

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, April 4, 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**ROLLCALL**

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

2. INVOCATION

Stan Boling, Community Development Director

3. PLEDGE OF ALLEGIANCE

Commissioner Tim Zorc

4. ADDITIONS/DELETIONS TO THE AGENDA / EMERGENCY ITEMS

Deletion: Consent Agenda Item 8.H. Award of Bid No. 2017034 CR 512
Westbound Resurfacing (Roseland Road to US 1) and CR512 Eastbound
Resurfacing (Easy Street to US 1)

Pulled for discussion: Item 7.C. Everything You Should Know About Sea Turtle
Nesting Season

**A motion was made by Vice Chairman O'Bryan, seconded by Commissioner
Solari, to approve the Agenda as amended. 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 [17-0239](#) Presentation of Proclamation Recognizing April as Guardian ad Litem
Month

Recommended Action: Read and Presented

Attachments: [Proclamation](#)

Chairman Flescher read and presented the Proclamation recognizing the Month of
April 2017 as Guardian ad Litem (GAL) Month.

H.L. "Vern" Melvin, Circuit Director, GAL Program, 19th Judicial Circuit,
commended the citizens of the County and also the Board for stepping forward and
supporting the children of Indian River County.

Creighton Mcshane, a 20-year GAL court-appointed volunteer, was present and recognized for his time spent with children who were abused, abandoned, or neglected through no fault of their own.

Read and Presented

5.B [17-0257](#) Presentation of Proclamation Designating the Month of April as Water Conservation Month

Recommended Action: Read and Presented.

Attachments: [Proclamation](#)

Vice Chairman O'Bryan read and presented the Proclamation designating the Month of April 2017 as Water Conservation Month.

Abby Johnson, Intergovernmental Coordinator for St. Johns River Water Management District (SJRWMD), emphasized the importance of water conservation, gave a brief explanation regarding the cost-share program as it is now available, and expressed her sincere gratitude for the support of Indian River County.

Read and Presented

5.C [17-0262](#) Presentation of Proclamation Designating the Month of April, 2017 as Child Abuse Prevention Month

Recommended Action: Read and Presented.

Attachments: [Proclamation](#)

Commissioner Adams read and presented the Proclamation designating April 2017 as Child Abuse Prevention Month.

Exchange Club of Indian River President Joan Barcus assured the Board of the Club's continued effort to raise money, and also to educate the community, in an effort to eliminate child abuse.

Read and Presented

5.D [17-0360](#) Presentation of Proclamation Designating April 10, 2017 as Gopher Tortoise Day

Recommended Action: Read and Presented.

Attachments: [Proclamation](#)

Commissioner Zorc read and presented the Proclamation designating April 10, 2017 as Gopher Tortoise Day. He also pointed out that Gopher Tortoise Day will be observed annually on April 10th in Indian River County.

Conservation Lands Manager Beth Powell used a PowerPoint Presentation to provide facts pertaining to Florida Gopher Tortoises, noting they are listed as a threatened species by the State of Florida.

Read and Presented

- 5.E** [17-0357](#) Proclamation Honoring the Members of the Florida Forest Service (FFS) & The Florida Fish and Wildlife Conservation Commission (FWC) for their Assistance with Habitat Management within the County's Conservation Areas

Recommended Action: Informational.

Attachments: [Proclamation](#)

Commissioner Solari read and presented the Proclamation to members of the Florida Forest Service (FFS) and the Florida Fish and Wildlife Conservation Commission (FWC).

Conservation Lands Manager Beth Powell introduced Smokey the Bear, and used a PowerPoint Presentation to outline the ways that FFS and FWC are helping to manage our valuable land.

Read and Presented

- 5.F.** [17-0361](#) Presentation on Florida Department of Transportation Treasure Coast Regional Household Travel Survey by Tamara Phillips, Public Information Officer, Quest Corporation of American, Inc.

Attachments: [Travel Survey Brochure](#)

Quest Corporation of America Public Information Officer Tamara Phillips represented the Florida Department of Transportation (FDOT) with an informational presentation. She mentioned that the Treasure Coast Regional Household Travel Survey (TC-HTS) will be mailed out to households in Indian River, St. Lucie and Martin Counties in the near future. Individuals may go online to www.treasurecoastsurvey.com to complete the survey, or they may download an app to submit their input as to which means of transportation they rely on daily. This information would be intended to reduce road and public transit congestion, and to enhance both walking and bike paths, in the

years to come.

Read and Presented

6. APPROVAL OF MINUTES

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

- 7.A** [17-0338](#) Proclamation Designating the Week of April 9 Through April 15, 2017 as National Library Week

Recommended Action: Informational

Attachments: [Proclamation](#)

No Action Taken or Required

- 7.B** [17-0339](#) Residential Paper Shredding Event on Saturday, April 8, 2017

Recommended Action: No recommended action, informational only.

Attachments: [Staff Report](#)

No Action Taken or Required

- 7.C** [17-0340](#) Everything You Should Know About Sea Turtle Nesting Season

Recommended Action: Information Only

Attachments: [Information Report](#)

Indian River County Coastal Environmental Specialist Kendra Cope used a PowerPoint Presentation to provide background regarding the Habitat Conservation Plan (HCP), and clarified that Leatherback, Green and Loggerhead sea turtle nesting season has been monitored daily for the past 13 years, between the months of March 1 and October 31, throughout the County.

No Action Taken or Required

- 7.D** [17-0348](#) Building Division Job Evaluation and Position Changes

Recommended Action: Provided for Board of County Commission Information Only. No action required.

Attachments: [Staff Report](#)

No Action Taken or Required

7.E [17-0349](#) Indian River County Venue Event Calendar Review

Recommended Action: No Action required of the Board of County Commissioners

Attachments: [Event Calendar](#)

No Action Taken or Required

7.F [17-0354](#) FP&L/Vero Beach/FMPA and All Aboard Florida Expenses

Recommended Action: No Action Required

Attachments: [Staff Report](#)
[FP&L-Vero Beach-FMPA expenses](#)
[All Aboard FL Expenses](#)

No Action Taken or Required

7.G [17-0363](#) Development Review and Permitting Process Workshop, April 12, 2017, 2
- 5 p.m., Building B - Room B1-501

Recommended Action: Information Only. No Action Required.

Attachments: [Workshop Flyer](#)

No Action Taken or Required

7.H [17-0376](#) Job Fair at Indian River State College

Recommended Action: No action required

Attachments: [Job Fair Flyer](#)

No Action Taken or Required

7.I [17-0344](#) Neighborhood Stabilization Program 3 (NSP3) Close-out

Recommended Action: This is provided for the Board's information. No action is needed at this time.

Attachments: [Staff Report](#)

[Attachment 1 - NSP3 Close-out Transmittal Package - Indian River County](#)

No Action Taken or Required

- 7.J [17-0365](#) Florida Public Service Commission Order No. PSC-17-0114-TRF-EI In re: Petition for limited proceeding for approval to include in the base rates the revenue requirement for the Hines Chillers Uprate project, by Duke Energy Florida, LLC, is available for review in the Office of the Clerk to the Board.

Recommended Action: Informational Only

No Action Taken or Required

- 7.K [17-0366](#) Florida Public Service Commission Order No. PSC-17-0115-TRF-EI In re: Petition for approval of a new optional pilot LED streetlight tariff, by Florida Power & Light Company, is available for review in the Office of the Clerk to the Board.

Recommended Action: Informational Only

No Action Taken or Required

8. CONSENT AGENDA

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

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

- 8.A [17-0308](#) Checks and Electronic Payments March 10, 2017 to March 16, 2017

Recommended Action: Approve the list of checks and electronic payments issued by the Comptroller's office for the time period of March 10, 2017 to March 16, 2017

Attachments: [Finance Department Staff Report](#)

Approved the list of checks and electronic payments as supplied by the Comptroller's office.

Approved

- 8.B [17-0342](#) Checks and Electronic Payments March 17, 2017 to March 23, 2017

Recommended Action: Approve the list of checks and electronic payments issued by the Comptroller's office for the time period of March 17, 2017 to March 23, 2017

Attachments: [Finance Department Staff Report](#)

Approved the list of checks and electronic payments as supplied by the Comptroller's office.

Approved

8.C [17-0307](#) Lehigh Acres Lot Owners Association, Inc. v. Think Simplicity, Inc. and Alexander Perovich Class Action Lawsuit

Recommended Action: The County Attorney's Office recommends that the Board vote to stay in the settlement class and file a claim, if eligible.

Attachments: [Staff Report](#)
[Notice of Pendency of Class Action, Proposed Settlement, Hearing and Claim Form](#)

Approved staff's recommendation

8.D [17-0330](#) Neighborhood Stabilization Program Citizen Advisory Task Force

Recommended Action: The County Attorney's Office recommends that the Board vote to sunset the Neighborhood Stabilization Program Citizen Advisory Task Force.

Attachments: [Staff Report](#)

Approved staff's recommendation

8.E [17-0364](#) Department of the Army Right-of-Entry for Environmental Assessment and Response

Recommended Action: It is recommended that the Board of County Commission grant access to properties owned by Indian River County and Indian River County Emergency Services District to the Department of the Army in order to complete the Remedial Investigation/Feasibility Study, and authorize the Chairman to execute Right-of-Entry for Environmental Assessment and Response forms as needed in order to complete this study.

Attachments: [Staff Report](#)
[Project Information Brochure](#)
[February 27 Information Letter](#)
[March 17 Permission Letter](#)
[Right of Entry for Environmental Assessment and Response Form](#)
[Parcel Data Information on Identified Properties](#)

Approved staff's recommendation

8.F [17-0356](#) Miscellaneous Budget Amendment 012

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

Attachments: [Staff Report](#)
[2016 2017 Resolution](#)
[Exhibit "A" BA 012](#)

Approved Resolution 2017-032, amending the Fiscal Year 2016-2017 budget.

8.G [17-0341](#) Post Hurricane Matthew Emergency Dune Restoration Projects, County Beach Parks. Full Release of Retainage - Guettler Brothers Construction, LLC

Recommended Action: Staff recommends that the Board approve Application for Payment No. 2, thereby releasing the \$10,407.13 in withheld retainage and completing the Post Hurricane Matthew Emergency Dune Restoration contract between Guettler Brothers Construction, LLC and the County.

Attachments: [Staff Report](#)
[Retainage Invoice - Guettler Brothers](#)

Approved staff's recommendation

8.H [17-0353](#) Award of Bid No. 2017034 CR512 Westbound Resurfacing (Roseland Road to US 1) and CR512 Eastbound Resurfacing (Easy Street to US 1)

Recommended Action: Staff recommends the Board approve award to the lowest responsive and responsible bidder, Timothy Rose Contracting, Inc. for \$3,491,545.38. Staff further recommends the Board 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](#)
[Sample Agreement](#)

This item was deleted from the agenda.

Denied

- 8.I [17-0337](#) Change Order No. 1 and Release of Retainage South County Park General Use Field IRC Project No. 1425, Bid No. 2016048

Recommended Action: Staff recommends approval of Change Order No. 1 and payment of Guettler Brothers Construction, LLC Pay Application No. 03 FINAL for release of retainage in the amount of \$14,924.10.

Attachments: [Staff Report](#)
[Guettler Brothers Construction, LLC Pay Application No. 3 FINAL](#)
[Change Order No. 1](#)
[Description of Itemized Changes](#)

Approved staff's recommendation

- 8.J [17-0310](#) Approval of License Agreement for Beach Town Music Festival with Beachtown, LLC.

Recommended Action: Staff respectfully recommends the Board approve the Indian River County Fairgrounds License Agreement with Beachtown, LLC, and authorize Chairman to sign.

Attachments: [Staff Report](#)
[IRC Fairgrounds License Agmt - Beach Town Music Festival Dec 8-9 2017 w Exb B and Rule](#)

Approved staff's recommendation

- 8.K [17-0350](#) Approval of Award for Bid 2017024 - Annual Bid for Utility Operations Warehouse Stock

Recommended Action: Staff recommends the Board: Award to HD Waterworks and Ferguson Waterworks as the two lowest, responsive and responsible bidders meeting the specifications as set forth in the Invitation to Bid; Authorize the Purchasing Division to issue blanket purchase orders for the period of April 4, 2017 through March 31, 2018 with the recommended bidders; and Authorize the Purchasing Manager to renew this bid for two (2) additional one (1) year periods subject to satisfactory performance, vendor acceptance, and the determination that renewal of this annual bid is in the best interest of Indian River County.

Attachments: [Staff Report](#)

Approved staff's recommendation

- 8.L** [17-0346](#) Waiver of Requirement for Bids to Procure Material for Fellsmere Roads Project

Recommended Action: Staff recommends the Board of County Commissioners waive the requirement for bids and authorize the Purchasing Division to increase purchase order 77457 to Bernard Egan & Company up to \$210,925.00 for the purchase of stabilizer and any associated delivery charges to complete the Fellsmere road improvement project.

Attachments: [Staff Report](#)

Approved staff's recommendation

- 8.M** [17-0351](#) National Library Week Amnesty Program

Recommended Action: Staff respectfully recommends approval of the National Library Week Amnesty Program. During the week of April 9-15, 2017, library patrons of all four branches of the Indian River County Library System will be permitted to return any overdue items with the applicable fees waived.

Attachments: [Staff Report](#)

Approved staff's recommendation

9. CONSTITUTIONAL OFFICERS and GOVERNMENTAL AGENCIES

- 9.A** [17-0347](#) Indian River County Sheriff Deryl Loar: Application for a 2017/2018 Victims of Crime Act (VOCA) Grant

Recommended Action: It is recommended that the Board of County Commission approve the application for a 2017/2018 Victims of Crime Act Grant with the 25% match using allowable In-Kind Services from a currently funded position.

Attachments: [IRC Sheriff Request Letter](#)
[Grant Application Form](#)
[EEOP Certification Form](#)
[LOS 3 17-18 VOCA](#)
[BCC Grant Form](#)

Indian River County Sheriff Deryl Loar addressed the Board requesting approval for the 2017/2018 Victims of Crime Act (VOCA) Grant application.

A motion was made by Vice Chairman O'Bryan, seconded by Commissioner Solari, to approve the Application for a 2017-2018 Victims of Crime Act Grant with the 25% match using allowable In-Kind Services from a currently funded position. 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

B. PUBLIC DISCUSSION ITEMS

- 10.B.1** [17-0358](#) Request to Speak from Miles Conway, Ph.D., President, South Beach Property Owners Association, Inc. Regarding Impact on IRC of Florida SB188 and HB425 currently in committees

Attachments: [Request to Speak Form](#)

South Beach Property Owners Association President Miles Conway spoke regarding his many concerns for two proposed Bills, Florida Senate Bill 188 (SB 188) and Florida House Bill 425 (HB 425), and the impact these Bills would have on Indian River County should they pass. These Bills are currently in Committees, and are in reference to vacation rentals.

Vice Chairman O'Bryan and Chairman Flescher provided assurance that the Board was well aware of the implications of SB 188 and HB 425, and that the Board has a team lobbying against these Bills in Tallahassee.

County Attorney Dylan Reingold clarified that the County is working in coordination with the Florida League of Cities and the Florida Association of Counties, and concluded that he would let the Board know immediately, if there was movement on either of these two Bills, along with House Bill 17 (HB 17), which states that a local government may not adopt or impose a new regulation on a business, profession, and occupation unless the regulation is expressly authorized by general law.

Commissioner Zorc shared details from an interesting audience he had with Senator Greg Steube, and thanked Mr. Conway for his efforts.

No Action Taken or Required

C. PUBLIC NOTICE ITEMS

- 10.C.1** [17-0311](#) Notice of Public Hearing for April 11, 2017: Prima Vista Corporation's Request for Abandonment of a Portion of 129th Avenue (now being 93rd Avenue) and a Portion of 130th Avenue (now being 93rd Court) within the Paradise Park Unit No. 3 Subdivision [ROWA-17-02-01 / 2002010153-78160] (Legislative)

Recommended Action: This notice of public hearing is provided for the Board's information. No action is needed at this time.

County Attorney Dylan Reingold read the Notice of Public Hearing into the record.

No Action Taken or Required

11. COUNTY ADMINISTRATOR MATTERS

- 11.A** [17-0372](#) Public Beach Access from the 5.38 Acre Parcel owned by the Town of Indian River Shores

Recommended Action: Staff recommends that the Board of County Commissioners approve the following regarding public access from the Town property through the Tracking Station Oceanfront Park: 1.) Provide permission for the future owner(s) to construct only one (1) dune crossover, to serve all parcels, as permitted by the County and any other appropriate permitting agencies including, but not limited to, county dune permit, jurisdictional building permit, and Florida Department of Environmental Protection approval. The property owner(s) will need to enter into a license agreement with the County for the dune cross-over structure. This must be a non-exclusive access agreement addressing public access rights, liability, penalties for non-compliance, maintenance, replacement, and insurance. 2.) Item 1 is contingent upon the Town providing a 7' non-exclusive public access easement from A1A to the Tracking Station Oceanfront Park along the south side of the property. This public access easement must contain a deed restriction that would require approval of the County as well as the Town for any future changes or abandonment. The existing fence is to be moved to edge of this easement. 3.) Item 1 requires future owner(s) to provide nonexclusive public access from the existing north gate to the dune crossover.

Attachments: [Staff Report](#)[Original Request from the Town of Indian River Shores](#)[March 15, 2017 Correspondence](#)[Conceptual Plan showing one \(1\) dune crossover](#)[Conceptual Plan showing three \(3\) dune crossovers](#)[Map of Tracking Station showing existing north gate](#)

(Clerk's Note: This item was heard after the break, beginning at 10:49 a.m., and is placed here for continuity.)

County Administrator Jason Brown read into the record details concerning the public beach access of the 5.38 acre parcel owned by the Town of Indian River Shores. The items addressed included: 1) Permission for the future owner(s) to construct one (1) dune crossover with proper licensing, regardless of the structure of the sale, and for future property owner(s) to enter into a license agreement with the County for the dune crossover structure; 2) Staff's recommendation regarding the seven (7') foot width of the public access easement leading from A1A to the Tracking Station Oceanfront Park, and the existing fence that would need to be moved to the edge of this easement; 3) Future owner(s) to provide nonexclusive public access from the existing north gate, along County property, to the dune crossover; and 4) Trimming of vegetation and Seagrape trees on County property; however, the Town of Indian River Shores withdrew the previous request.

Mayor of Indian River Shores Brian Barefoot asked the Board to modify the wording, changing the term from "easement" to "right-of-way", when referring to the public access path. He questioned the County Administrator regarding the width of the public access path, as well as the recommended license agreement pertaining to liability. Additionally, Mayor Barefoot requested a special meeting be held in order to make a decision on the trimming of Seagrape trees due to the fact that they are very tall and would obstruct a future owner's ocean view.

Chairman Flescher inquired as to who would maintain the public access path, and advised that the Board would address the Seagrape trimming issue so that an immediate decision could be made.

Discussion ensued relative to the width of the public access path and the trimming of Seagrasses. Assistant County Administrator Michael Zito confirmed that the County does not trim Seagrasses along the coastal line.

Patricia Gundy, 4571 Pebble Bay South, sought and received information on the possibility that future land owner(s) would not want the public beach access crossover.

Leslie Abbott, 4556 Pebble Bay South, commented in support of not trimming the Seagrape trees for erosion purposes.

Debbie Mackay, 4705 Pebble Bay Circle, spoke in support of not trimming the Seagrape trees, and thanked the Board for their knowledge and concern for the environment.

Robert Abbott, 4556 Pebble Bay South, made observations regarding the importance of the five (5') foot path being ADA accessible.

A motion was made by Vice Chairman O'Bryan, seconded by Chairman Flescher, to approve staff's recommendation with the following amendments: Under Item 2) change from a seven (7') foot non-exclusive public access easement to a five (5') foot clear public access right-of-way. Add Item 4) The County does not support any trimming of Seagrape trees on the County triangular parcel, other than that which may be necessary to protect the paths that are built to get to the crossover. 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 for a break at 12:01 p.m., and reconvened the meeting at 12:13 p.m., with all members present.

Immediately following the break, discussion began on Item 12.A.2.

12. DEPARTMENTAL MATTERS

A. Community Development

12.A.1 [17-0327](#)

Consideration of Continuing Participation with St. Lucie County and Martin County in the Treasure Coast Home Program Consortium

Recommended Action: Based on the analysis performed, staff recommends that the Board of County Commissioners determine whether or not to continue with the Treasure Coast HOME Consortium after the current consortium contract ends in 2018.

Attachments: [Staff Report](#)[Attachment 1- Original HOME Consortium Agreement and Resolution](#)[Attachment 2- HUD Handout on AFFH](#)[Attachment 3- Florida Housing Coalition Report on AFFH and Local Land Use Authority](#)[Attachment 4- SHIP Program Loans Summary](#)[Attachment -5 Excerpt from St. Lucie County Home Consortium Consolidated Plan](#)

(Clerk's Note: Item 14.D.1. was heard in conjunction with this item.)

Community Development Director Stan Boling gave a brief explanation in support of the Treasure Coast Home Program Consortium (HOME). He stated that this program is funded by the United States Department of Housing and Urban Development (HUD), that it is renewable and ongoing, and that it is managed by St. Lucie County.

Commissioner Solari supported the HOME program continuing with the same structure after the expiration of the 2018 contract. He suggested having the County Attorney monitor the program going forward in an effort to ensure that the County does not have to rewrite zoning codes due to changes in HUD administration. He also suggested a Resolution be drafted by the County Attorney in support of H.R. 482, Local Zoning Decisions Protection Act of 2017; and S.103, which is the Senate version of the Local Zoning Decisions Protection Act of 2017. These Bills would nullify the Affirmatively Furthering Fair Housing Rule (AFFHR). Commissioner Solari asked the County Attorney to monitor the AFFHR legislation, as well.

St. Lucie County Community Services Director Beth Ryder, 1145 Amethyst Dr SW, expressed pride when speaking of the HOME program due to the fact that many homeowners have benefited, and commended both Indian River and Martin Counties for their efforts in working together with St. Lucie County.

Indian River Habitat for Humanity President/CEO Andy Bowler, 4580 US Highway 1, expressed support for the HOME program, as homeowners greatly benefit from these funds.

Martin County Health and Human Services Manager Dr. Anita Cocoves, 435 SE Flagler Ave., Stuart, echoed Beth Ryder in supporting the HOME program as a consortium.

A motion was made by Commissioner Solari, seconded by Chairman Flescher, to continue with the Treasure Coast HOME Consortium after the 2018 contract expiration, and for the County Attorney to monitor. The motion

carried by the following vote:

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

The Board also took the following action regarding Item 14.D.1.:

A motion was made by Commissioner Solari, seconded by Chairman Flescher, to request the County Attorney to draft a Resolution in support of H.R. 482, Local Zoning Decisions Protection Act of 2017; and S.103, the Senate version of the Local Zoning Decisions Protection Act of 2017. 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 for a break at 10:35 a.m., and reconvened the meeting at 10:50 a.m., with all members present.

Immediately following the break, discussion began on Item 11.A.

12.A.2 [17-0336](#) Consideration of Approval of the Wabasso Corridor Plan 2017

Recommended Action: Staff recommends that the Board of County Commissioners approve the Wabasso Corridor Plan 2017.

Attachments: [Staff Report](#)

[Attachment 1- 2017 Corridor Plan Final](#)

[Attachment 2- List of Plan Actions](#)

[Attachment 3- Action Plan Implementation Matrix](#)

Community Development Director Stan Boling used a PowerPoint Presentation to review the Wabasso Corridor Plan 2017 and explained the actions, along with the estimated costs involved, that came from conducting community meetings with the residents of Wabasso. He informed the Board that the updated plan could be found at the County Website: <http://www.ircdd.com/wabasso>.

West Wabasso Progressive President Ardra Rigby expressed his appreciation for the work done on this update, and spoke on items that he felt were missed, along with his hopes to add an additional one (1) cent sales tax within the County in an effort to fund a community center and clinic for the Wabasso community. Discussion ensued amongst the Board and Mr. Rigby, with the Board explaining the reasoning behind their decisions. County Administrator Jason Brown made it clear that the County

does not have the authority to add another one (1) cent sales tax.

Erwin Cartwright, property owner in the Wabasso area, discussed several topics which he felt would help the Wabasso community, one involving a cell phone tower for which someone is receiving revenue without participating in improving the Wabasso community. He also advocated for grants, which could help rebuild the buildings in the Wabasso community; and education on income-based programs such as the State Housing Initiative Partnership (SHIP) Program and the Habitat for Humanity Home Ownership Program. He commented that although these programs are available, many people fear them because they don't understand the details.

Commissioner Solari and Chairman Flescher explained that the Board had always been advocates of education, rather than regulation. It was noted that the economic downturn was what shelved the project that had been in place and was now being revitalized, and like with other communities, it was a work in motion.

Chief of Long-Range Planning Sasan Rohani explained the repayment details of the SHIP Program, as well as answering questions regarding the Habitat for Humanity Home Ownership Program.

West Wabasso Civic League Community Liaison Alma Miller, 1758 Laconia Street, praised staff for the update and was very appreciative of how well the Plan was put together. She questioned the Board about the status of the Liberty Park development, and requested to be notified regarding changes in not only neighboring Sebastian, but also in Vero Beach. Director Boling addressed some concerns, and confirmed that although the proposed Liberty Park land remained under the same ownership, no applications had been filed.

Yula Helping, U.S. Highway 1; Graham Cox, 1213 George Street; and Leonard Kachinski, Lakes at Sandridge, applauded staff for the hard work that went in to the details of the Plan. Each addressed additional items they would like to see in the future.

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

B. Emergency Services

C. General Services

1. Human Services**2. Sandridge Golf Club****3. Recreation****D. Human Resources****E. Office of Management and Budget****F. Public Works****G. Utilities Services****12.G.1** [17-0367](#) Change Order No. 1 to All Webbs Enterprises, Inc. for the Construction of Well S-4R at South County RO Plant (SCRO)

Recommended Action: Staff recommends approval of Change Order No. 1 authorizing the construction of Well S-4R and requests the BCC to authorize the Chairman to execute Change Order No. 1 on their behalf for a sum amount of \$1,051,783.57 to All Webbs Enterprises, Inc.

Attachments: [Staff Report](#)
[Change Order No. 1 and supporting documents](#)
[Letter from Engineer of Record \(Kimley-Horn & Associates\)](#)

A motion was made by Commissioner Solari, 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

13. COUNTY ATTORNEY MATTERS**13.A** [17-0377](#) Indian River County - Indian River Land Trust Oyster Bar Marsh Trail Comprehensive Agreement

Recommended Action: The County Attorney's Office recommends that the Board vote to approve the Comprehensive Agreement Between Indian River County and Indian River Land Trust, Inc.

Attachments: [Staff Report](#)
[IRC-IR Land Trust Comprehensive Agreement - OBM Plan](#)
[PPP Spreadsheet - OBM](#)

County Attorney Dylan Reingold read into record background and updates on the proposed Indian River County-Indian River Land Trust Oyster Bar Marsh Trail Comprehensive Agreement.

Indian River Mosquito Control District Director Doug Carlson commented that he is looking forward to working with Indian River County and the Indian River Land Trust as this project moves forward.

Indian River Land Trust Executive Director Ken Grudens expressed appreciation for the County Attorney, the Staff and the Board, and displayed excitement in implementing the project.

Commissioner Solari recommended a \$3800 increase to the estimated annual maintenance costs, in an effort to reduce the probability of staff coming back to the Board for minor unexpected expenses.

A motion was made by Vice Chairman O'Bryan, seconded by Commissioner Adams, to approve staff's recommendation and to change the estimated maintenance cost to \$25,000 annually. The motion carried by the following vote:

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

14. COMMISSIONERS MATTERS

A. Commissioner Joseph E. Flescher, Chairman

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

14.B.1 [17-0373](#) Moment of Prayer for First Responders

Recommended Action: Request approval

Attachments: [Commissioner Memorandum](#)

Vice Chairman O'Bryan requested approval to amend the Board of County Commissioner's Agenda, inserting a Moment of Silent Reflection for First Responders, immediately following the Call to Order at each regularly scheduled meeting.

A motion was made by Vice Chairman O'Bryan, seconded by Commissioner Zorc, to insert, following the Call to Order at each Board of County Commissioner's Meeting, a Moment of Silent Reflection for First Responders. The motion carried by the following vote:

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

14.B.2 [17-0374](#) Request for Review of Temporary Suspension for Certificate of Completion Ordinance

Recommended Action: Direct Staff to review and prepare a report for the BCC on the Temporary Suspension for Certificate of Completion Ordinance

Attachments: [Commissioner Memorandum](#)

Vice Chairman O'Bryan requested staff to review the Temporary Suspension for Certificate of Completion Ordinance, and come back to the Board with a report and recommendations.

A motion was made by Vice Chairman O'Bryan, seconded by Commissioner Solari, to approve the recommended action. The motion carried by the following vote:

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

Commissioner Zorc suggested adding discussion regarding the Temporary Suspension for Certificate of Completion Ordinance to his upcoming agenda at the Development Review and Permitting Process Workshop (DRAPPW) on April 12th, 2017.

Motion Was Amended by Vice Chairman O'Bryan, seconded by Commissioner Solari, to place this item on the Agenda of the Development Review and Permitting Process Workshop (DRAPPW) for discussion. The amended motion carried by the following vote:

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

14.B.3 [17-0375](#) Request Board to Direct Staff to Review and Update the Master Plan for the Fairgrounds

Recommended Action: Request Board to Direct Staff to Review and Update the Master Plan for the Fairgrounds

Attachments: [Commissioner Memorandum](#)

Vice Chairman O'Bryan requested staff to review and update the Master Plan for the Fairgrounds due to the fact that use of the Fairgrounds has become very popular.

Assistant County Administrator Michael Zito suggested holding two to three meetings, possibly at the Fairgrounds, to help with the input.

A motion was made by Vice Chairman O'Bryan, seconded by Commissioner Solari, to direct staff to host two to three informational meetings as part of staff's recommendation to Review and Update the Master Plan for the Fairgrounds. The motion carried by the following vote:

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

C. Commissioner Susan Adams

D. Commissioner Bob Solari

14.D.1 [17-0368](#) Affirmatively Furthering Fair Housing Rule (AFFHR)

Recommended Action: Discuss

Attachments: [Commissioners Memorandum](#)

(Clerk's Note: This item was heard in conjunction with Item 12.A.1. Please see Board action under that item.)

Approved

14.D.2 [17-0371](#) Lagoon Legacy Project

Recommended Action: Discussion

Attachments: [Commissioner Memorandum](#)

Commissioner Solari used a PowerPoint Presentation, provided by the City of Vero Beach (COVB) Councilmember Lange Sykes, to explain several proposed Lagoon Legacy Projects, and requested the County and the COVB work together on these projects. He asked the Board to approve future discussions with County staff, COVB staff and Councilmembers.

Indian River Mosquito Control District Director Doug Carlson offered his staff's input for future discussions, providing the project moves forward.

Richard Baker, Sebastian, spoke in support of the project.

A motion was made by Commissioner Solari, seconded by Vice Chairman O'Bryan, to authorize staff to have future discussions with the City of Vero Beach regarding the Lagoon Legacy Projects. The motion carried by the following vote:

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

E. Commissioner Tim Zorc

14.E.1 [17-0380](#) Request to Discuss Policies and Procedures for Public Records Request

Recommended Action: Discussion

Attachments: [Commissioner Memorandum](#)

[Article on Martin County Commission Public Information Violation 03282017](#)

Commissioner Zorc requested discussion regarding Policies and Procedures for Public Records Requests and Public Records Lawsuits.

County Attorney Dylan Reingold explained the Policies and Procedures regarding Public Records Requests; and informed the Board that there are no pending Public Records Lawsuits at this time.

No Action Taken or Required

14.E.2 [17-0378](#) Request to Discuss Invitation to St. Lucie County Airport Representatives

Recommended Action: Discussion

Attachments: [Commissioner Memorandum](#)

Commissioner Zorc requested an invitation be extended to St. Lucie County Airport Representatives authorizing a future presentation sharing their long-range airport development plan.

The Board was in agreement that good information could be obtained.

No Action Taken or Required

15. SPECIAL DISTRICTS AND BOARDS

A. Emergency Services District

The Board reconvened as the Board of Commissioners of the Emergency Services District. The minutes will be approved at an upcoming Emergency Services District Meeting.

15.A.1 [17-0290](#) Letter of Agreement for Critical Incident-Stress Management Consultation (CISM) Services

Recommended Action: Staff recommends the Board approve the CISM Consultation Services Agreement and authorize the Chairman to sign the document.

Attachments: [Staff Report](#)

[Letter of Agreement CISM](#)

Vice Chairman O'Bryan thanked Assistant Fire Chief Brian Burkeen for his hard work in implementing the Critical Incident Stress Management (CISM) Program, and noted that over 30 Firefighters have volunteered to undergo the peer training.

Chief Burkeen accepted the Board's appreciation, and expressed pride towards his Department.

A motion was made by Vice Chairman O'Bryan, 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

B. Solid Waste Disposal District

C. Environmental Control Board

16. ADJOURNMENT

There being no further business, the Chairman declared the meeting adjourned at 2:27 p.m.