



# MINUTES

## TOWN COUNCIL MEETING

MAY 5, 2010

ONE BEACHSIDE DRIVE  
ORCHID ISLAND GOLF AND BEACH CLUB  
ORCHID, FLORIDA

### AGENDA ITEM #1 – CALL TO ORDER AND ROLL CALL

MAYOR DUNLOP CALLED THE MEETING TO ORDER AT 9:00 AM.

**PRESENT:**

MAYOR RICHARD DUNLOP  
VICE-MAYOR SUE JOYCE  
COUNCILMEMBER BILL TROXELL  
COUNCILMEMBER BUD OATWAY  
COUNCILMEMBER PAUL JOHNSON

**STAFF IN ATTENDANCE:**

DEB C. BRANWELL, TOWN MANAGER  
TERRI WALLACE, TOWN CLERK  
PHIL REDSTONE, CHIEF OF POLICE

### AGENDA ITEM #2 – AGENDA MODIFICATIONS, ADDITIONS AND/OR DELETIONS

MAYOR DUNLOP ASKED TO MODIFY THE AGENDA TO ALLOW COMMISSIONER PETER O'BRYAN TO ADDRESS THE TOWN OF ORCHID RESIDENTS REGARDING THE SECTOR 3 BEACH RENOURISHMENT FIRST. THEN THE MAYOR REQUESTED TO SUSPEND THE TOWN COUNCIL MEETING TO CONVENE AS THE LOCAL PLANNING AGENCY TO REVIEW AND APPROVE THE PROPOSED EVALUATION AND APPRAISAL REPORT. ONCE THE HEARING IS COMPLETED, THE MAYOR THEN WOULD RECONVENE THE TOWN COUNCIL MEETING.

***ALL COUNCILMEMBERS AGREED.***

MAYOR DUNLOP INTRODUCED COMMISSIONER PETER O'BRYAN, CHAIRMAN OF THE COUNTY COMMISSION. THE MAYOR THEN TURNED THE PRESENTATION OVER TO COUNCILMEMBER TROXELL TO PRESENT THE STATUS OF THE SECTOR 3 BEACH RENOURISHMENT, THEN TO BE FOLLOWED BY COMMISSIONER O'BRYAN FOR HIS STATEMENTS AND FOR HIM TO TAKE QUESTIONS FROM THE RESIDENTS OF THE TOWN OF ORCHID.

COUNCILMEMBER TROXELL TOOK THE FLOOR AND GAVE A BRIEF OVERVIEW OF THE TIMELINE, FROM START TO PROJECTED COMPLETION, WHAT WAS PROJECTED TO BE ACCOMPLISHED, AND THE ACTUAL SHORTFALL OF THE 2010 SECTOR 3 BEACH RENOURISHMENT. MR. TROXELL POINTED OUT THAT ORCHID DID NOT RECEIVE ITS FULL COMPLEMENT OF SAND, THAT IT WAS AGREED THAT ORCHID WOULD RECEIVE A REDUCED TEMPLATE, BUT INDIAN RIVER COUNTY ORDERED RANGER CONSTRUCTION INDUSTRIES, INC. OFF THE ORCHID PROJECT AND SENT THEM TO SEA GRAPE TRAIL. THIS REDIRECTION IS THE REASON COMMISSIONER O'BRYAN HAS BEEN ASKED TO APPEAR AT THIS TOWN COUNCIL MEETING. MR. O'BRYAN REVIEWED WHAT OF PORTIONS THE SECTOR 3 RENOURISHMENT PROJECT HAS BEEN ACCOMPLISHED, THE ENSUING PERMITTING DELAYS, OTHER OBSTACLES, AND A CONSTRUCTION EXTENSION TIMELINE REQUEST. HE ALSO STATED THAT COASTAL TECH, ON APRIL 29<sup>TH</sup>, 2010, RELEASED A MEMO THAT STATED THAT SEA GRAPE TRAIL WAS IN GREATER DANGER THAN THE TOWN OF ORCHID, SO THE COUNTY STAFF MADE THE DECISION TO MOVE TO SEA GRAPE TRAIL. MR. O'BRYAN THEN OPENED THE FLOOR TO QUESTIONS. THE TOWN'S RESIDENTS VIGOROUSLY QUESTIONED MR. O'BRYAN AS TO THE VULNERABILITY OF THE BEACH AND RESIDENCES. MR. O'BRYAN INFORMED THE RESIDENTS THAT HE DID NOT HAVE MANY OF THE ANSWERS TO THEIR QUESTIONS, BUT WOULD RESEARCH THEM AND PROVIDE ANSWERS AT A LATER DATE. MR. O'BRYAN CALLED UPON STEVE SMITH, OWNER RANGE ROAD LAKE SAND MINE, TO ADDRESS THE AVAILABILITY OF SAND TO COMPLETE THE TOWN'S 'GAP.' MR. SMITH INFORMED THE ATTENDEES THAT THE SAND WAS PLACED AT SEA GRAPE TRAIL AND THE MINING DREDGES HAVE BEEN SHUT DOWN UNTIL PHASE II STARTS UNDER WAY IN THE LATE FALL.

**AT 10:10 AM, THE TOWN COUNCIL MEETING WAS SUSPENDED TO ALLOW THE LOCAL PLANNING AGENCY TO CONVENE, REVIEW AND SUGGEST CHANGES TO, AND VOTE TO SUBMIT THE PROPOSED EVALUATION AND APPRAISAL REPORT.**

**FOLLOWING THE ADJOURNMENT OF THE LOCAL PLANNING AGENCY HEARING, THE TOWN COUNCIL MEETING RECONVENED AT 10:20 AM.**

**AGENDA ITEM #3 – APPROVAL OF APRIL 7, 2010. MINUTES WITH CHANGES**

***COUNCILMEMBER OATWAY MOVED TO APPROVE THE MINUTES WITH CHANGES.  
COUNCILMEMBER JOHNSON SECONDED THE MOTION.  
ALL COUNCILMEMBERS AGREED.***

**AGENDA ITEM #4 – COMMITTEE REPORTS**

**HARRIS, COTHERMAN, JONES, PRICE AND ASSOCIATES:**

MAYOR DUNLOP REPORTED MEETING WITH THE AUDITORS AND THEIR ONLY CONCERN, AT THIS POINT, IS VACATION ACCRUAL.

**THE CENSUS:**

MAYOR DUNLOP REPORTED THAT THE CENSUS HAS BEEN COMPLETED AND ANTICIPATES THE RESULTS WITHIN THE NEXT WEEK.

**METROPOLITAN PLANNING ORGANIZATION:**

MAYOR DUNLOP REPORTED THAT INDIAN RIVER COUNTY HAS RECEIVED STIMULUS MONIES FOR STREET AND SIDEWALK BEAUTIFICATION. THE COUNTY WOULD LIKE TO CONSTRUCT A SIDEWALK UNDER THE CR510 BRIDGE AND ALONG THE NORTH SIDE OF CR510.

**TREASURE COAST REGIONAL LEAGUE OF CITIES:**

VICE-MAYOR JOYCE REPORTED ON THE CENSUS CHALLENGE AMONG THE MEMBERS OF THIS GROUP AND SAID THAT ORCHID CURRENTLY STOOD AT ABOUT SEVENTY-EIGHT (78%) PERCENT.

**AGENDA ITEM #5 – TOWN COUNCIL MATTERS**

**A. REVIEW AND APPROVAL OF THE PROPOSED EVALUATION AND APPRAISAL REPORT APPROVED BY THE LOCAL PLANNING AGENCY**

*COUNCILMEMBER TROXELL MOVED TO APPROVE THE PROPOSED EVALUATION AND APPRAISAL REPORT WITH MINOR CHANGES. VICE-MAYOR JOYCE SECONDED THE MOTION. ALL COUNCILMEMBERS AGREED.*

**B. THE TREASURE COAST REGIONAL LEAGUE OF CITIES INTERLOCAL AGREEMENT**

*VICE-MAYOR JOYCE MOVED TO APPROVE THE TREASURE COAST REGIONAL LEAGUE OF CITIES INTERLOCAL AGREEMENT. COUNCILMEMBER JOHNSON SECONDED THE MOTION. ROLL CALL VOTE:*

<i>COUNCILMEMBER TROXELL</i>	<u>          </u>	<i>AYE</i>
<i>COUNCILMEMBER JOHNSON</i>	<u>          </u>	<i>AYE</i>
<i>COUNCILMEMBER OATWAY</i>	<u>          </u>	<i>AYE</i>
<i>VICE-MAYOR JOYCE</i>	<u>          </u>	<i>AYE</i>
<i>MAYOR DUNLOP</i>	<u>          </u>	<i>AYE</i>

**C. INDEPENDENT INSPECTIONS ADMINISTRATOR AGREEMENT EXTENSION**

TOWN MANAGER BRANWELL REPORTED TO COUNCIL THAT THIS CONTRACT IS RENEWED ON AN ANNUAL BASIS. MS. BRANWELL ALSO INFORMED COUNCIL THAT SHE ATTEMPTED TO RENEGOTIATE THEIR BILLING RATES AND MR. DELACY SAID HE COULD NOT RENEGOTIATE AT THIS TIME. NONETHELESS, THERE ARE VERY FEW INSPECTION CONTRACTORS IN THIS AREA AND INDEPENDENT INSPECTIONS DOES HAVE ONE OF THE LOWEST BILLING RATES COMPARATIVELY. COUNCIL AGREED TO RENEW INDEPENDENT INSPECTIONS CONTRACT FOR ANOTHER YEAR.

**D. TOWN EXPENDITURE TOWARD A MARKETING CAMPAIGN – MAYOR DUNLOP**

MAYOR DUNLOP STATED HE HAD BEEN APPROACHED BY MR. JOHN CROSBY, PRESIDENT OF THE BOARD OF GOVERNORS, AND MRS. TRISH JOAQUIM, PRESIDENT OF THE BOARD OF DIRECTORS OF THE COMMUNITY ASSOCIATION AND TOWN LIAISON, REGARDING THE TOWN PARTICIPATING MONETARILY IN A MARKETING CAMPAIGN FOR THE CLUB. THE COUNCIL ADVISED THAT THE BOARD OF GOVERNORS AND THE COMMUNITY ASSOCIATION WOULD HAVE TO PRESENT A VERY SPECIFIC FUND REQUEST PROPOSAL TO BRING BEFORE THE TOWN COUNCIL. THEN, COUNCIL WILL HAVE TO DETERMINE IF THE REQUEST IS LEGAL AND

IN THE TOWN'S PUBLIC INTEREST. AFTER A SPIRITED DISCUSSION, COUNCIL DETERMINED THEY WILL WAIT ON THIS MATTER UNTIL THEY RECEIVE AN ACCEPTABLE REQUEST.

**E. VIABILITY OF A TOWN – VICE-MAYOR JOYCE**

VICE-MAYOR JOYCE ASKED TO HAVE 'TALKING POINTS' ON THE VIABILITY OF THE TOWN, SO THAT COUNCILMEMBERS WILL BE ABLE TO ANSWER QUESTIONS ON THIS SUBJECT. ALL COUNCILMEMBERS RECEIVED INFORMATION PREVIOUSLY GATHERED.

**F. BUILDING CLERK VACANCY**

MAYOR DUNLOP PRESENTED BEFORE COUNCIL TO FILL THIS VACANCY WITH A PART-TIME PERSON WITHOUT BENEFITS TO START. COUNCIL AGREED. COUNCIL INSTRUCTED TOWN MANAGER BRANWELL TO RESEARCH THE PART-TIME RATES BEING PAID BY THE CLUB AND OTHER MUNICIPALITIES.

**G. LINDA RAY RETIREMENT ARRANGEMENTS**

COUNCILMEMBER JOHNSON SUGGESTED A SMALL RECEPTION WITH A MODEST GIFT. DATE, PLACE, AND TIME TO BE DETERMINED BY STAFF.

**AGENDA ITEM #8 – PUBLIC COMMENT**

THERE WAS NO PUBLIC COMMENT.

**AGENDA ITEM #9 – ADJOURNMENT**

THE MEETING ADJOURNED AT 11:20 AM.

APPROVED AT THE \_\_\_\_\_ REGULAR TOWN COUNCIL MEETING.

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TERRI WALLACE  
TOWN CLERK

