



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

Chairman Susan Adams
Vice Chairman Joseph E. Flescher
Commissioner Tim Zorc
Commissioner Peter D. O'Bryan
Commissioner Bob Solari

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

Tuesday, March 10, 2020

9:00 AM

Commission Chambers

1. CALL TO ORDER

2. ROLL CALL

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

2.A. A MOMENT OF SILENT REFLECTION FOR FIRST RESPONDERS AND MEMBERS OF THE ARMED FORCES

2.B. INVOCATION

Pastor Buddy Tipton, Central Assembly of God

3. PLEDGE OF ALLEGIANCE

Jason Brown, County Administrator

4. ADDITIONS/DELETIONS TO THE AGENDA / EMERGENCY ITEMS

Emergency Addition: Item 8.N., Change Order #1 to Work Authorization #1, CK Contractors & Development

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

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

5. PROCLAMATIONS and PRESENTATIONS

- 5.A.** [20-1274](#) Presentation of Proclamation Designating The Day Of March 31, 2020, As Equal Pay Day

Attachments: [Proclamation](#)

Chairman Adams read and presented the Proclamation to Kathleen (Kyp) Wasiuk of the American Association of University Women, who provided statistics related to the gender pay gap.

Read and Presented

- 5.B.** [20-1328](#) Presentation of Proclamation Designating March, 2020, as American Red Cross Month

Attachments: [Proclamation](#)

Commissioner O'Bryan read and presented the Proclamation to Edith Carpenter, Community Volunteer Leader, Coast to Heartland Chapter of the American Red Cross. Ms. Carpenter spoke on the many services provided by the Red Cross.

Read and Presented

- 5.C.** [20-1375](#) Coronavirus Presentation by Miranda Hawker, Health Officer, Florida Department of Health in Indian River County

Health Officer Miranda Hawker, Florida Department of Health in Indian River County, used a PowerPoint presentation to provide an overview of the recent outbreak of COVID-19. She stated that there were currently no confirmed cases in Indian River County, but recommended the practice of social distancing and limited social activities to mitigate the spread of the disease. Ms. Hawker provided resources related to health alerts for travelers and learning more about COVID-19.

Discussion ensued among the Commissioners and Ms. Hawker, who agreed to provide her PowerPoint presentation to be used on the County's website, and to continue to provide updates to the Board and to the community. In response to an inquiry from Commissioner O'Bryan, Ms. Hawker clarified that further recommendations regarding COVID-19 would be coming from the Florida Department of Health as they were deemed necessary.

Presented

6. APPROVAL OF MINUTES

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

7.A. [20-1385](#) 2020 Election of Committee Chairmen and Vice Chairmen

Attachments: [Staff Report](#)

No Action Taken or Required

8. CONSENT AGENDA

A motion was made by Vice Chairman Flescher, seconded by Commissioner Zorc, to approve the Consent Agenda as amended, pulling Items 8.E., 8.M., and 8.N. for discussion. The motion carried by the following vote:

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

8.A. [20-1377](#) Checks and electronic payments February 21, 2020 to February 27, 2020

Attachments: [Finance Department Staff Report](#)

Approved

8.B. [20-1349](#) Quarterly Investment Report for Quarter Ending 12/31/19

Attachments: [Investment Committee Report 123119](#)

Accepted

8.C. [20-1350](#) Quarterly Tourist Development Tax Report for Quarter Ending 12/31/19

Attachments: [Tourist Development Tax Report 123119](#)

Accepted

8.D. [20-1352](#) Dori Slosberg Driver Education Safety Act - Indian River County Traffic Education Program Trust Fund Report - Cumulative Reporting Through 12/31/19

Attachments: [Finance Dept Staff Report - Traffic Education Fund](#)

Accepted

- 8.E. [20-1354](#) Quarterly OPEB Trust Report for Quarter Ending 12/31/19

Attachments: [Investment Committee OPEB Report 123119](#)

Commissioner O'Bryan made note of the recent drop in the stock market when he invited Clerk of the Circuit Court and Comptroller Jeffrey R. Smith to speak in regards to the Quarterly OPEB (Other Post Employment Benefits) Trust Report. Clerk Smith displayed confidence as he reminded the Board that the OPEB Trust was a long-term investment.

A motion was made by Commissioner O'Bryan, seconded by Commissioner Solari, to accept the Quarterly OPEB Trust Report. The motion carried by the following vote:

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

- 8.F. [20-1312](#) Consideration of the 2020 Title VI Program Update for Public Transportation

Attachments: [Staff Report](#)
[Title VI Program](#)

Approved Resolution 2020-024, authorizing the submission of a triennial Title VI Program Update to the Federal Transit Administration.

- 8.G. [20-1342](#) 43rd Avenue Sidewalk from Airport Drive West to 41st Street (IRC-1503), Award of Bid No. 2020016

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

Approved staff's recommendation

- 8.H. [20-1373](#) Florida Department of Transportation (FDOT) Resolution for County Road 510 from County Road 512 to 58th Avenue Right of Way Acquisition (IRC-1842), Financial Project No. 405606-3 and 405606-4

Attachments: [Staff Report](#)
[Authorizing Resolution](#)
[Exhibit A](#)

Approved Resolution 2020-025, authorizing the Florida Department of Transportation to acquire property rights.

- 8.I. [20-1374](#) Recommendation of Release of Retainage and Change Order No. 1 for Osprey Acres Flowway and Nature Preserve

Attachments: [Staff Report](#)
[Change Order No. 1](#)
[Contractor's Final Certification of Work](#)
[West Construction - Application for Payment No. 22](#)

Approved staff's recommendation

- 8.J. [20-1360](#) Approval of Renewal for a Class "E" and Class "B" Certificate of Public Convenience and Necessity for Falck Southeast II, Corp d/b/a All County Ambulance to Provide Wheelchair/Stretcher and Interfacility Ambulance Transportation Services

Attachments: [Staff Report](#)
[All County COPCN Application](#)

Approved staff's recommendation

- 8.K. [20-1371](#) Approval of Renewal for a Class "E" and Class "B" Certificate of Public Convenience and Necessity for Falck Southeast II, Corp d/b/a American Ambulance Service to Provide Wheelchair/Stretcher and Interfacility Ambulance Transportation Services.

Attachments: [Staff Report](#)
[American Ambulance Service COPCN Application](#)

Approved staff's recommendation

- 8.L. [20-1363](#) Jones' Pier Conservation Area Public Use Improvements - Amendment Number 2 to MBV Work Order #5 for Jones' Pier Conservation Area (FTC No.: 05-039-FF) - Construction Oversight Services

Attachments: [Staff Report](#)
[MBV Amendment #2 to MBV WO #5](#)

Approved staff's recommendation

- 8.M.** [20-1382](#) Groundwater Modeling and Impact Evaluations with CDM Smith, Amendment No. 1 to Work Order No. 5

Attachments: [Staff Report](#)
[Amendment No 1 to Work Order No 5 with CDM](#)

Commissioner O'Bryan stated that Mr. Robert Adair had approached him because Mr. Adair felt additional studies were necessary prior to moving forward with increasing well capacity.

Robert Adair, Jr., 7060 33rd Street, used a PowerPoint presentation to provide the Floridian Aquifer Well and the North County and South County Wells locations. He suggested that a detailed hydrology study be performed to show the actual water usage and the condition of the wells. He felt the County should commit to an alternative water supply at this time.

Commissioner O'Bryan commented that Mr. Adair made some good points for the long-term, but he was supportive of staff's recommendation as they addressed the requirement from St. Johns River Water Management District (SJRWMD) for the Consumptive Use Permit 10524 modification.

In response to Mr. Adair's comments, Director of Utility Services Vincent Burke provided clarification that the additional model simulations were in response to the SJRWMD-required "11th hour" request. Director Burke also addressed misinformation that had been brought to his attention, and stated that he was open to meeting with anyone who had additional questions.

A motion was made by Commissioner O'Bryan, 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 Zorc, Commissioner O'Bryan, and Commissioner Solari

- 8.N.** **Change Order #1 to Authorization #1, CK Contractors**

(Clerk's Note: This item was an emergency addition to the Agenda.)

Commissioner O'Bryan presented the item, as it was an urgent matter regarding a leaking gate valve on a 16" water main along 58th Avenue south of 5th Street SW.

A motion was made by Commissioner O'Bryan, seconded by Chairman Adams, to approve Change Order #1, increasing the amount of emergency Purchase Order 85831 to CK Contractors & Development by \$42,785.00, to a total of \$126,790.00. The motion carried by the following vote:

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

9. CONSTITUTIONAL OFFICERS and GOVERNMENTAL AGENCIES

- 9.A. [20-1379](#) Indian River County Sheriff Deryl Loar: Proceeds from Online Auction of Surplus Property

Attachments: [FY 2019 Auction Proceeds](#)

Sheriff Deryl Loar was present to discuss the item.

A motion was made by Vice Chairman Flescher, seconded by Commissioner Zorc, to approve the Indian River County Sheriff's request for net auction proceeds in the amount of \$101,644.00 to be used to acquire new, like-kind property within the current fiscal year, pursuant to Chapter 274, Florida Statutes. The motion carried by the following vote:

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

- 9.B. [20-1380](#) Indian River County Sheriff Deryl Loar: State Criminal Alien Assistance Program (SCAAP) Funds

Attachments: [FY 2019 SCAAP Letter](#)

Sheriff Deryl Loar presented the request to the Board.

A motion was made by Vice Chairman Flescher, seconded by Commissioner Zorc, to approve the Indian River County Sheriff's request for a budget amendment to transfer \$33,653.00, the amount received from the State Criminal Alien Assistance Program (SCAAP), into the Corrections Operating Expenses. The motion carried by the following vote:

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

10. PUBLIC ITEMS

A. PUBLIC HEARINGS

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

- 10.A.1.** [20-1378](#) Request for the Board of County Commissioners to Consider an Ordinance to Amend Title X, Impact Fees, of the Code of Indian River County by Adopting Proposed New Impact Fee Schedules for the Unincorporated Indian River County and Municipalities, and by Adopting Related Amendments Including Revisions to Level of Service Standards Used in Impact Fee Calculations and Revisions to Impact Fee Benefit Districts [Legislative]

Attachments: [Staff Report](#)
 [Final Impact Fee Update Study Report](#)
 [Proposed Ordinance - Including Impact Fee Schedule](#)

Community Development Director Phil Matson introduced the topics to be addressed by Long Range Planning Chief Bill Schutt and Certified Planner Nilgun Kamp, Tindale-Oliver & Associates, Inc.

Ms. Kamp used a PowerPoint presentation to detail the Impact Fee Update Final Report, dated February 13, 2020. Commissioner O'Bryan received additional information from Ms. Kamp about the calculations used to propose a 91% increase in the Fast Food w/Drive-Thru category. She continued by highlighting the Summary of Changes, Revenue Sources, neighboring county Impact Fees comparisons, and the existing and proposed Transportation Impact Fee Benefit Districts.

Chief Schutt then referred to his PowerPoint presentation to cover Historical Trends and the 2020 Update Review of Key Policy Issues, which included a New Single-Family Residential Category for Affordable Housing. He clarified staff's recommendation and included the proposed Ordinance modifications to go into effect on June 15, 2020, as they were provided in the staff memorandum dated March 2, 2020.

Commissioner Zorc discussed his concerns, making note that he was not supportive of increasing Impact Fees.

The Chairman called for a recess at 10:45 a.m., and reconvened the meeting at 10:56 a.m., with all members present.

Commissioner O'Bryan inquired with Chief Schutt on the average median income from the Affordable Housing Advisory Committee (AHAC). The Commissioner felt that there may be an increase in building affordable multi-family mid-rise units if the County could offer a 50% reduction in Impact Fees to the developers who were building the complex. He also discussed his concerns related to traffic degradation, and he spoke on

School Impact Fees. It was agreed upon by the Commissioners that the School Board of Indian River County should formally approve the School Impact Fees.

Commissioner Solari suggested the approval of staff's recommendation with a condition to return to the subsector related to Impact Fees for Affordable Housing after staff and the AHAC had the opportunity to explore the details. Director Matson agreed to report back to the Board at a future meeting.

Chairman Adams opened the Public Hearing.

Paul Carlisle, City Manager, City of Sebastian, suggested maintaining the current model of three (3) Transportation Impact Fee Benefit Districts instead of reducing the model to two (2), as proposed, to ensure that the money would be spent where it was collected.

Peter Robinson, President, Laurel Homes, supported maintaining the current three (3)-District model. In addition, he asked the County to rethink the way they generate funding for roads, and to research the square footage needed for families when setting the guidelines for Affordable Housing.

Joseph Paladin, President, Black Swan Consulting, inquired and received clarification from Ms. Kamp regarding the the proposed two (2)-District model. Mr. Paladin also mentioned Consumption-Use Impact Fees.

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

Commissioner Zorc questioned the height requirements per story for a three (3)-story building; deliveries being made by Amazon from their St. Lucie County location; and cost-sharing related to improving roads that extend through more than one District.

County Administrator Jason Brown provided insight on the proposed two (2)-District model. Chairman Adams pointed out the overlapping of Districts as she acknowledged the concerns of Mr. Carlisle and Mr. Robinson.

A motion was made by Commissioner O'Bryan, seconded by Vice Chairman Flescher, to: 1) approve staff's recommendation with the following conditions: a) request that the School Board of Indian River County approve the School Impact Fee; b) direct County staff and the Affordable Housing Advisory Committee to further research the 50%

impact fee discount on mid-rise multi-family housing; and c) authorize the County Attorney to make as-needed amendments to Ordinance 2020-005; and 2) adopt Ordinance 2020-005, amending Title X, Impact Fees, of the Code of Indian River County, to amend the text of Title X for level of service standards used in impact fee calculations and clean up revisions as may be necessary; and to amend Appendix A, Impact Fee Schedules to approve new impact fee schedules for Unincorporated Indian River County and municipalities; providing for effective date for new impact fee schedules; and providing for codification; severability; and effective date. The motion carried by the following vote:

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

Nay: 1 - Commissioner Zorc

B. PUBLIC DISCUSSION ITEMS

10.B.1. [20-1390](#) Request to Speak from Hal McAdams Regarding Improvement and Widening of 4th St between 58th Ave and 66th Ave

Attachments: [Public Discussion Request](#)

Hal McAdams, 540 61st Avenue, used PowerPoint slides to provide a visual when addressing the road conditions of 4th Street between 58th Avenue and 66th Avenue. He requested that a road study be performed to confirm the need for improvements beyond road resurfacing.

Chairman Adams stated that County staff would take the request under advisement.

No Action Taken or Required

C. PUBLIC NOTICE ITEMS

11. COUNTY ADMINISTRATOR MATTERS

12. DEPARTMENTAL MATTERS

A. Community Development

B. Emergency Services

- 12.B.1.** [20-1393](#) Approval of a Memorandum of Understanding between Humane Society Vero Beach & Indian River County Florida Inc., and the Indian River County Board of County Commissioners.

Attachments: [Staff Report](#)

[Draft MOU](#)

[Estimated Expenses](#)

Director of Emergency Services Tad Stone addressed the Board to request guidance for entering into a temporary six (6)-month Memorandum of Understanding (MOU), included in his memo dated March 5, 2020 and prepared by the Humane Society Vero Beach & Indian River County Florida Inc. (Humane Society), for the in-house sheltering of animals picked up by the County's Animal Control Officers. He pointed out that the current contract between the County and the Humane Society would expire on April 30, 2020, and that the Humane Society did not wish to extend the current contract. Another option mentioned by Chief Stone was to begin the process of starting the County's own animal services facility for animals picked up by the County's Animal Control Officers.

Discussion from the Board began with Chairman Adams noting the expense of establishing an animal shelter, and preferred to work through the MOU process. Commissioner Solari offered his understanding that the Humane Society would be using the trap, spay/neuter, vaccinate, release (TNVR) program going forward. Vice Chairman Flescher was interested in knowing whether TNVR would be part of the agreement between the County and the Humane Society, as he did not feel it was in the best interest of the citizens of the County.

Michelle Quigley, Director of Government Relations, Humane Society Vero Beach, stated that the MOU would offer continuity in providing vital services, and would also provide the Board with time to decide how they wished to proceed. She stated that during the MOU period, operations would be mirrored on the wording stated in the draft MOU, and discussions would then take place on many needed changes, including TNVR.

Discussion continued among members of the Board and County Administrator Jason Brown. Vice Chairman Flescher requested additional clarification, as he noted that TNVR was not specifically stated in the document provided, and he wanted to be advised of the Humane Society's intent during the six-month period covered by the MOU. County Administrator Jason Brown also felt additional clarification was necessary.

Chairman Adams voiced her opinion that the action before the Board was for Chief Stone to either continue discussions with the Humane Society to ultimately return with a final draft MOU for Board approval at a later date, or to begin the process of opening an animal services facility run by the County. Although she agreed that there needed to be a more effective way to reduce roaming cats in certain areas of the County, the Chairman spoke in favor of Chief Stone negotiating a MOU with the Humane Society. Commissioner Zorc acknowledged health concerns and wildlife issues, but felt it would be best to put all options on the table and try to come up with a plan to reduce the number of feral cats. Vice Chairman Flescher and Commissioner O'Bryan made it clear that they did not support TNVR, and advocated for wording in the MOU to state that the Humane Society would not undertake in TNVR activities during the MOU's six-month period.

Kate Meghi, Executive Director, Humane Society of Vero Beach, discussed that TNVR and many other issues were of critical importance in negotiating future agreements with the County. She spoke of her desire for Ms. Quigley and Chief Stone to work together to negotiate a MOU that would be agreeable to the Board.

Commissioner O'Bryan warned of the limited amount of time until the current contract would expire and inquired as to whether the County needed to implement an alternate plan to open their own facility based on the TNVR concern. In pointing out his concern that less-fortunate neighborhoods have been overcrowded by free-roaming cats, he used a PowerPoint slide to provide the location of the residences of members of the Humane Society Board in comparison to the location of documented feral cat sightings.

Administrator Brown asked for clear direction on what the parameters of the six-month agreement would be, adding his opinion that it was unlikely that staff could reach a long-term agreement with the Humane Society without significant changes to the Code of Indian River County.

Commissioner Solari made a motion to direct Chief Stone to: 1) negotiate with the Humane Society and return to the April 7, 2020 meeting with a MOU that would not allow for the practice of TNVR; and 2) begin the process of opening an animal services facility to be run by the County. Vice Chairman Flescher seconded the motion, then withdrew his second shortly thereafter, stating that the recent change in the Humane Society's philosophy made it inevitable that they would no longer be able to work together. The motion made by Commissioner Solari died for lack of a second.

Additional discussion ensued, with Chief Stone confirming that a building had been located that would be conducive for an animal services facility, and the owners were agreeable to entering into a lease with the County until the purchase could be finalized.

The following individuals addressed the Board with concerns and suggestions:

Joseph Paladin, President, Black Swan Consulting

Barbara Lipton, 760 23rd Place SW

Janet Winikoff, 1295 Vintage Drive

Anthony Brown, 4159 57th Court, representing the National Association for the Advancement of Colored People (NAACP)

Miranda Hawker, Health Officer, Florida Department of Health in Indian River County, spoke about rabies and public health concerns while utilizing a PowerPoint presentation to provide statistics and photographs of feral cats congregating and being fed in certain areas of the County.

Susan Smith, President, Humane Society, stated that TNVR was not a practice of the Humane Society. She discussed statistics related to the number of roaming cats and feral cat euthanizations, and added that the Humane Society offered free spay/neuter clinics to assist in reducing the number of roaming cats in the community. She announced that the purpose of not renewing the County's current contract was to make necessary changes by working together with the County to find a solution to the roaming cat problem. Ms. Smith informed the Board that the Humane Society would continue to accept any animal brought to the shelter.

In response to Vice Chairman Flescher's question on some of the statistics mentioned, Ms. Smith suggested scheduling a meeting where she could give a formal presentation. She reiterated that feral cats were euthanized; however, the Vice Chairman and Chief Stone told of recent reports where feral cats were trapped and later returned to the same property.

Commissioner O'Bryan thanked Ms. Smith and the Humane Society for their good work in the community. He then stated that he was informed that the Humane Society Board had voted to implement the practice of TNVR. Ms. Smith was not aware, but it was confirmed by Director Meghi that the Humane Society Board did pass a proclamation to advocate for TNVR in Indian River County.

The Chairman called for a recess at 1:00 p.m., and reconvened the meeting

at 1:08 p.m., with all members present.

Following the recess, the following residents addressed the Board with additional concerns:

- Jens Tripson, 2525 14th Street, representing Every Dream Has A Price
- Dr. David Cox, Periwinkle Drive at Summerplace, representing Pelican Island Audubon Society and Audubon Florida
- Dr. Richard Baker, President, Pelican Island Audubon Society

Final discussion ensued with Commissioners and staff each expressing their opinions and concerns on the MOU, the problem of feral cats, and the possibility of a County-run animal services facility.

A motion was made by Commissioner O'Bryan, seconded by Vice Chairman Flescher, to direct staff to prepare for the lease or purchase of a building to house a County-run animal services facility. The motion carried by the following vote:

- Aye:** 3 - Vice Chairman Flescher, Commissioner O'Bryan, and Commissioner Solari
- Nay:** 2 - Chairman Adams, and Commissioner Zorc

C. General Services

- 12.C.1. [20-1376](#) Lost Tree Islands Conservation Area Enhancement Design & Engineering -
- Award RFQ 2020008 to Carter Associates, Inc.

Attachments: [Staff Report](#)
[Sample Agreement Carter](#)
[Exhibit A](#)
[Exhibit B](#)

Parks & Conservation Resources Assistant Director Beth Powell referred to staff's memorandum dated February 27, 2020 and a PowerPoint presentation to highlight the scope of work, habitat objectives and restoration goals for the Lost Tree Islands Conservation Area. Her presentation included photos of work that had been performed on the islands, in addition to the considerations and challenges related to the project design.

Commissioner Zorc suggested that a kayak/paddleboard launch be implemented into the project plans. Ms. Powell was supportive of the idea, and she agreed to explore the possibility. The Commissioner also received clarification from Ms. Powell regarding the permitting process for future enhancements, as funding becomes available.

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

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

1. **Human Services**
 2. **Sandridge Golf Club**
 3. **Recreation**
-
- D. **Human Resources**
 - E. **Office of Management and Budget**
 - F. **Public Works**
 - G. **Utilities Services**

- 12.G.1. [20-1386](#) Biosolids Rule Making for Chapter 62-640 Florida Administrative Code and Public Hearing scheduled for March 19, 2020

Attachments: [Staff Report](#)
[November 19, 2019 agenda](#)
[FDEP Public Hearing agenda](#)
[Letter SLC to Environmental Regulation Commission](#)
[Draft letter from Indian River County to the Environmental Regulation Commission](#)

Director of Utility Services Vincent Burke referred to staff's memorandum when announcing that the Florida Department of Environmental Protection (FDEP) had scheduled a public hearing for March 19, 2020 on the proposed amendments to the biosolids rule, Chapter 62-640, Florida Administrative Code (F.A.C.). He stated that staff would be traveling to Tallahassee to attend the hearing, and he was open to additional comments from the Board and/or the public.

Chairman Adams opened the floor for public comments.

Dr. Richard Baker, President, Pelican Island Audubon Society, stated his appreciation for the work done by the Board to stop the spreading of biosolids in the County.

Dr. David Cox, on behalf of Audubon Florida, offered appreciation to staff and the Board for the way they have handled the biosolids issue.

A motion was made by Commissioner O'Bryan, seconded by Commissioner Zorc, to approve: 1) the draft letter, as written; and 2) staff's recommendation. The motion carried by the following vote:

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

13. COUNTY ATTORNEY MATTERS

14. COMMISSIONERS MATTERS

- A. Commissioner Susan Adams, Chairman
- B. Commissioner Joseph E. Flescher, Vice Chairman
- C. Commissioner Tim Zorc

D. Commissioner Peter D. O'Bryan

E. Commissioner Bob Solari

F. Commissioners Open Dialogue

15. SPECIAL DISTRICTS AND BOARDS

Commissioner Solari discussed the appeal extension application that was recently filed with the U.S. Court of Appeals in Washington D.C. for Indian River County vs. Virgin Trains.

Commissioner O'Bryan acknowledged Parks and Conservation Resources Director Kevin Kirwin for reaching out to a new resident, Ms. Barbara Curley, to provide her with detailed information regarding local parks. Ms. Curley had emailed the Commissioners to let them know about the level of service she received.

Commissioner Zorc spoke about the well-attended March 4, 2020 meeting with the Indian River Lagoon Council, Florida Institute of Technology (FIT), and Florida Atlantic University (FAU) Harbor Branch regarding the Indian River Lagoon general issues and the Bethel Creek Flushing Study.

No Action Taken or Required

A. Emergency Services District

15.A.1. [20-1384](#) Interlocal Agreement with the City of Fellsmere Regarding Fire Marshal Services

Attachments: [Staff Report](#)
[Proposed Interlocal Agreement](#)

(Clerk's Note: This item was heard prior to Item 14.F.1. Commissioners Open Dialogue, and is placed here for continuity.)

There was no discussion on this item.

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

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

Nay: 1 - Commissioner Solari

B. Solid Waste Disposal District

C. Environmental Control Board

16. ADJOURNMENT

There being no further business, the Chairman adjourned the meeting at 1:55 p.m.