



# Indian River County Florida

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

## Meeting Minutes 3 - Final

### 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

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Tuesday, July 2, 2019

9:00 AM

Commission Chambers

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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**

Rev. Joe Moxley, Asbury United Methodist Church

3. **PLEDGE OF ALLEGIANCE**

Bob Solari, Chairman

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

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

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

5. **PROCLAMATIONS and PRESENTATIONS**

- 5.A.**      [19-0535](#)      Presentation of Proclamation Honoring Gary Dilts on His Retirement From Indian River County Board of County Commissioners Department of Utility Services / Wastwater Treatment Division with Twenty-Seven Years of Service

**Attachments:**    [Proclamation](#)

Chairman Solari read and presented the Proclamation to Gary Dilts and thanked him for his 27 years of service.

**Read and Presented**

- 5.B.**      [19-0580](#)      Presentation of Proclamation Designating the Month of July, 2019, As Parks and Recreation Month

**Attachments:**    [Proclamation](#)

Chairman Solari read and presented the Proclamation to the Director of Parks and Conservation Resources Kevin Kirwin, who was accompanied by various staff members of the Recreation Department.

**Read and Presented**

- 5.C.**      [19-0586](#)      Presentation of Cost Share Award of \$1.5 Million for the Moorhen Marsh Low Energy Aquatic Plan System Project by Abby Johnson, Intergovernmental Coordinator Government Affairs, St. Johns River Water Management District
- St. John's River Water Management District (SJRWMD) Intergovernmental Coordinator Abby Johnson presented to the Board a facsimile of the SJRWMD Cost Share Program's grant award to the County for the Moorhen Marsh Low Energy Aquatic Plant System Plan. Governing Board Member Doug Bournique spoke in support of the project and the common goals of working towards a clean Indian River Lagoon.

Commissioner O'Bryan thanked County Stormwater Engineer Keith McCully for creating the project and intervening on the County's behalf with regards to Sunbreak Farms.

**Presented**

## **6.      APPROVAL OF MINUTES**

- 6.A.**      [19-0552](#)      Regular Meeting of May 7, 2019

**Attachments:**    [05072019BCC\\_draft](#)

**Approved**

- 6.B. [19-0555](#) Regular Meeting of April 23, 2019

**Attachments:** [04232019BCC\\_Draft](#)

**Approved**

- 6.C. [19-0560](#) Regular Meeting of May 14, 2019

**Attachments:** [05142019BCC-Draft](#)

**A motion was made by Commissioner O'Bryan, seconded by Vice Chairman Adams, to approve the Regular Meeting Minutes of April 23, 2019, May 7, 2019, and May 14, 2019 as written. The motion carried by the following vote:**

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

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

- 7.A. [19-0532](#) Proclamation Honoring Ronald Baxter on His Retirement From Indian River County Board of County Commissioners Department of Public Works Road & Bridge Division with Thirty-Two Years of Service

**Attachments:** [Proclamation](#)

Chairman Solari acknowledged Ronald Baxter for his 32 years of service with the Public Works/Road & Bridge Division.

**No Action Taken or Required**

- 7.B. [19-0558](#) Proclamation Honoring Richard Strickland on His Retirement From Indian River County Board of County Commissioners Department of Emergency Services/Fire Rescue with Twenty-Five Years of Service

**Attachments:** [Proclamation](#)

Chairman Solari thanked Richard Strickland for his 25 years of service with the Department of Emergency Services/Fire Rescue Division.

**No Action Taken or Required**

- 7.C.**      [19-0559](#)      Proclamation Honoring Eric Williams on His Retirement From Indian River County Board of County Commissioners Department of Emergency Services/Fire Rescue with Thirty Years of Service
- Attachments:**    [Proclamation](#)
- Chairman Solari congratulated Eric Williams on his 30 years of service with the Department of Emergency Services/Fire Rescue Division.
- No Action Taken or Required**
- 7.D.**      [19-0550](#)      Indian River County Venue Event Calendar Review
- Attachments:**    [Staff Report](#)
- No Action Taken or Required**
- 7.E.**      [19-0536](#)      Landfill Closure and Collection Service Changes for the July 4th Holiday
- Attachments:**    [Staff Report](#)
- No Action Taken or Required**
- 7.F.**      [19-0545](#)      City of Vero Beach Ordinance 2019-01, Amending the Comprehensive Plan Future Land Use Map, is on file for review in the Office of the Clerk to the Board
- No Action Taken or Required**
- 7.G.**      [19-0561](#)      ---City of Vero Beach Ordinance 2019-02, Amending the Official Zoning Map, is on file for review in the Office of the Clerk to the Board
- No Action Taken or Required**
- 7.H.**      [19-0570](#)      Update on All Aboard Florida Expenses
- Attachments:**    [Staff Report](#)  
                                 [All Aboard FL expenses](#)
- No Action Taken or Required**

## 8.      CONSENT AGENDA

A motion was made by Commissioner Flescher, seconded by Commissioner Zorc, to approve the Consent Agenda, pulling Items 8.H., 8.I., and 8.J. for discussion. The motion carried by the following vote:

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

- 8.A.**      [19-0534](#)      Checks and Electronic Payments June 7, 2019 to June 13, 2019  
**Attachments:**    [Finance Department Staff Report](#)  
  
                 **Approved**
- 8.B.**      [19-0538](#)      Checks and Electronic Payments June 14, 2019 to June 20, 2019  
**Attachments:**    [Finance Department Staff Report](#)  
  
                 **Approved**
- 8.C.**      [19-0530](#)      Work Order No. 16, Kimley-Horn and Associates, Inc., Bridge Repairs for CR-512 Bridges over the St. Sebastian River (IRC-1727)  
**Attachments:**    [Staff Report](#)  
                                 [Kimley-Horn and Associates, Inc. Work Order No. 16](#)  
                                 [Field Photos - CR-512 Bridges](#)  
  
                 **Approved staff's recommendation**
- 8.D.**      [19-0533](#)      Amendment No. 3 to Agreement for Professional Services with Bowman Consulting Group, Ltd. 58th Avenue Reclamation 57th Street to 85th Street (IRC-1325)  
**Attachments:**    [Staff Report](#)  
                                 [Amendment No. 3 with Bowman Consulting Group, Ltd.](#)  
  
                 **Approved staff's recommendation**
- 8.E.**      [19-0551](#)      One Month Renewal of Lease for North County Offices  
**Attachments:**    [Staff Report](#)  
                                 [Renewal of Lease Agreement](#)  
  
                 **Approved staff's recommendation**
- 8.F.**      [19-0543](#)      First Renewal and Modification of Annual Bid 2018057 for Medical Supplies  
**Attachments:**    [Staff Report](#)  
  
                 **Approved staff's recommendation**

- 8.G.**      [19-0547](#)      Ranking of Firms for RFP 2019056 - Annual Contract for Motor and Pump Repair

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

**Approved staff's recommendation, with the final ranking of firms being: Florida Armature Works; Kaman Industries; Tampa Armature Works; and Barney's Pumps.**

- 8.H.**      [19-0563](#)      Award of Bid 2019057 - Annual Bid for Asphalt Paving and Resurfacing

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

Commissioner O'Bryan sought and received confirmation that Director of Public Works Rich Szpyrka felt confident that Community Asphalt Corp. had resolved their interoffice conflict and could be used as a backup vendor.

**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

**8.I.**      [19-0583](#)      Tourist Development Council 2019/2020 Budget Recommendations

**Attachments:**    [Staff Report](#)

City of Vero Beach Councilwoman Laura Moss discussed the Tourist Development Council (TDC) recommendations for the Tourist Tax revenue, objecting to the proposed increases for the Indian River County and Sebastian Chambers of Commerce. She questioned the use of tourist tax revenues to fund salaries within the Chambers of Commerce, as well as the timing of the Chambers' presentations to the TDC. Councilwoman Moss urged the Board to continue funding for the Cultural Council and the Chambers at the same level as Fiscal Year 2018/2019.

Commissioner Flescher provided clarity regarding the timing of the Chambers' presentations, commended the current TDC, and attested to the Chambers' effectiveness at promoting tourism in the County.

Councilwoman Moss continued addressing the Board with comments about the two Chambers and their budgets.

Vice Chairman Adams, Chair of the TDC, spoke in support of the TDC's procedures and the Chambers.

The Board consensus was for the County Attorney to conduct a legal review of the TDC guidelines.

County Administrator Jason Brown welcomed the review of the TDC guidelines by the County Attorney. He also pointed out that there was an accounting function dedicated to the Tourist Development portion of the Chambers, separate from the traditional part of the Chambers. He noted that the County's Tourist Tax has doubled since the economic downturn.

Jennifer Bates, Owner/Operator Tourist Accommodations appointee to the TDC, spoke of the promotional work done by the Chambers to attract tourists, and supported the additional tourist tax funding.

Dori Stone, President, Indian River County Chamber of Commerce, thanked the Board for its support of the Chambers and announced that a detailed review of how the Chambers utilize the tourist taxes will be presented in September 2019.

Amber Batchelor, President, Sebastian River Area Chamber of Commerce, discussed the work of the Chambers, its fiscal responsibility, and thanked the

Board for its support.

Barbara Hoffman, Executive Director, Cultural Council of Indian River County, thanked the Board for its support, and discussed the work of the Council in promoting the cultural arts/tourism.

**A motion was made by Vice Chairman Adams, 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



**8.J.**      [19-0564](#)      Children's Services Advisory Committee Recommended Program Funding Allocations for FY 2019/2020

**Attachments:**    [Staff Report](#)  
                              [CSAC Recommended Program Funding FY2019-20 pdf](#)  
                              [Memo Children's Funding Allocation FY2019-20](#)

Dr. Nick Coppola, CEO, Mental Health Association (MHA), addressed the Board about the funding allocations requested by the Children's Services Advisory Committee (CSAC) for Fiscal Year 2019-20. He stated that mental health issues are the largest threat to our society and commented on the high teenage suicide rates in the United States. Dr. Coppola noted that the program name on the CSAC's grant allocation list should be corrected from the MHA Walk-In and Counseling Center to the School Violence and Suicide Prevention program.

Chairman Solari stated that it would be beneficial to have a representative from the mental health community engaged with the CSAC.

County Administrator Jason Brown responded to Commissioner Zorc's inquiry about whether there was an opportunity for the MHA to receive additional funding. Commissioner O'Bryan added input to CSAC's procedures/goals for compiling the allocations, and advocated that the Board stick with CSAC's recommendations as presented.

Dr. Coppola reappeared before the Board to further discuss the importance of addressing mental health issues, and announced his intention to have a representative from the mental health community become engaged with the CSAC.

Jeanne Shepherd, Clinical Director, MHA, reported that the County's 2017 Community Health Needs Assessment Report for Indian River County revealed that the largest issues in our community pertained to mental health and lack of access to care. She urged the Board to look at the true meaning behind Ordinance 99-01 that governs the CSAC.

Laura Moss, City of Vero Beach Councilmember, spoke in support of Dr. Coppola's request.

Bob Schlitt, Chairperson of the CSAC Grant Subcommittee, disclosed that there were many grant applicants, and each applicant was given a total of twenty (20) minutes for their presentations, including discussion time. He discussed the CSAC's priorities and affirmed that mental health was taken into

consideration in each of the four (4) priority areas. He also responded to Commissioner Zorc's query on how the grant recipients were selected.

Wilfred Hart, 617 19th Place SW, advocated for the County to provide additional funding for mental health.

Miranda Hawker, County Health Officer, Florida Department of Health, and Chair of the CSAC, said the committee's priorities are going to be driven by the assessment report, and that the CSAC's Grant Subcommittee carefully reviews all of the information when considering funding allocations.

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

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

**Nay:** 1 - Commissioner Zorc

The Chairman called a recess at 10:36 a.m., and reconvened the meeting at 10:45 a.m., with all members present.

**8.K.**        [19-0569](#)    Award of Bid No: 2019058 Jones Pier Residences Repair

**Attachments:**    [Staff Report](#)

[Sample Agreement Bid 2019-058 Jones Repairs](#)

**Approved staff's recommendation**

**8.L.**        [19-0581](#)    Work Order Number 1, Masteller & Moler, Inc. - Continuing Engineering Services RFP 2018008 - Hobart Park Baseball Fields

**Attachments:**    [Staff Report](#)

[WorkOrder\\_No1 IRC-1759](#)

**Approved staff's recommendation**

- 8.M.**      [19-0576](#)      Resolutions Cancelling Taxes on Properties Acquired by the City of Fellsmere for Public Purposes

**Attachments:**    [Staff Report](#)  
                          [Letter Request](#)  
                          [Resolution \(Tarpon IV, LLC\)](#)  
                          [Resolution \(Pacific Financial, LLC\)](#)  
                          [Resolution \(Gholam Reza Torkaman\)](#)

**Approved Resolution 2019-045, cancelling certain taxes upon publicly owned lands, pursuant to Section 196.28, Florida Statutes (Tarpon IV, LLC); Resolution 2019-046, cancelling certain taxes upon publicly owned lands, pursuant to Section 196.28, Florida Statutes (Pacific Financial, LLC); and Resolution 2019-047, cancelling certain taxes upon publicly owned lands, pursuant to Section 196.28, Florida Statutes (Gholam Reza Torkaman).**

- 8.N.**      [19-0577](#)      Resolution Amending Resolution No. 2019-018 with regard to Cancellation of Taxes

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

**Approved Resolution 2019-048, amending Resolution 2019-018 (to correct the legal description) with regard to cancelling certain taxes upon publicly owned lands, pursuant to Section 196.28, Florida Statutes (purchase from Central Groves Corp. for 66th Avenue widening project).**

- 8.O.**      [19-0578](#)      Resolutions Cancelling Taxes on Properties Acquired by Indian River County for Public Purposes

**Attachments:**    [Staff Report](#)  
                          [Resolution \(City of Vero Beach\)](#)  
                          [Resolution \(EGV1 LLC\)](#)  
                          [Resolution \(Star Suites\)](#)  
                          [Resolution \(Scheefer\)](#)  
                          [Resolution \(Central Groves Corp.\)](#)  
                          [Resolution \(Seven Real Estate Holdings, LLC\)](#)

**Approved Resolution 2019-049 (City of Vero Beach), Resolution 2019-050 (EGV1 LLC), Resolution 2019-051 (Star Suites), Resolution 2019-052 (Scheefer), Resolution 2019-053 (Central Groves Corp.), and Resolution 2019-054 (Seven Real Estate Holdings, LLC), cancelling certain taxes upon publicly owned lands, pursuant to Section 196.28, Florida Statutes.**

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

- 9.A. [19-0546](#) 19th Judicial Circuit Cynthia L. Cox, Circuit Judge: Award of the 2019/2020 Alcohol and Other Drug Abuse Treatment Fund And Designation of Indian River County's Problem Solving Courts As A Chosen Program Recipient

**Attachments:** [2019 IRC DATF Grant Application](#)

Judge Cynthia Cox, 19th Judicial Court, reminded the Board that the Alcohol and Other Drug Abuse Trust Fund was created based on court assessments and was to be used for substance abuse and alcohol treatment. She elaborated on the current opioid epidemic and pointed out that there were 500 individuals eligible, but only 80 were enrolled to participate in Drug Court. She expressed her concern that only the privileged could afford the fee of \$400.00 per month. Judge Cox further explained that The Florida Supreme Court has mandated the Problem Solving Courts become certified by 2020 and comply with Key Components and Standard Best Practice 2, which include equity and inclusion.

Commissioner O'Bryan mentioned that he had attended a graduation ceremony and was impressed with some of the graduates testimony on how the program had changed their lives, and assisted in getting them back on their feet. Commissioner O'Bryan expressed that all the agencies pulled together to make the program a success.

Judge Cox thanked the Board for their consideration.

**A motion was made by Commissioner O'Bryan, seconded by Commissioner Flescher, to approve the request to designate the Indian River County's Problem Solving Courts as a chosen program recipient to receive up to \$50,000 from the Alcohol and Other Drug Abuse Trust Fund for use for substance abuse treatment and testing for the drug court, mental health and veteran treatment court participants in Indian River County that are indigent. The motion carried by the following vote:**

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

## 10. PUBLIC ITEMS

### A. PUBLIC HEARINGS

- 10.A.1. [19-0541](#) Consideration of Request by Garrett Guidroz to Amend Land Development Regulation (LDR) Section 932.07, Piers, Docks and Boat Slips, by Revising a 400 Square Foot Footprint Restriction on Unwalled Boat Shelters to be Consistent with Florida Department of Environmental Protection (FDEP) and Other Jurisdictional Agency Requirements [Legislative]

**Attachments:** [Staff Report](#)  
[LDR Amend Application](#)  
[Florida Statutes Section 258.42](#)  
[Florida Administrative Code Section 62-330.427](#)  
[Sketch of Proposed Guidroz Dock](#)  
[BCC 5/15/1991 Special Meeting Minutes](#)  
[PZC 5/9/2019 Meeting Minutes](#)  
[Proposed Ordinance](#)

Interim Community Development Director Roland DeBlois presented a request by Garrett Guidroz to amend Land Development Regulation (LDR) Section 932.07, Piers, Docks, and Boat Slips.

He explained that Mr. Guidroz had received approval from the Florida Department of Environmental Protection (FDEP) to modify an existing dock on his lot at 13380 North Indian River Drive.

Interim Director DeBlois gave a PowerPoint presentation of the LDR requirements for boat slips, piers and docks, stating that FDEP does allow roofs over boat lifts, provided it does not overhang more than one foot beyond the footprint for the lift and the boat stored at the lift.

The Board sought and received answers from Interim Director DeBlois on the size of the proposed boat shelter. Mr. Guidroz's proposed shelter satisfied the 2,000 square foot limit requirement.

Dr. David Cox, Periwinkle Lane, Summerplace, answered Commissioner O'Bryan's concerns regarding the maximum size of the shelter.

**A motion was made by Commissioner Zorc, seconded by Vice Chairman Adams, to adopt Ordinance 2019-015, concerning Amendments to its Land Development Regulations (LDRs); providing for Amendments to Chapter 932, Coastal Management; by amending Subsection 932.07(3)(a), Unwalled shelters, of Section 932.07, Piers, docks and boat slips; and by providing for repeal of the conflicting provisions; codification; severability; and effective date. The motion carried by the following vote:**

**Aye:** 3 - Vice Chairman Adams, Commissioner Flescher, and Commissioner Zorc

**Nay:** 2 - Chairman Solari, and Commissioner O'Bryan

**B. PUBLIC DISCUSSION ITEMS**

**C. PUBLIC NOTICE ITEMS**

**10.C.1.**     [19-0548](#)   Notice of Public Hearing for July 9, 2019: Glendale Baptist Church, Inc.'s Request for Conceptual Site Plan and Special Exception Use Approval for Glendale Baptist Church and School [SP-CP-19-03-06 / 2004040365-83388] (Quasi-Judicial)

**Attachments:**   [Staff Report](#)

County Attorney Dylan Reingold read the notice into the record.

**No Action Taken or Required**

**10.C.2.**     [19-0556](#)   Public Notice of Public Hearing Scheduled for July 9, 2019 to Consider Amending Chapter 105 (Purchasing) of the Code of Indian River County [Legislative]

**Attachments:**   [Staff Report](#)

County Attorney Dylan Reingold read the notice into the record.

**No Action Taken or Required**

**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**

- 12.D.1.**     [19-0585](#)     Medical Plan Adjusted Phase in Rates for Retirees for Premier Silver and Premier Gold Plans effective 10/1/2019

**Attachments:**   [Staff Report](#)

Human Resources Director Suzanne Boyll presented the Medical Plan adjusted phase rates for retirees effective October 1, 2019. There would be no change for the premium associated with the Premier Silver, but the Premier Gold medical plan premium would be based upon the buy-up difference between the Silver and the Gold plan.

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

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

**E. Office of Management and Budget**

- 12.E.1.**     [19-0573](#)     Water & Sewer Revenue Refunding Bonds, Series 2009 Consideration of Early Payoff

**Attachments:**   [Staff Report](#)

Management and Budget Director Kristin Daniels utilized a PowerPoint Presentation to detail the Water & Sewer Revenue Refunding Bonds, Series 2009. She provided that the purpose of the issuance of the bonds was to refinance the Series 1993A and 1993B Bonds. She further detailed the history of the bonds and the estimated net savings, noting that a \$2.9 million reduction in debt service would allow for increased renewal and replacement expenses to be addressed, including deferred expenses that was accumulated during the downturn.

Budget Director Daniels stated that the Utility had another outstanding debt, the Water and Sewer Revenue Refunding Note, Series 2015, of which staff did not recommend an early payoff.

**A motion was made by Commissioner Flescher, 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

**F. Public Works**

- 12.F.1.**     [19-0539](#)     Update on Sea Turtle Nesting--Tabled from Board of County Commission Meeting of June 18, 2019

**Attachments:**   [Staff Report](#)  
                          [Sea Turtle Nesting Season Update](#)

County Environmental Specialist Quintin Bergman, Habitat Conservation Plan (HCP) Coordinator, gave a PowerPoint presentation to update the 2019 Sea Turtle Nesting Season which runs from March 1, 2019 through October 31, 2019. He stated that during this time, the County conducts turtle nesting surveys daily on the County's 22.4 miles of beaches. He mentioned that there are three species of turtles that nest on the County's beaches: Loggerhead, Leatherback and Green, and as of June 28, 2019 there were 34 Leatherback, 487 Green and 3,580 Loggerhead turtle nests in the County.

HCP Coordinator Bergman mentioned Turtle Friendly Beach Behavior and announced Turtle Walk Tours, Turtle Digs, and Turtle Release events were available to the public.

**No Action Taken or Required**



- 12.F.2. [19-0572](#) Change Order No. 1, CR 512 Resurfacing & Shoulder Widening from Myrtle Street to 125th Avenue Project (IRC-1305)

**Attachments:** [Staff Report](#)  
[Change Order No. 1](#)

Public Works Director Richard Szpyrka presented his request for Change Order No. 1 for County Road (CR) 512 Resurfacing and Shoulder Widening from Myrtle Street to 125th Avenue project. He added that the contractor, Community Asphalt Corp., encountered an unknown storm drain pipe which would need to be relocated.

Director Szpyrka revealed that in addition to the relocation of the storm drain pipe, the contractor had to revise the strain pole heights for the flashing beacon lights at North Cypress Street to ensure minimum roadway clearance. He continued that the contractor also requested an additional 242 days of contract time to accommodate the utility conflict, design change, and material manufacturing detailed in the work order.

Director Szpyrka received and answered questions from the Board regarding the project and the estimated time of completion.

**A motion was made by Vice Chairman Adams, 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

## G. Utilities Services

- 12.G.1.**     [19-0567](#)     Update Regarding Amnesty, and Refund and Relinquishment of Reserve ERUs--Tabled from Board of County Commission Meeting of June 18, 2019

**Attachments:**    [Staff Report](#)  
                          [Summary of Reserve Account Activity](#)

Director of Utility Services Vincent Burke presented an update to the Board regarding the amnesty, refund and relinquishment of reserve Equivalent Residential Unit (ERUs) associated with water and or sewer. He explained as of May 2019, six reserve account holders remained outstanding, and certified letters were sent to remind the account holders of the July 8, 2019 deadline. The Board's direction was that staff would work with County Attorney Dylan Reingold to proceed with foreclosure action per Florida Statute 153.67.

Director Burke announced that Mr. Isaac Gomez a representative of an account holder, was present and wished to address the Board in respect to the account holder's delinquency.

Mr. Isaac Gomez (Cookies and Crackers Corp.) 8910 US Highway 1, addressed the Board with his request.

A discussion ensued among the Board and Staff regarding the Gomez account. County Attorney Dylan Reingold suggested amending the Amnesty Ordinance, however County Administrator Jason Brown voiced his objections to policy concessions.

**No Action Taken or Required**

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

**13.A.**      [19-0579](#)      Pretrial Services Update

**Attachments:**    [Staff Report](#)

[Proposal for Pretrial Program Services for Indian River County](#)

*(Clerk's Note - This Item was heard following Item 10.C.2. and is placed here for continuity.)*

County Attorney Dylan Reingold stated that he was returning to the Board with a more definitive projection on the cost to implement St. Lucie County's Pretrial Program (the Program) Services in Indian River County, pursuant to Board direction at the May 14, 2019 County Commission meeting. After presenting his analysis on costs and non-monetary benefits, he affirmed his support for the Program with one caveat. Attorney Reingold advised that a determination would need to be made on who would be responsible for implementing and monitoring the Program, as well as serving as the liaison with St. Lucie County.

Judge Cynthia Cox, 19th Judicial Circuit Court, pointed out that Indian River was the only county in the 19th Judicial Circuit without the Program. She advocated for the Board to bring the Program to the County.

Sheriff Deryl Loar stated that although he was supportive of the Program, he was concerned that the projected cost savings of the Program might not be realized in Indian River County.

A wide-ranging discussion ensued between the Board, staff, and the Sheriff as various aspects of bringing the Program to the County were considered. Key discussion items centered around the Board and staff's preference to have the Sheriff administer the Program, and the Sheriff's uncertainty about what the true costs would be. Commentary was also presented on what the benefits of the Program would be.

Roy Hudson, St. Lucie Criminal Justice Coordinator, provided additional details on the how the Program is administered in Martin County, where the sheriff oversees the process.

Vice Chairman Adams and Commissioner Flescher individually expressed strong support for instituting the Program in Indian River County.

Sheriff Loar requested an additional period of time to explore whether this is the right Program for the Sheriff's Office.

Attorney Reingold affirmed that he would continue to work on this matter and

report back to the Board in December 2019 with additional information.

**A motion was made by Commissioner Zorc, seconded by Chairman Solari, to TABLE this matter for six months. 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 a recess at 11:56 a.m., and reconvened the meeting at 12:06 p.m. with all members present.

**14. COMMISSIONERS MATTERS**

**A. Commissioner Bob Solari, Chairman**

**14.A.1.**     [19-0582](#)     Biosolids--FDEP Rulemaking

**Attachments:**     [Commissioner's Memorandum](#)

Chairman Solari referred to Director of Utility Services Vincent Burke to address staff's concerns with the Florida Department of Environmental Protection (FDEP) Rulemaking.

Director Burke stated that the FDEP conducted three (3) public hearings in Tallahassee, Orlando and West Palm Beach. He added that he, along with County Administrator Jason Brown, and Environmental Compliance Specialist Eric Charest, attended the Orlando meeting to voice staff's concerns with respect to the proposed rulemaking process where it involves biosolids.

Director Burke went over some of staff's concerns, such as the costs involved in disposing of the biosolids if the municipalities could not land apply them and who would be responsible for the costs. He believed that there was a disconnect between the Institute of Food and Agricultural Sciences Extension (IFAS) issues with the tissue and soil samples and the water quality issues the FDEP has in its power to implement. Staff was requesting as part of their submittal package to the FDEP that there would be required testing and monitoring of all sites that have had land applications of biosolids. He mentioned that the St. John River Water Management District (SJRWMD) had limited water quality data on their website and added that staff highly recommend that the FDEP look into requiring water quality monitoring at some of the strategic locations in order to establish base line water quality data.

Director Burke communicated that the FDEP's public comment period will close July 29, 2019. All comments regarding the proposed Rule 62-640 Biosolids, Florida Administrative Code, must be sent in writing or through the FDEP portal. He made mention that the rulemaking process could take 12 to 18 months.

Chairman Solari stated that staff would be sending their concerns to the FDEP, and he would also send a letter with his comments. He agreed there needed to be monitoring on all sites that apply the biosolids, and expressed his concerns with dumping phosphorus near Blue Cypress Lake. Chairman Solari spoke with a member from the SJRWMD Board of the South Florida Water Management District and they will be submitting their comments with FDEP as well. He would also engage in a conversation with a representative from the St. John River Water Management District to

ask their Board to be a little more aggressive with FDEP, and would try to coordinate an effort with St. Johns River Keepers.

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

**C. Commissioner Joseph E. Flescher**

**14.C.1. [19-0537](#) Proposal to name the Exposition Center at the IRC Fairgrounds in honor of David Fleetwood**

**Attachments:** [Commissioner's Memorandum](#)

Commissioner Flescher acknowledged Mr. Fleetwood's dedication to the Parks and Recreation Division, and to the Exhibition Center. He recommended that the Exhibition Center at the Indian River County Fairgrounds be renamed "The Fleetwood Center" in honor of the former Superintendent of the Parks Division, David Fleetwood.

**A motion was made by Commissioner Flescher, seconded by Chairman Solari, to approve renaming the Exhibition Center at the Indian River County Fairgrounds "The Fleetwood Center". The motion carried by the following vote:**

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

**D. Commissioner Peter D. O'Bryan**

**14.D.1. [19-0542](#) Elevation Certificates**

**Attachments:** [Commissioner's Memorandum](#)

[Elevation Certificate](#)

[FEMA Elev Cert and Instructions p.13](#)

[Email reponse from Mr. DeBlois](#)

Commissioner O'Bryan advised that in order for the County's elevation certificates to be in compliance with the Federal Emergency Management Agency/Community Rating System (FEMA/CRS) program, they must be submitted with the signature, date, and license number in the area designated for the seal.

The Board consensus was to direct staff to ensure that all elevation certificates were submitted with the signature, date, and license number included in the area designated for the seal.

**No Action Taken or Required**

**14.D.2.**     [19-0557](#)     Vero Beach Centennial Parade

**Attachments:**    [Commissioner's Memorandum](#)  
                          [INVITE Centennial Parade](#)

Commissioner O'Bryan relayed that the Board has received an invitation to participate in the City of Vero Beach's Centennial Parade. He noted that the parade would be titled "Vero Beach Through the Ages" and he asked his fellow Board Members if they would like to participate.

**A motion was made by Commissioner O'Bryan, seconded by Chairman Solari, to participate in the City of Vero Beach Centennial Parade on October 26, 2019. 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****14.E.1.**     [19-0568](#)     Proposing Bethel Creek as a pilot project for restoring historical ocean inflows to the Indian River Lagoon

**Attachments:**    [Commissioner's Memorandum](#)

Commissioner Zorc asked for the Board's consideration for County Attorney Dylan Reingold to write a letter of support to the Department of Environmental Protection, Florida Institute of Technology, Representative Thad Altman and local elected representatives for the Florida Tech-Restore Lagoon Inflow Research project to include Bethel Creek as a site for consideration.

Chairman Solari expressed that he is unable to support the motion.

**A motion was made by Commissioner Zorc, seconded by Commissioner O'Bryan, to have the County Attorney write a letter of support to consider Bethel Creek for the Florida Tech-Restore Lagoon Inflow Research Project. The motion carried by the following vote:**

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

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

**15.       SPECIAL DISTRICTS AND BOARDS****A.       Emergency Services District****B.       Solid Waste Disposal District**

The Board of County Commissioners 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.**     [19-0553](#)     Approval of Minutes Meeting May 7, 2019

**Attachments:**     [05072019SWDD Draft](#)

**A motion was made by Commissioner O'Bryan, seconded by Commissioner Flescher, to approve the Solid Waste Disposal District Meeting Minutes of May 7, 2019 as written. The motion carried by the following vote:**

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

**15.B.2.**     [19-0562](#)     Approval of 2019 CPI Adjustment Request by Mr. Mulch

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

[Rate Adjustment Letter from Mr Mulch](#)

**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

**15.B.3.**     [19-0575](#)     Approval of 2019 CPI Adjustment Request by Republic Services

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

[Rate Adjustment Letter Request from Republic Services](#)

**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**

There being no further business, the Chairman declared the meeting adjourned at 1:13 p.m.