burke regarding the refund policy in both situations.

With regard to the County's reclaiming of ERUs, Director Burke presented the Board with two (2) options for settling a delinquent account, with staff recommending Option 2, "Property owner to pay the County 10% of the outstanding charges, including penalties and interest, as compensation for a portion of the utility costs experienced during the period of ownership of the ERUs, through and including the release of the ERUs". He confirmed that, upon approval, a Public Hearing to address the matters would be scheduled for January 8, 2019.

David Ederer, 9086 Castle Harbor Circle, questioned Director Burke regarding the release of ERUs. Commissioner O'Bryan assisted in offering clarification.

County Attorney Dylan Reingold requested that the Board choose a method for settling delinquent accounts; it was the consensus of the Board to approve Option 2, staff's recommendation.

A motion was made by Commissioner Flescher, seconded by Commissioner O'Bryan, to approve staff's recommendation, with the method for settling delinquent reserve accounts being Option 2, "Property owner to pay the County 10% of the outstanding charges, including penalties and interest, as compensation for a portion of the utility costs experienced during the period of ownership of the ERUs, through and including the release of the ERUs". The motion carried by the following vote:

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

The Chairman called for a recess at 10:08 a.m., and reconvened the meeting at 10:18 a.m., with all members present.

13. COUNTY ATTORNEY MATTERS

13.A. [18-2584](#) Commercial PACE Program

Attachments: [Staff Report](#)

[Escambia County Commercial PACE Program Resolution](#)

[ILA Between Escambia County and Florida Green Finance Authority](#)

County Attorney Dylan Reingold provided information on the Commercial Property Assessed Clean Energy (PACE), following a request by the Board on October 16, 2018.

Chairman Solari was not in favor of the County being involved, and expressed his opinion that banks provide loans to credit-worthy customers.

Commissioner O'Bryan supported adding another loan option for improvements to commercial properties, and spoke of his impression that the County's involvement would be minimal.

Commissioner Zorc spoke in favor of the County's involvement if it would be limited to commercial properties only; Attorney Reingold offered confirmation.

Conrad DeSantis, who represented Counterpointe Energy Solutions, a program administrator for the Florida PACE Funding Agency, provided the Board with clarification that there would be no cost or risk to the County.

Maggie (surname undisclosed) with Hippo Roofing in Brevard County, spoke in support of the PACE funding option with regard to lending for residential improvement projects. In addition, she offered to provide the Board with documentation/feedback relating to residential and commercial projects.

A motion was made by Commissioner O'Bryan, seconded by Vice Chairman Adams, to direct the County Attorney to draft Interlocal Agreements with Florida Green Finance Authority; Florida PACE Funding Agency; and Green Corridor PACE District for participation in the Commercial PACE Program. The motion failed by the following vote:

Aye: 2 - Vice Chairman Adams, and Commissioner O'Bryan

Nay: 3 - Chairman Solari, Commissioner Flescher, and Commissioner Zorc

13.B. [18-2600](#)

Interlocal Agreement with the Florida Department of Juvenile Justice to Administer Local Juvenile Diversion Program

Recommended Action: The County Attorney's Office recommends the Board of County Commissioners approve the interlocal agreement and authorize the Chairman to sign for the County.

Attachments: [Staff Report](#)

[Interlocal Agreement Between Indian River County and State of Florida Department of Juvenile Justice](#)

Assistant County Attorney Kate Pingolt Cotner provided the timeline of events leading up to the drafting of the proposed Interlocal Agreement with the Florida Department of Juvenile Justice (DJJ), making mention that the Board approved the recommendation on July 3, 2018 to authorize the DJJ to assume responsibility for the administration of the local juvenile diversion program.

In a response to Chairman Solari, County Administrator Jason Brown expressed support from County staff, noting that monies collected by the Court will fund the program, as it did when the Nineteenth Judicial Circuit Court was the administrator.

A motion was made by Commissioner Flescher, seconded by Vice Chairman Adams, 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.C. [18-2603](#) Treasure Coast Tri-County 2019 State Legislative Priorities

Recommended Action: The County Attorney's Office recommends that the Board adopt the Treasure Coast Tri-County 2019 State Legislative Priorities.

Attachments: [Staff Report](#)

[Treasure Coast Tri County Legislative Priorities](#)

Assistant County Attorney Kate Pingolt Cotner, with the use of a PowerPoint Presentation, presented the Treasure Coast Tri-County 2019 State Legislative Priorities, as discussed by St. Lucie, Martin, and Indian River Counties when the three (3) Boards met on November 26, 2018.

A motion was made by Commissioner O'Bryan, seconded by Vice Chairman Adams, 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.D. [18-2617](#) 2019 State Legislative List of Priorities and Concerns

Recommended Action: The County Attorney's Office recommends that the Board adopt the 2019 State Legislative List of Priorities and Concerns.

Attachments: [Staff Report](#)

[DRAFT IRC 2019 State Legislative Priorities and Concerns](#)

Assistant County Attorney Kate Pingolt Cotner provided the Board with Indian River County's Preliminary Legislative List, 2019 State Legislative Session, noting that the list didn't exactly match up with the list of Priorities and Concerns in the 2019 State Legislative Program provided in the Agenda backup; she recommended merging the two (2) lists and requested the Board's approval of the overall unified document.

Due to the number of items on the list of Priorities, Chairman Solari suggested that Texting While Driving could be removed from the list. Commissioner Flescher and Vice Chairman Adams were not in support of the Chairman's suggestion.

Attorney Cotner spoke of the importance of the list of Appropriations. She requested a decision from the Board regarding the ranking of the items; it was the consensus of the Board that the Appropriations, as written, were in the correct order. Lastly, Attorney Cotner highlighted the items that had been added to the list of Legislative Concerns.

County Attorney Dylan Reingold requested clarification regarding the incorporation of the two lists; Attorney Cotner confirmed that it was her intent to merge the two lists.

A motion was made by Commissioner Flescher, seconded by Vice Chairman Adams, to approve staff's recommendation, following the merging of the two (2) 2019 State Legislative lists: 1) Indian River County's Preliminary Legislative List, 2019 State Legislative Session; and 2) Priorities and Concerns in the 2019 State Legislative Program. The motion carried by the following vote:

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

13.E. [18-2623](#) Oslo Cemetery

Recommended Action: The County Attorney's Office recommends that the Indian River County Board of County Commissioners approve the agreement with Dr. Michael W. Gregory and accept the quitclaim deed for the Oslo Cemetery and authorize the Chairman to sign the documents.

Attachments: [Staff Report](#)
[Gift Agreement](#)
[Quit-Claim Deed](#)

County Attorney Dylan Reingold provided the history of the Oslo Cemetery in addition to highlighting the details of the Gift Agreement, noting that Michael W. Gregory, M.D. has agreed to quitclaim the property back to the County.

Commissioner Flescher requested an estimated dollar amount for maintaining the property. Vice Chairman Adams confirmed that the annual cost associated with the City of Fellsmere's Historical Cemetery was \$2500.00 per year. County Administrator Jason Brown offered that the Road and Bridge Department could incorporate the mowing of the property into their schedule for a nominal cost, and stated that he was not aware of any substantial costs related to the property. Administrator Brown relayed that the Historical Society would handle the public search requests.

A motion was made by Vice Chairman Adams, seconded by Commissioner Zorc, 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

14. COMMISSIONERS MATTERS

A. Commissioner Bob Solari, Chairman

B. Commissioner Susan Adams, Vice Chairman

C. Commissioner Joseph E. Flescher

D. Commissioner Peter D. O'Bryan

14.D.1. Added: Emergency Item, Travel to Tallahassee

Commissioner O'Bryan provided the Board with an invitation to serve on the Volunteer Transition Committee for Governor-elect DeSantis. He explained that travel may be necessary, and he requested the Board's approval.

A motion was made by Commissioner O'Bryan, seconded by Chairman Solari, to approve travel expenses for Commissioner O'Bryan to serve on the Volunteer Transition Committee for Governor-elect DeSantis. The motion carried by the following vote:

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

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 at an upcoming Emergency Services District meeting.

15.A.1. [18-2396](#) Approval of Minutes Meeting of August 14, 2018

Recommended Action: Approve

Attachments: [08142018ESD](#)

Approved

15.A.2. [18-2525](#) Approval of Minutes Meeting of October 2, 2018

Recommended Action: Approve

Attachments: [10022018ESD](#)

A motion was made by Commissioner O'Bryan, seconded by Commissioner Flescher, to approve the Emergency Services District Meeting Minutes of August 14, 2018 and October 2, 2018. The motion carried by the following vote:

15.A.3. [18-2607](#) FY 2017-2018 Records Disposition Compliance Statement and Records Management Liaison Officer Form for the Indian River County Emergency Services District

Recommended Action: It is recommended that the Chairman be authorized to sign the Records Management Compliance Statement for Fiscal Year 2017 - 2018 for the Indian River County Emergency Services District

Attachments: [Staff Report](#)
[Florida Department of State Letter Dated 11/1/18](#)
[Records Management Compliance Statement](#)

A motion was made by Commissioner O'Bryan, seconded by Commissioner Flescher, 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

B. Solid Waste Disposal District

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

15.B.1. [18-2586](#) Approval of Minutes Meetings of October 16, 2018

Recommended Action: Approve

Attachments: [10162018SWDDdraft](#)

Approved

15.B.2. [18-2581](#) Approval of Minutes Meeting October 23, 2018

Recommended Action: Approve

Attachments: [10232018SWDD](#)

A motion was made by Commissioner O'Bryan, seconded by Commissioner Flescher, to approve the Solid Waste Disposal District Meeting Minutes of October 16, 2018 and October 23, 2018. The motion carried by the following vote:

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

15.B.3. [18-2605](#) FY 2017-2018 Records Disposition Compliance Statement and Records Management Liaison Officer Form for the Indian River County Solid Waste Disposal District

Recommended Action: It is recommended that the Chairman be authorized to sign the Records Management

Compliance Statement for Fiscal Year 2017 - 2018 for the Indian River County Solid Waste Disposal District

Attachments: [Staff Report](#)

[Florida Department of State Letter Dated 11/1/18](#)

[Records Management Compliance Statement](#)

A motion was made by Commissioner O'Bryan, seconded by Commissioner Flescher, 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

C. Environmental Control Board

16. ADJOURNMENT

County Administrator Jason Brown made mention that there would be a ceremony at 4:00 p.m. at the North County Regional Park to rename the park "Commissioner Fran B. Adams Park". The public was invited to attend.

There being no further business, the Chairman adjourned the meeting at 11:06 a.m.