

**MINUTES  
TOWN COUNCIL MEETING**

**May 6, 2009**

*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 9:02 am.

**Present:** Mayor Richard Dunlop  
Councilmember Paul Johnson  
Councilmember Bud Oatway  
Councilmember Bill Troxell

**Excused Absence:** Vice-Mayor Joyce

**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 if there were any modifications, additions or deletions.  
Councilmember Oatway pointed out that ‘Special Call’ should be deleted from the header.

**Agenda Item #3 – Approval of Minutes w/ Changes**

**Minutes Regular Town Council Meeting – March 4, 2009**

*Councilmember Johnson moved to approve the Minutes with Changes of March 4, 2009.  
Councilmember Oatway seconded the motion.  
All Councilmembers present agreed.*

**Agenda Item #4 – Committee Reports**

**510 Roadway Project:** Mayor Dunlop reported he sent out an instructional e-mail regarding temporary changes in roadway lane patterns. The changes will occur in the overnight hours.

**MPO/TAC/BAC/CAC:** Mayor Dunlop reported that Indian River County has \$8 Million of the Stimulus Package and conveyed how the County intends to spend these monies on various road projects and a new Transit Administration Building.

**Indian River County Real Estate Tax Collection:** The Mayor reported that twenty-five (25%) percent of the residents of Indian River County have not paid their property taxes as of 4-30-09. In Orchid, nine (9) individuals had not paid their taxes as of that date.

**Indian River County Sheriff’s Office Orchid Incidence Report:** The Mayor happily reported this report continues to shrink.

**Beach and Shores Preservation Advisory Committee:** Councilmember Johnson reported that the funding from the State for the Sector 3 re-nourishment has not been received. There is a possibility of some Federal Funding. The Committee is considering a variety of creative avenues in which to secure the restoration that is needed on the beaches.

**Land Acquisition Advisory Committee:** Councilmember Oatway reported this Committee has lost its usefulness as there are no significant funds available and no new funds are anticipated. He stated that the majority of time spent at the last meeting was discussion on when the next meeting will be held.

**Treasure Coast Regional Planning Council:** Mayor Dunlop stated that Vice-Mayor Joyce sits as an alternate on this Council, as appointed by County Commission Chairman Wesley Davis. Vice-Mayor Joyce attended an orientation workshop as well as the regular scheduled meeting.

#### **Agenda Item #5 – Town Council Matters**

##### **A. Motion to Disband Ad-Hoc Auditor Selection Committee**

*Councilmember Oatway moved to Disband the Ad-Hoc Auditor Selection Committee.  
Councilmember Johnson seconded the motion.  
All Councilmembers present agreed.*

##### **B. Discussion – SJRWMD Request to Adopt a Water Conservation Ordinance for Landscape Irrigation**

Town Manager Branwell reported that upon the advice of Counsel not to adopt this Ordinance as the Town does not hold the consumptive use permit with SJRWMD. The responsibility for enforcing water restrictions is held by the Community Association. The Ordinance was given to Rob Tench for review. Discussion was held on best ways to enforce watering restrictions.

*Councilmember Johnson moved to table the Discussion on SJRWMD Request to Adopt a Water Conservation Ordinance for Landscape Irrigation to the next regular Town Council Meeting.  
Councilmember Troxell seconded the motion.  
All Councilmembers present agreed.*

##### **C. Discussion – TCRPC Request to Adopt a Resolution in Support of Amtrak**

Council held a brief discussion on this subject and concluded there is no viable need for this project and therefore declined to support the measure.

*Councilmember Troxell moved to not Adopt a Resolution in Support of Amtrak.  
Councilmember Johnson seconded the motion.  
All Councilmembers present agreed.*

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##### **D. Discussion – Elimination of LTPAC / Councilmember Troxell**

Councilmember Troxell discussed the lack of need of the LTPAC and suggested appointing an ad-hoc committee, if necessary.

*Councilmember Troxell moved to Eliminate the Long-Term Planning Advisory Committee.  
Councilmember Johnson seconded the motion.  
All Councilmembers present agreed.*

**E. Discussion – Michael Creek Change Requests / Councilmember Troxell**

The discussion covered the changes that the owner of Michael Creek subdivision has requested of the County and whether or not Orchid can block these changes in order to correct the ‘eyesore’ of the entrance to the property. It was suggested that the County and the County Commission be approached. Mr. Rob Tench stated he has offered to donate the south beachside gate since a more permanent gate is being installed in its place.

**F. Discussion – Dates to conduct Budget Workshop, Tentative Budget and Final Budget Hearings**

After some discussion, it was decided the Budget Workshop would be Thursday, July 30, 2009, at 9 a.m. The tentative dates, pending announcement of the School Board dates, for the Tentative Budget Workshop and the Final Budget Workshop are scheduled for September 4 and September 11 respectively both at 5:01 p.m.

*Due to relevancy, the Agenda was modified to move Item I to follow Item F.*

**I. Required Audit Timeline**

The Auditors will attend the June 3, 2009, meeting to present the Final Audit. Harris, Cotherman, Jones, Price & Associates requested Council return changes and approval of the draft by May 26, 2009, to allow ample preparation time for the final bound copies.

**G. Discussion – Town Facility Requirements and/or Alternative Options / Councilmember Oatway**

Councilmember Oatway conveyed to Council that Mr. Joe Joyce told him to not rely on the Town’s Administrative Facility requirements being fulfilled in the near future. Mr. Oatway recommended not renewing the current lease indefinitely and purchasing property in proximity of the Town. Mayor Dunlop shared several existing building and vacant property possibilities that have been brought to his attention.

**H. Discussion – MBV / FEMA Program**

Mayor Dunlop reviewed the advantages of participating in this program, reiterated the fees involved, and suggested to all present if they have not taken advantage of this program that they should consider it. Councilmember Troxell related the savings he has realized.

The Mayor recognized Chief Redstone asking if he had anything to report. The Chief stated that the Emergency Services Committee will be meeting this month for the first time in six months. Coming into hurricane season, they are making certain the fire stations currently under construction are up and running and are prepared.

**Agenda Item #6 – Public Comment**

There was a question regarding Interlocal Service Boundary Agreement (ISBA) status. The Mayor gave a status update pointing out Indian River Shores had withdrawn from the group. Mayor Dunlop did not feel their departure would affect the agreement from going forward. Mr. Dunlop stated that Town Manager Branwell would be attending an ISBA working group meeting later in the day and would have more information at that time.

**Agenda Item #7 – Adjournment**

The meeting was adjourned at 10:24 a.m.

Approved at the \_\_\_\_\_ June 3<sup>rd</sup>, 2009, \_\_\_\_\_ Regular Town Council Meeting.

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**Terri Wallace**  
**Town Clerk**

