

# 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, July 18, 2017**

**9:00 AM**

**Commission Chambers**

### **Board of County Commissioners**

*Joseph E. Flescher, Chairman, District 2  
Peter D. O'Bryan, Vice Chairman, District 4  
Susan Adams, District 1  
Bob Solari, District 5  
Tim Zorc, District 3*

**Jason E. Brown, County Administrator  
Dylan Reingold, County Attorney  
Jeffrey R. Smith, Clerk of the Circuit Court and Comptroller**

**1. CALL TO ORDER****ROLL CALL**

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

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

Stan Boling, Community Development Director

**3. PLEDGE OF ALLEGIANCE**

Commissioner Peter D. O'Bryan, Vice Chairman

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

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

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

**5. PROCLAMATIONS and PRESENTATIONS**

- 5.A.**     [17-0746](#)     Presentation of Proclamation Designating the Week of July 24, 2017, as Treasure Coast Waterway Cleanup Week in Indian River County

**Recommended Action:** Read and Presented.

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

*(This item was heard following Item 9.C. and is placed here for continuity).*

Vice Chairman O'Bryan read and presented the Proclamation to Steve Haigis of Suintex Marina at Grand Harbor. Mr. Haigis provided background on the Treasure Coast Waterway Cleanup event, which will be held on July 29, 2017 from 8:00 a.m. to 12:30 p.m. Volunteer information, including cleanup locations, can be found at [tcwaterwaycleanup.com](http://tcwaterwaycleanup.com).

Vice Chairman O'Bryan requested that Mr. Haigis dispatch a clean-up team to the Oslo Boat Ramp area.

**Read and Presented**

- 5.B. [17-0768](#) Presentation of Update on Indian River Lagoon Pilot Project by Adam Taylor, President/CEO, Greenfield Resources

**Recommended Action:** No Action Required

Adam Taylor, President/CEO of Greenfield Resources (Greenfield), provided an update on the Indian River Lagoon Pilot Project (the Project). He invited the Board and public to come to the site of the Main Relief Canal from 2:00 to 4:00 p.m. today (July 18, 2017), for a viewing and demonstration of the water cleaning system.

Commissioner Zorc communicated that the Project is at zero cost to the County, and expressed his appreciation for Greenfield's investment in cleaning up the Lagoon. He also inquired as to how Greenfield would be publicizing the data obtained from its laboratory.

Mr. Taylor relayed that Megan Owen, Operations Director of Greenfield Resources, would be setting up a website with updates on the Project.

**Read and Presented****6. APPROVAL OF MINUTES**

- 6.A. [17-0759](#) Regular Meeting of June 13, 2017

**Recommended Action:** Approve

**Attachments:** [06132017BCCDraft](#)

**A motion was made by Vice Chairman O'Bryan, seconded by Commissioner Zorc, to approve the Regular Meeting Minutes of June 13, 2017, as written. The motion carried by the following vote:**

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

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

- 7.A. [17-0740](#) Florida Public Service Commission- Memorandum Re: the Commission advising its internal Case Management System had been upgraded; year reference is now four (4) digits, rather than two (2) digits, is available for review in the office of the Clerk to the Board.

**Recommended Action:** No Action Required

**No Action Taken or Required**

- 7.B. [17-0750](#) Proclamation and Retirement Award Honoring Jerome K. Driskell on His Retirement From Indian River County Board of County Commissioners Department of Public Works/Fleet Management Division with Seventeen Years of Service

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

Vice Chairman O'Bryan recognized Jerome K. Driskell for his service to the community and the County.

**No Action Taken or Required**

- 7.C. [17-0753](#) Proclamation and Retirement Award Honoring Cathy Lynn Bell on Her Retirement From Indian River County Board of County Commissioners Office of Veteran Services with Thirty Years of Service

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

Chairman Flescher acknowledged Cathy Lynn Bell. for her service to the veterans of Indian River County.

**No Action Taken or Required**

- 7.D. [17-0762](#) Former Gifford Road Landfill Site Redevelopment Plan Public Workshop

**Recommended Action:** Informational only - no board action required.

**Attachments:** [Former Gifford Road Landfill Site Public Workshop](#)

**No Action Taken or Required**

- 7.E. [17-0777](#) Conservation Lands Program Update

**Recommended Action:** This is an informational item only; no Board action is required

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

Vice Chairman O'Bryan pointed out that an overview of the Conservation Lands Program is now available, and has been included in today's (July 18, 2017) agenda packet.

**No Action Taken or Required****8. CONSENT AGENDA**

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

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

**8.A.**     [17-0742](#)     Checks and Electronic Payments June 30, 2017 to July 6, 2017

**Recommended Action:** Approve the list of checks and electronic payments issued by the Comptroller's office for the time period of June 30, 2017 to July 6, 2017

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

**Approved staff's recommendation**

**8.B.**     [17-0744](#)     List of Errors, Insolvencies, Double Assessments and Discounts for the 2016 Tax Roll

**Recommended Action:** Carole Jean Jordan, Tax Collector, provides the Errors and Insolvencies Report for the 2016 Tax Roll for the Commissioners review.

**Attachments:**   [Memorandum](#)  
                          [Errors and Insolvencies Report](#)

**Approved staff's recommendation**

**8.C.**     [17-0756](#)     Out of County Travel to Attend White House Office of Intergovernmental Affairs Florida County Commissioners' Conference

**Recommended Action:** Approval

**Attachments:**   [Commissioner Memorandum](#)  
                          [Florida County Commissioners' White House Conference Invitation 1](#)

**Approved out-of-County travel for Commissioners and Staff to attend the White House Office of Intergovernmental Affairs Florida County Commissioners' Conference at the Eisenhower Executive Office Building in Washington, D.C., on Thursday, July 27, 2017.**

**8.D.**     [17-0747](#)     Recommendation of Award of Construction Contract for Osprey Acres Floway and Nature Preserve (Bid #2017051)

**Recommended Action:** Staff recommends the Board: 1) Approve award to the lowest apparent responsive and responsible bidder, West Construction, Inc. for the base bid of \$7,443,433.35 plus Alternate "B" (millings entrance turnaround at no additional cost) and Alternate "C" (timber bridge at a \$6,512.00 deduct) for a total contract amount of \$7,436,921.35; 2) Authorize the Chairman to execute the agreement upon review

and approval of both the agreement and required public construction bond by the County Attorney as to form and legal sufficiency, and the receipt and approval of required insurance by the Risk Manager

**Attachments:** [Staff Report](#)  
[Osprey Acres - Sample Agreement](#)

**Approved staff's recommendation**

- 8.E.**     [17-0761](#)     Michael Cooper's Request for Release of an Easement at 100 38th Court (Hidden Oaks Subdivision)

**Recommended Action:** Staff recommends that the Board, through adoption of the resolution, approve release of the 40' x 8' drainage access easement described in the resolution.

**Attachments:** [Staff report](#)  
[Maps](#)  
[Proposed resolution](#)

**Approved Resolution 2017-071, amending the Fiscal Year 2016-2017 Budget.**

- 8.F.**     [17-0763](#)     Miscellaneous Budget Amendment 20

**Recommended Action:** Staff recommends that the Board of County Commissioners approve the budget resolution amending the fiscal year 2016/2017 budget.

**Attachments:** [Staff Report](#)  
[Letter from Sheriff Loar](#)  
[2016 2017 Resolution](#)  
[Exhibit "A"](#)

**Approved Resolution 2017-072, amending the Fiscal Year 2016-2017 Budget.**

- 8.G.**     [17-0764](#)     Amendment No. 8 to the Civil Engineering and Land Surveying Agreement for Intersection Improvements at SR-60 and 43rd Avenue and the Widening of 43rd Avenue from 18th Street to 26th Street with Arcadis US, Inc.

**Recommended Action:** Staff recommends the Board of County Commissioners approve Amendment No. 8 for a lump sum fee of \$30,813.20 and requests the Board of County Commissioners authorize the Chairman to execute Amendment No. 8 on their behalf.

**Attachments:** [Staff Report](#)  
[Amendment No. 8 with Arcadis US, Inc](#)

**Approved staff's recommendation****8.H. [17-0770](#) Approval of Blue Medicare Advantage Renewal**

**Recommended Action:** Staff recommends that the Board approve the renewal for the current Blue Medicare PPO 2 RX 1 plan effective October 1, 2017 through September 30, 2018 and authorize the Chair to execute the renewal agreement.

**Attachments:** [Blue Medicare Advantage Renewal](#)  
[2017 Medicare Advantage Renewal Evaluation](#)

**Approved staff's recommendation****8.I. [17-0743](#) GHO Segovia Lakes Corp's Request to Replat the Segovia Lakes Planned Development (PD) to be known as Segovia Lakes PD Replat [PD-16-10-06 / 2003090165-78588]**

**Recommended Action:** Staff recommends that the Board of County Commissioners grant final plat approval for Segovia Lakes PD Replat.

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

**Approved staff's recommendation****8.J. [17-0745](#) GHO Serenoa Corp's Request for Final Plat Approval for a Subdivision to be Known as Serenoa Phase 4 [98110046-77525/ SD-13-11-04]**

**Recommended Action:** Based on the analysis, staff recommends that the Board of County Commissioners grant final plat approval for Serenoa Phase 4

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

**Approved staff's recommendation****8.K. [17-0767](#) Phase 1 of Willows Development Escrow Agreement**

**Recommended Action:** The County Attorney's Office recommends that the Indian River County Board of County Commissioners vote to approve and authorize the County Administrator to sign the escrow agreement.

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

**Approved staff's recommendation**

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

- 9.A.**     [17-0769](#)     Indian River County Sheriff Deryl Loar Request for transfer of \$10,706.40 from Florida Contraband Forfeiture Act proceeds to the Indian River County Sheriff for the Substance Awareness Center in compliance with F.S. 932.7055

**Recommended Action:** Approval of the request to transfer of \$10,706.40 from the Florida Contraband Forfeiture Act proceeds to the Indian River County Sheriff for the Substance Awareness Center in compliance with F.S. 932.7055

**Attachments:** [Sheriff Deryl Loar Letter Dated July 12, 2017](#)

Indian River County Sheriff Deryl Loar appeared before the Board in support of his request.

**A motion was made by Commissioner Solari, seconded by Commissioner Zorc, to authorize the Indian River County Sheriff's Office to transfer forfeiture proceeds in the amount of \$10,706.40 to the Substance Awareness Center. The motion carried by the following vote:**

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

- 9.B.**     [17-0773](#)     Indian River County Sheriff Deryl Loar Notification of Application for a 2017-2020 Department of Homeland Security Operation Stonegarden Grant

**Recommended Action:** Information provided for notification only. No action required.

**Attachments:** [Sheriff Deryl Loar Letter Dated July 11, 2017](#)  
[2017-2020 Operation Stonegarden Grant Application](#)  
[Grant Application Justification Letter](#)  
[Indian River County Grant Application Form](#)

Sheriff Deryl Loar informed the Board that the Department of Homeland Security Operation Stonegarden Grant monies would be used to supplement the Shore and River and Ocean Patrols. He reported that the application includes a funding request for an off-shore vessel.



Vice Chairman O'Bryan commented on the cost-factor of maintaining an off-shore vessel.

**A motion was made by Commissioner Solari, seconded by Chairman Flescher, to authorize the filing of the Indian River County Sheriff's Office's application for a 2017-2020 Department of Homeland Security Operation Stonegarden Grant in the total dollar amount of \$380,000. These funds, if received, are set to reimburse \$90,000 in overtime and provide \$290,000 toward the purchase of an off-shore vessel to perform duties in-line with the Department of Homeland Security mission. The motion carried by the following vote:**

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

**9.C. [17-0775](#)** Indian River County Sheriff Deryl Loar Notification of Application for a 2017 Office of Justice Programs, Bulletproof Vest Partnership Grant

**Recommended Action:** Information provided for notification only. No action required.

**Attachments:** [Sheriff Deryl Loar Letter Dated July 11, 2017](#)  
[2017 Bulletproof Vest Partnership Grant Application](#)  
[Indian River County Grant Application Form](#)

Sheriff Deryl Loar spoke in appreciation of the positive relationship between the Indian River County Sheriff's Office and the County Commission.

**A motion was made by Commissioner Solari, seconded by Commissioner Adams, to authorize the filing of the Indian River County Sheriff's Office grant application for a 2017 Office of Justice Programs Bulletproof Vest Partnership Grant. The grant, if approved, will provide funding to reimburse 50% of the cost of officer safety vests purchased over the next two years. The motion carried by the following vote:**

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

## **10. PUBLIC ITEMS**

### **A. PUBLIC HEARINGS**

**10.A.1. [17-0751](#)** North Sebastian Septic to Sewer (S2S) Phase 1, Public Hearing and the Adoption of Resolution No. III (Legislative)

**Recommended Action:** Open the public hearing and after receiving input, consider adopting Resolution No. III with any revisions based on that public input. Staff recommends that the Board of County Commissioners consider the following options: 1) Adopt Resolution No. III with the following items: a. Cost per parcel/unit to be based on Attachment 3, Capital Cost Breakdown. b. One hundred and twelve (112) benefitting parcels/units as part of the special assessment lien. c. For benefitting parcels above in point b, allow property owners to finance the capital cost up to 10 years, payable in ten equal yearly installments at an annual interest rate of 2.00% as approved by the Board of County Commissioners.

**Attachments:** [AdditionalBackupProvidedatMeeting](#)  
[Confirming Resolution \(Resolution No. III\)](#)  
[Assessment Roll](#)  
[Capital Cost Breakdown](#)  
[Map](#)

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

Director of Utilities Vincent Burke used a PowerPoint Presentation to recap the key details of the Septic to Sewer (S2S) Phase 1 Project (the Project). He recalled the Board's approval on June 20, 2017, of Resolution 2017-063, providing for the Project, and Resolution 2017-064, establishing the Public Hearing date/time. Director Burke provided a summary of the funding allocations, noting that the County received a Cost Share Grant from the St. Johns River Water Management District (SJRWMD). He reported that an informational meeting regarding the Project was held for the property owners at the City of Sebastian City Council Chambers on July 11, 2017, and that information has also been published on the County's website at [www.ircutilities.com//s2s](http://www.ircutilities.com//s2s). After outlining the tentative Project schedule, Director Burke presented staff's recommendation for the Board to approve the third Resolution for the Project, confirming the special assessment at \$4,989.12 per each Equivalent Residential Unit (ERU), for the 112 benefitting property owners.

The Chairman opened the Public Hearing.

Carter Taylor, President, Executive Committee, Indian River Neighborhood Association, spoke to the importance of the County having a successful septic to sewer program, and stated that the Project is a great start.

Bob Johnson, Coral Wind Subdivision, sought and received details about the informational meeting that staff held in Sebastian, and about the Public Hearing notices.

Bill Rigby, 8465 59th Avenue, sought and received information regarding the amount of grant money that was received for the Project.

Loretta Marshall, 707 Jackson Street, who inquired about funding assistance with the special assessments for property owners, was advised to contact the Sebastian City Council.

Judy Orcutt, 4665 Pebble Bay South, remarked that the Project would benefit

businesses in the City of Sebastian.

Tim Glover, President, Friends of St. Sebastian River, 9446 Fleming Grant Road, noted that the Project would have a beneficial impact on the Indian River Lagoon and St. Sebastian River, and encouraged the Board to support the Project.

(Clerk's Note: the Sebastian Property Owners Association has submitted for the record, a letter of support for the Project)

There were no additional speakers, and the Chairman closed the Public Hearing.

**A motion was made by Vice Chairman O'Bryan, seconded by Chairman Flescher, by a 4-1 vote (Commissioner Solari opposed), to approve Resolution 2017-073, confirming the special assessments in connection with a sewer main extension to serve certain properties located along the east side of U.S. Highway 1 between 13230 and 14410 U.S. Highway 1, and including 12920 and 12950 U.S. Highway 1 within the unincorporated boundary of Indian River County; and certain properties along the east side of U.S. Highway 1 within the municipal boundary of the City of Sebastian between 13100 and 1614 U.S. Highway 1, including certain properties along Jackson Street, Madison Street, Davis Street, N. Central Avenue (South of Jackson Street) and including 1637 and 1727 N. Indian River Drive (North Sebastian Septic to Sewer [S2S] Phase 1 Project); and providing for special assessment liens to be made of record. The motion carried by the following vote:**

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

**Nay:** 1 - Commissioner Solari

## **B. PUBLIC DISCUSSION ITEMS**

**10.B.1. [17-0720](#)** Request to Speak from Kate Wesner, Ygrene Energy Fund, Regarding Property Assessed Clean Energy Program (PACE)

**Recommended Action:** Public Discussion Item - No Action Required

**Attachments:** [Request to Speak Form](#)

Kate Wesner, Ygrene Energy Fund, gave a PowerPoint Presentation to explain the Property Assessed Clean Energy (PACE) Program.

The Board consensus was to not initiate the Program.

**No Action Taken or Required**

**10.B.2. [17-0755](#)** Request to Speak from Arda Rigby and Bill Rigby Regarding Drainage and Sewer Services in the Wabasso Community

**Recommended Action:** No Action Required

**Attachments:** [Request to Speak Form](#)

Ardra Rigby, 8465 59th Avenue, President, Wabasso Progressive Civic League; and Bill Rigby, 8465 59th Avenue, Board Member, Wabasso Progressive Civic League, appeared before the Board.

Vice Chairman O'Bryan initiated a brief discussion regarding what he deemed were erroneous remarks made at the June 6, 2017 meeting by Ardra Rigby about email notifications and grant funding. Chairman Flescher and County Administrator Jason Brown provided additional commentary regarding declarations made by Mr. Rigby.

Ardra Rigby, assisted by Bill Rigby, attested to the validity of the statements made by the Rigby's at the June 6, 2017 meeting.

Bill Rigby spoke about the deteriorating septic systems in the Wabasso area. He expressed concerns about the water quality, and urged the Board to find a quick solution that would allow construction of the West Wabasso Septic to Sewer Project. He believed that the Civic League, Board, and staff should strive together to move the sewer project along. He stressed that the Wabasso community has been suffering for over 60 years, and the citizens should be able to reap some benefit from their taxes. Mr. Rigby spoke of his commitment to improve the Wabasso community.

Chairman Flescher affirmed that all parties want to eliminate the septic systems, and declared that the County is committed to obtaining a grant to do the West Wabasso Septic to Sewer Project.

**No Action Taken or Required**

## **C. PUBLIC NOTICE ITEMS**

- 10.C.1.** [17-0783](#) Public Notice of Public Hearing Scheduled for August 15, 2017 to Consider Amending Chapters 306 and 315 of the Code of Indian River County with regard to Medical Marijuana

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

County Attorney Dylan Reingold read the notice into the record.

**No Action Taken or Required**

## **11. COUNTY ADMINISTRATOR MATTERS**

- 11.A. [17-0771](#) Florida Institute of Technology (FIT) Request for Proposals for qualified buyers to bid for the purchase of the Vero Beach Marine Laboratory Property

**Recommended Action:** Staff requests the Board of County Commissioners provide direction on its interest in responding to the Request for Proposal for the Florida Institute of Technology Vero Beach Marine Laboratory Property.

**Attachments:** [Staff Report](#)  
[Request for Proposals](#)

County Administrator Jason Brown reported that the Florida Institute of Technology (FIT) is selling its Vero Beach Marine Laboratory property, located at 805 46th Place East, adjacent to the Tracking Station Park. Administrator Brown discussed the benefits and potential issues of the County's acquisition of the oceanfront property. He advised that the Property Appraiser has assessed the site at \$2,117,030, and that if the Board is interested in the property, staff would need to obtain two appraisals before making an offer. Administrator Brown conveyed that parties must respond to FIT's Request for Proposal (RFP) on or before August 1, 2017, and that if the offer is accepted, the sale would be contingent upon final Board approval.

Individual Board Members discussed the importance of expanding the County's beachfront property to accommodate the increase in tourism. It was also noted that having more public beach frontage would be advantageous when the County applies for beach restoration grants.

Commissioner Zorc suggested that staff let FIT know about some of the intangible benefits that would accrue if the parcel is sold to the County.

**A motion was made by Commissioner Solari, seconded by Chairman Flescher, to authorize staff to respond to the Request for Proposal for the Florida Institute of Technology Vero Beach Marine Laboratory Property at 805 46th Place East. The motion carried by the following vote:**

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

## **12. DEPARTMENTAL MATTERS**

### **A. Community Development**

- 12.A.1. [17-0729](#) Condemnation, Demolition and Removal of Unsafe Structures Located at 6345 85th Street, 4305 26th Avenue and 4345, 4355 & 4365 28th Avenue

**Recommended Action:** Staff recommends that the Board of County Commissioners declare the

referenced structures unsafe and a nuisance and order the buildings demolished, with related debris removed from the property by a private vendor approved through standard bid procedures. Staff further recommends that the Board adopt the resolution authorizing the Building Official to report the county's demolition and debris removal cost for said structures to the County Attorney for the preparation and recording of a lien to be placed on the real property of the owners of the demolished unsafe structures for the purpose of recovering the County's demolition costs.

**Attachments:** [Staff Report](#)  
[Resolution](#)  
[Condemnation List](#)  
[Pictures of Unsafe Structures](#)  
[Minutes from November 15, 2016 BCC Meeting](#)

Building Official Scott McAdam, in his PowerPoint Presentation, provided an overview of the properties proposed for condemnation and demolition. He stated that staff's recommendation was to remove the third property which is located at 4345, 4355 & 4365 28th Avenue (considered one property), from the condemnation list, pursuant to the request from Jeffrey Berman, Manager of Forty Fourth Associates, LLC, the property's owner. Mr. Berman has asked for a continuance to give him an opportunity to address staff's concerns, and to bring the two structures on the property up to code.

Commissioner Solari stated that it is quite clear that due to the extent of the deterioration, nothing can realistically be done to restore this building.

Vice Chairman O'Bryan suggested that the Board approve all three properties for demolition. He noted that there would be enough time before the County receives the demolition bids, for Forty Fourth Associates, LLC, to voluntarily demolish the property, if it wishes, and not receive a lien from the County.

Bob Johnson, Coral Wind Subdivision, sought and received details on how the County gets reimbursed for the demolition costs.

**A motion was made by Vice Chairman O'Bryan, seconded by Commissioner Solari, to: (1) declare the structures located at: (a) 6345 85th Street; (b) 4305 26th Avenue; and (c) 4345, 4355, and 4365 28th Avenue unsafe and a nuisance and order the buildings demolished, with related debris removed from the property by a private vendor approved through standard bid procedures; and (2) approve Resolution 2017-074, providing for the demolition of unsafe structures and the recovery of costs. The motion carried by the following vote:**

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

**12.F.1. [17-0560](#)** Designation of Duperon Corporation as Sole Source Provider for Self-Cleaning Bar Screens Used in Stormwater Division Regional Stormwater Treatment Facilities

**Recommended Action:** Staff recommends the Board of County Commissioners declare Duperon Corporation as the County's sole source provider for all Stormwater Division related self-cleaning bar screens, equipment, and parts and waive the requirement for bids for their purchase, as needed.

**Attachments:** [Staff Report](#)  
[Duperon Sole Source Letter](#)

Public Works Director Richard Szyprka stated that Duperon Corporation provides the self-cleaning grids that are used to remove debris from the canal water at the Egret Marsh Stormwater Park, the PC Main Screening System, and the Osprey Marsh Algal Turf Scrubber System. He explained staff's request to use Duperon as the sole source provider for equipment, maintenance, and repairs.

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

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

**12.F.2. [17-0561](#)** Designation of Xylem Water Solutions USA as Sole Source Provider for Pumping Systems Used in Stormwater Division Regional Stormwater Treatment Facilities

**Recommended Action:** Staff recommends the Board of County Commissioners declare Xylem Water Solutions USA as the County's sole source provider for all Stormwater Division related pumping systems and parts and waive the requirement for bids for their purchase, as needed

**Attachments:** [Staff Report](#)  
[Xylem Corp Sole Source Letter](#)

Public Works Director Richard Szpyrka provided background and analysis on staff's recommendation to designate Xylem Water Systems USA (Xylem) as its sole source provider for Stormwater Division related pumping systems and parts.

Vice Chairman O'Bryan stated that he was concerned about declaring Xylem as the sole source provider for all pumping systems, as he did not want to preclude the possibility of procuring equipment from other pump manufacturers in the future.

Director Szpyrka discussed the issues around standardizing the parts and acknowledged that staff would agree to Vice Chairman O'Bryan's suggestion to designate Xylem as the sole source provider for current, not all, Stormwater Division related pumps and control systems.

**A motion was made by Vice Chairman O'Bryan, seconded by Commissioner Solari, to approve staff's recommendation, AMENDED to declare Xylem Water Solutions USA as the County's sole source provider for all current Stormwater Division related pumping systems and parts and waive the requirement for bids for their purchase, as needed. The motion carried by the following vote:**

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

**12.F.3** [17-0787](#)

Relocation of Indian River North County Offices - Purchase of Sebastian Corners Retail Center, LLC 1919-1931 US Highway 1 Sebastian, FL 32958

**Recommended Action:** Staff recommends the Board approve the Purchase Agreement for the property located at 1919-1931 US Highway 1 Sebastian, FL 32958, and authorize the Chairman to execute the purchase agreement on behalf of the Board.

**Attachments:** [Staff Report](#)  
[Purchase and Sell Agreement](#)

*(This was heard following Item 10.C.1. Public Hearing Notice, and is placed here for continuity).*

County Administrator Jason Brown provided background and analysis on staff's



request to relocate the Indian River North County Offices to a larger property located at 1919-1931 US Highway 1 in Sebastian. The property is owned by Sebastian Corners Retail Center, LLC, and the County's tentative offer of \$2,650,000.00 has been accepted by the current owner. Administrator Brown noted that the property has been valued at \$2.9 million, and that funding is available for the purchase and the necessary improvements.

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

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

The Chairman called a recess at 10:46 a.m., and reconvened the meeting at 11:00 a.m., with all members present.

## G. Utilities Services

### 12.G.1. [17-0758](#) Request for Sole Source for Equipment, Repair and/or Replacement for Data Flow System Products

**Recommended Action:** Staff recommends that the Board of County Commissioners declare Data Flow Systems of Melbourne, Florida, as the sole source provider for equipment, repairs and replacements for Indian River County Department of Utility Services' wastewater collection and transmission SCADA system.

**Attachments:** [Staff Report](#)  
[Letter from Data Flow Systems regarding TAC II SCADA System](#)

Director of Utilities Vincent Burke explained that Data Flow Systems, Inc. (DFS) of Melbourne, Florida is the proprietary manufacturer and supplier of equipment for the County's Supervisory Control and Data Acquisition (SCADA) systems that are tied to our lift stations and reuse water monitoring stations. He described the growth in the number of lift stations and requested Board approval to continue using DFS as the sole source provider for the County's lift stations and reuse water sites.

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

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

### 12.G.2. [17-0687](#) Request for Sole Source for Warranty Repair and/or Replacement for Master Meter Products

**Recommended Action:** The staff of Indian River County Department of Utility Services recommends the

Board of County Commission authorize the Purchasing Department to use Master Meter Inc. as the sole source provider for warranty repairs and replacements for Master Meter products.

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

[Letter from Master Meter](#)

Director of Utilities Vincent Burke recalled the Board's approval on December 16, 2014, of Municipal Water Works as the sole source provider for Master Meter Automated Meter Reading (AMR) meters. However, staff subsequently became aware that Master Meter, Inc., requires all warranty items to be returned and processed directly with them, not their distributor. Director Burke disclosed that certain items need to be replaced using the manufacturer's warranty, and asked the Board to approve Master Meter, Inc. as the sole source provider for repairs and replacements of Master Meter products.

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

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

### 12.G.3. [17-0752](#)

Countywide Septic to Sewer Conversion Evaluation/Ranking Report - Results

**Recommended Action:** Staff recommends approval of the following: ▪ Countywide Septic to Sewer Ranking by adopting the report prepared by Schulke, Bittle & Stoddard, LLC. ▪ Work with Community Development Long Range planning staff to incorporate the findings into the Indian River County 2030 Comprehensive Plan Chapter 3A, Sanitary Sewer Sub-Element for Board of County Commissioneres' review and approval at a later date. ▪ Make the report available on-line.

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

[Countywide Septic to Sewer Ranking Report by Schulke, Bittle & Stoddard, LLC](#)

Director of Utilities Vincent Burke acknowledged Project Engineer Joe Schulke, Schulke, Bittle & Stoddard; and Capital Projects Manager Arjuna Weragoda, who were available for Board questions. He recalled the Board's approval on October 18, 2016 to have Schulke, Bittle & Stoddard compile a Countywide (excluding the City of Vero Beach, Fellsmere, and the Town of Indian River Shores) Septic to Sewer (S2S) Conversion Evaluation study (the Report) to explore alternative ways to provide public sewer to communities whose septic systems are causing the most harm to the environment.

Director Burke began his PowerPoint Presentation with an overview of how the County's on-site sewage treatment disposal systems (OSTDS) contribute to groundwater and surface water contamination. He advised that if the priority ranking study is adopted, the next steps would be to work on the proposed changes to the County's Comprehensive Plan; explore financing options; conduct public outreach; encumber funds; and begin implementation of the priority ranking plan.

Vice Chairman O'Bryan commended staff and Mr. Schulke on the Report and suggested that staff seek economies of scale when constructing the conversions.

Director Burke pointed out that the Septic to Sewer Conversion Evaluation Report would be updated to reflect 29,000 "sewer accounts" rather than "homes." He also disclosed that the Florida Department of Economic Opportunity (FDEO), who had provided grant money for this initiative, has reviewed and accepted the Report.

Carter Taylor, President of the Executive Committee, Indian River Neighborhood Association, stated that the Report provides a good road map for proceeding with the clean-up of the Lagoon. He remarked that the septic to sewer projects comprise some of the least expensive water projects, and suggested that the County explore a way to offer customers a 0% financing package.

Judy Orcutt, 4665 Pebble Bay South, spoke in support of the County's pro-active stance in addressing the issue of septic tank pollution impacting the Lagoon.

Charlie Pope, 2305 46th Avenue, mentioned the number of young people who engage in water activities, and stressed the need to clean up the Lagoon.

After a brief discussion, the Board consensus was to begin a public outreach by contacting any of the listed communities with a Homeowners Association.

Commissioner Zorc wondered if it would be possible to create a reserve for property owners to build up funds for the special assessments. A conversation ensued about the difficulty of projecting future construction costs, and about the factors (such as unpaved roads and drainage) which must be taken into consideration when estimating project costs.

**A motion was made by Vice Chairman O'Bryan, seconded by Chairman Flescher, to: (1) accept the Countywide Septic to Sewer Ranking by adopting the report prepared by Schulke, Bittle & Stoddard, LLC; (2) have Utilities staff work with Community Development Long Range Planning staff to incorporate the findings into the Indian River County 2030 Comprehensive Plan Chapter 3A, Sanitary Sewer Sub-Element for Board of County Commissioners' review and approval at a later date; and (3) direct staff to make the report available**

on-line and begin the education and public outreach to the communities in the top 35 ranked subdivisions. The motion carried by the following vote:

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

**12.G.4. [17-0754](#)**

Request to Waive Bid Requirement for a Comprehensive Water, Wastewater, and Reclaimed (Reuse) Water Rate Study, and Water and Sewer Impact Fee Study

**Recommended Action:** The staff of the Indian River County Department of Utility Services recommends that: 1. The Board of County Commissioners waive the bid requirements in regards to services related to conducting a Comprehensive Water, Wastewater, and Reclaimed (Reuse) Water Rate Study, and Water and Sewer Impact Fee Study. 2. Authorize the Chairman to execute the Professional Services Agreements with Raftelis Financial Consultants, Inc. after review and approval by the county attorney. 3. Approve awarding the scope of services using Option 3 directing that both studies run concurrently in the interest of completing the studies within the one hundred and fifty (150) day timeline and looking at all utility rates, not just the operating fund rates.

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

[Professional Services Agreement for a Comprehensive Water Wastewater and Reclaimed Rate Study](#)  
[Professional Services Agreement for a Water and Wastewater Impact Fee Study](#)  
[Statement of Qualifications](#)  
[Municipal Advisor Disclosure Acknowledgement Letter](#)

Director of Utilities Vincent Burke recalled the Board's approval on December 16, 2016, for staff to take a series of actions relating to the North County Septic to Sewer (S2S) Phase 1 Project. He related that the last item to be undertaken is an updated utilities rate study to look into recouping/covering some of the costs associated with the septic to sewer conversion projects. Director Burke reported that the County has not raised utility rates since 1999, and that since Fiscal Year 2003-2004, utility accounts have increased by 48%. He outlined staff's recommendation for undertaking a study of water, wastewater, and reclaimed water rates; and another study of water and sewer impact fee rates.

Commissioner Solari asked Director Burke to look at imposing higher rates on those with excessive water consumption. He also declared that at this time, he would oppose an increase in water and sewer impact fees.

Director Burke sought and received confirmation that staff would present draft versions of the reports to the Board for input, then return after any necessary modifications are made to the reports.

The Board emphasized that staff should bring back two separate reports: (1) the Comprehensive Water, Wastewater, and Reclaimed (Reuse) Water Rate Study; and (2) the Water and Sewer Impact Fee Study.

**A motion was made by Vice Chairman O'Bryan, seconded by Commissioner Adams, to:(1) waive the bid requirements in regards to services related to conducting a Comprehensive Water, Wastewater, and Reclaimed (Reuse) Water Rate Study, and Water and Sewer Impact Fee Study; (2) authorize the Chairman to execute the Professional Services Agreements with Raftelis Financial Consultants, Inc. after review and approval by the County Attorney; (3) approve awarding the scope of services using Option 3 directing that both studies run concurrently in the interest of completing the studies within the one hundred and fifty (150) day timeline and looking at all utility rates, not just the operating fund rates; and (4) authorize the Chairman to sign the Municipal Advisor Disclosure Acknowledgement Letter after review and approval by the County Attorney. The motion carried by the following vote:**

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

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

### **14. COMMISSIONERS MATTERS**

**A. Commissioner Joseph E. Flescher, Chairman**

**B. Commissioner Peter D. O'Bryan, Vice Chairman**

**C. Commissioner Susan Adams**

**D. Commissioner Bob Solari**

**E. Commissioner Tim Zorc**

### **15. SPECIAL DISTRICTS AND BOARDS**

**A. Emergency Services District**

**B. Solid Waste Disposal District**

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

**15.B.1. [17-0757](#)** Approval of Engineering Consulting Services Agreement to CDM Smith for IRC Landfill

**Recommended Action:** Staff recommends that the Board: a. Approve the Agreement for Engineering Consulting Services with CDM Smith Inc. for the Indian River County Landfill in

regard to professional consulting engineering services for planned projects at the landfill, including cell closure and new cell design. b. Authorize the Chairman to execute the agreement after review and approval by the County Attorney as to form and legal sufficiency, and receipt and approval of the required insurance.

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

[Agreement for Engineering Consulting Services with CDM Smith Inc.](#)

Director of Utilities Vincent Burke was present in support of staff's recommendation.

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

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

**15.B.2. [17-0765](#)** IRC Landfill Work Order No. 1 to CDM Smith, Inc.

**Recommended Action:** SWDD staff recommends that the Board approve the following: a) Approve IRC Landfill Work Order No. 1 with CDM Smith Inc. in the amount of \$131,820 to provide engineering services related to Phase 1 of the Class I Landfill, Segment 3, Cell 2 expansion; partial closure of Segment 2; and expansion of the landfill gas collection system. b) Authorize the Chairman to execute the same, as presented.

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

[IRC Landfill Work Order No. 1](#)

Director of Utilities Vincent Burke was present to address the Board's questions; there was no commentary.

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

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

**15.B.3. [17-0760](#)** Amendment To Option Agreement with Alliance Bioenergy +, Inc.

**Recommended Action:** Staff recommends that the Solid Waste Disposal District Board approve and authorize the Chairman to sign the Amendment to Option Agreement with Alliance Bioenergy +, Inc.

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

[Amendment to Option Agreement with Alliance Bioenergy +](#)

[Option Agreement for Processed Vegetative Waste with Alliance Bioenergy +](#)

Director of Utilities Vincent Burke was present in support of this item.

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

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

**15.B.4. [17-0774](#)** Termination of Feedstock Supply Agreement and Landfill Gas Agreement with INEOS New Planet BioEnergy LLC

**Recommended Action:** SWDD staff recommends that its Board approve the following: a) Approve the Termination to the Feedstock Supply Agreement and Landfill Gas Interconnect Agreement with INEOS New Planet BioEnergy, LLC. b) Authorize the Indian River County Finance Department to disburse \$51,551.55 to INPB with no interest. c) Authorize the Indian River County Finance Department to disburse \$148,448.45 and any applicable interest to Arbor One once the property transfer has been completed. d) Authorize the Chairman to execute the same, as presented.

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

[Termination of the Feedstock Supply Agreement and Landfill Gas Interconnect Agreement with INEOS](#)  
[July 12 2017 Letter from Arbor One Certificate of Insurance and Associated Invoice](#)

Director of Utilities Vincent Burke was available for Board questions; there were none.

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

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

**15.B.5. [17-0700](#)** Quarterly Recycling Update - Second and Third Quarter FY2016/17

**Recommended Action:** Report only; no action required.

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

Stephanie Fonvielle, Recycling Education and Marketing Coordinator, reported that Indian River County has achieved a 53% recycling rate for Calendar Year 2016. She used a PowerPoint Presentation to present the recycling update for the second and third quarter of Fiscal Year 2016-2017, reporting that there was an overall increase in recycling due to the single-stream recycling program. Ms. Fonvielle announced that the next residential recycling event for electronic and household hazardous waste would be held on Saturday, August 12, 2017, at the Intergenerational Recreation Center, from 9:00 a.m. to 12:00 p.m. She provided an overview of the upcoming public outreach strategies, which include seeking a grant from Carton Council to assist with recycling at three schools, and establishing recycling at multi-family communities

and County beaches. Additional information on recycling can be found at [ircrecycles.com](http://ircrecycles.com).

A brief discussion ensued regarding the success of the single-stream recycling. Individual Board Members thanked Ms. Fonvielle for her work, and commended individuals/companies in the private sector who have boosted their recycling efforts.

Commissioner Solari requested that when Ms. Fonvielle presents her next update, she include information on the bicycle recycling program that was initiated by Bike Walk.

Commissioner Zorc suggested adding a line item in the Land Development Regulation permits for entities to indicate mulching or other materials that could be captured for the recycling data.

Chairman Flescher felt recycling rates could be boosted by capturing more of the materials that are left at the Customer Convenience Centers.

**Accepted**

**15.B.6. [17-0766](#) Traditional Recycling Opportunities and Options**

**Recommended Action:** Staff will discuss the mentioned options to obtain further direction at the upcoming Board meeting. At this time, staff recommends that the SWDD Board approve the following: 1. Authorize staff to issue a Request for Proposal (RFP) to obtain bids for implementation of concrete and C&D recycling at the landfill. A procurement process will help us evaluate private sector interest, their costs and their recovery rates to adequately determine both the financial impact as well as the impact to the overall recycling rate. C&D recycling has the potential to increase the county's overall recycling rate by an estimated 7%.

**Attachments:** [Staff Report](#)  
[Technical Memorandum - Kessler Consulting Inc.pdf](#)

Himanshu Mehta, Managing Director of the Solid Waste Disposal District, recalled the Board's direction on September 13, 2016, for staff to explore possible ways to increase Indian River County's recycling volumes. He used a PowerPoint Presentation to review the information contained in staff's report and in the Technical Memorandum prepared by Kessler Consulting (the Consultant). Director Mehta explained that despite a jump in recycling, the County would not reach the State's 75% recycling goal by 2020 with the current programs. He provided an analysis of the County's waste stream for Calendar Year 2016 and disclosed that the three main avenues to increase recycling will be in Construction & Demolition (C&D); Organics;



and Multi-Family/Commercial Recycling.

Robin Mitchell, Project Manager, Kessler Consulting Inc., continued the PowerPoint Presentation to provide background and analysis on the recycling approaches of four Florida counties which have achieved high recycling rates through traditional avenues.

Discussion ensued regarding specific aspects related to recycling and the waste stream.

Director Mehta resumed the PowerPoint Presentation to provide a summary of proposed key approaches to increasing recycling. He reiterated that the C&D represents the next opportunity for the County to capture additional recyclables, and requested that the Board authorize staff to obtain bids to implement concrete and C&D recycling at the landfill. He reported that the mulch will no longer be stockpiled - it will be shipped out to increase the County's recycling rate. Director Mehta also noted that commercial developers are being encouraged to provide for recycling bins.

Commissioner Zorc stated it might be beneficial to offer the commercial developers some type of benefit if they choose to provide a recycling container.

A brief discussion ensued about the most effective timetables for processing the C&D and concrete debris.

Director Mehta stated that staff would prepare a draft version of the Request For Proposal (RFP) for Board input and incorporate any requested changes before issuing the final RFP.

**A motion was made by Commissioner Solari, seconded by Commissioner Zorc, to authorize staff to issue a Request for Proposal (RFP) to approve staff's recommendation. The motion carried by the following vote:**

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

### **C. Environmental Control Board**

## **16. ADJOURNMENT**

There being no further business, the Chairman adjourned the meeting at 1:38 p.m.