

# Indian River County Florida



## Solid Waste Disposal District Draft Meeting Minutes

### Board of Commissioners

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

*Susan Adams, District 1, Chairman*  
*Joseph Flescher, District 2, Vice Chairman*  
*Joseph H. Earman, District 3*  
*Deryl Loar, District 4*  
*Laura Moss, District 5*

John A. Titkanich, Jr., County Administrator  
William K. DeBraal, County Attorney  
Ryan L. Butler, Clerk of the Circuit Court and Comptroller  
Randi Wardlow, Deputy Clerk

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Tuesday, March 19, 2024

Commission Chambers

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## 15. SPECIAL DISTRICTS AND BOARDS

### 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.

Renewal with Tiger Inc for Sale and Purchase of Natural Gas

Himanshu Mehta, Managing Director of the Solid Waste Disposal District, requested the Board's approval of an extension to the agreement with Tiger, Inc. for the sale and purchase of natural gas. Director Mehta explained Tiger, Inc. was a third party which provided the natural gas used in the leachate evaporator project at a fixed cost which was less expensive than purchasing the gas directly.

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

**Aye:** 5 - Chairman Adams, Vice Chairman Flescher, Commissioner Earman, Commissioner Moss, and Commissioner Loar

**15.B.2.**

Consent and Agreement with Pathward, NA for Nopetro's Landfill Gas Construction Loan

County Attorney Bill DeBraul presented the Consent and Agreement document related to the construction of the landfill gas facility project, as discussed at the January 23, 2024 Board meeting where the final Nopetro Eco District LLC's contract was approved. Nopetro's lender, Pathward, NA, requested the Consent and Agreement document as a condition of approving Nopetro's construction loan.

Attorney DeBraul further discussed the County's exposure to risk by signing the Agreement, as detailed in staff's memo dated March 14, 2024. He touched upon the language staff added to the document to better protect the County's interest while still allowing the project to proceed.

Chairman Adams led discussion by confirming the document provided the County's express consent to the bank, and that Nopetro provided indemnification and a letter of credit to help cover construction costs and lessen the County's risk exposure. The Chairman stated she was comfortable with the terms and advocated for moving forward. Commissioner Loar sought to clarify that this Agreement was a practice undertaken by other counties; County Administrator John Titkanich confirmed and provided a list of the other counties. Administrator Titkanich also expanded on a meeting attended by council, Nopetro, County staff, and the bank. He praised the work staff had done to add language to better protect the County.

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

**Aye:** 5 - Chairman Adams, Vice Chairman Flescher, Commissioner Earman, Commissioner Moss, and Commissioner Loar