



Indian River County Florida

Meeting Minutes 4

Board of County Commissioners

Indian River County
Administration Complex
1801 27th Street, Building
A
Vero Beach, Florida,
32960-3388
www.ircgov.com

Peter O'Bryan, Chairman, District 4
Joseph Earman, Vice Chairman, District 3
Susan Adams, District 1
Joseph Flescher, District 2
Laura Moss, District 5

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

Tuesday, November 16, 2021

9:00 AM

Commission Chambers

This meeting can be attended virtually via Zoom. Instructions can be found included with this agenda and also online at www.ircgov.com.

1. CALL TO ORDER

2. ROLL CALL

Present: 5 - Commissioner Joseph Flescher
Chairman Peter O'Bryan
Commissioner Susan Adams
Vice Chairman Joe Earman
Commissioner Laura Moss

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

2.B. INVOCATION

Deacon Freddie Woolfork, St. Peters Missionary Baptist Church

3. PLEDGE OF ALLEGIANCE

Commissioner Susan Adams

3.A. ELECTION OF BOARD OF COUNTY COMMISSION CHAIRMAN

Prior to handing over the gavel, Commissioner Flescher thanked the citizens, his colleagues, and County staff for their hard work during the time he had served as Chairman of the Board.

County Attorney Dylan Reingold opened the floor for nominations for Chairman of the Board for the upcoming year.

A motion was made by Commissioner Moss, seconded by Commissioner Adams, to elect Commissioner Peter D. O'Bryan to serve as Chairman of the Board of

County Commissioners. The motion carried by the following vote:

Aye: 5 - Commissioner Flescher, Chairman O'Bryan, Commissioner Adams, Vice Chairman Earman, and Commissioner Moss

3.B. ELECTION OF BOARD OF COUNTY COMMISSION VICE CHAIRMAN

County Attorney Dylan Reingold opened the floor for nominations for Vice Chairman of the Board for the upcoming year.

A motion was made by Commissioner Flescher, seconded by Chairman O'Bryan, to elect Commissioner Joe Earman to serve as Vice Chairman of the Board of County Commissioners. The motion carried by the following vote:

Aye: 5 - Commissioner Flescher, Chairman O'Bryan, Commissioner Adams, Vice Chairman Earman, and Commissioner Moss

4. ADDITIONS/DELETIONS TO THE AGENDA / EMERGENCY ITEMS

The first point of business for Chairman O'Bryan was to thank Commissioner Flescher, the former Chairman, for his leadership during a very challenging past year. Chairman O'Bryan then proceeded with the regular meeting.

ADDITIONS

Prior to the Meeting: The backup for Item 11.B. was updated

During the Meeting: Item 14.B.3. was added to the Agenda

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

Aye: 5 - Commissioner Flescher, Chairman O'Bryan, Commissioner Adams, Vice Chairman Earman, and Commissioner Moss

5. PROCLAMATIONS and PRESENTATIONS

5.A. Presentation of Proclamation Honoring Carol Gollnick, Rebecca Seton, and Sandra Curl on their Retirements from the UF IFAS IRC 4-H Horsemasters Club

Commissioner Adams read and presented the Proclamation to Ms. Carol Gollnick, Ms. Rebecca Seton, and Ms. Sandra Curl, thanking them for their many years of dedication to the youth through their work with the University of Florida Institute for Food and Agricultural Sciences (UF IFAS) Indian River County 4-H Horsemasters Club.

Read and Presented

5.B. Presentation of Proclamation Designating December 18th, 2021, as Wreaths Across America Day in Indian River County

Commissioner Flescher read and presented the Proclamation to Rick Lewis, Joe and Sue Cowley, and Rob Ryan, and recognized their efforts to ensure that every

Veteran's resting place in the County would be adorned with a holiday wreath on December 18, 2021, for Wreaths Across America Day.

Read and Presented

6. APPROVAL OF MINUTES

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

7.A. SWDD Closures and Collection Service Changes for the Thanksgiving Holiday

Chairman O'Bryan provided an overview of the schedule changes for garbage, yard waste and recycling services, due to the Thanksgiving holiday.

No Action Taken or Required

7.B. Florida Public Service Commission PAA Order PSC-2021-0421-PAA-EG approving integration of FPL's demand-side management plans and approving regulatory asset; if no protest, order to become final and effective on issuance of a CO and docket to be closed; protest due 11/30/21, a copy is on file in the Clerk to the Board Office.

No Action Taken or Required

8. CONSENT AGENDA

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

Aye: 5 - Commissioner Flescher, Chairman O'Bryan, Commissioner Adams, Vice Chairman Earman, and Commissioner Moss

8.A. Work Order No. 46 for Kimley-Horn and Associates, Inc., 69th Street 12" Water Main Extension

Approved staff's recommendation

8.B. Approval of an Amended Resolution of Necessity for Parcel of Right-Of-Way Located at 7950 66th Avenue, Vero Beach, FL 32967 Parcel 128 formerly owned by Audrey N. Williams, now owned by Leonard Ganbin, III and Kelly L. Jackson

Approved Resolution 2021-078, amending Resolution 2021-045 in order to revise the sketch and legal description for Parcel 128 as more particularly legally described herein; declaring a reasonable necessity to acquire certain real property for the purposes of improving and reconstructing 66th Avenue, including side street, intersection, sidewalk and water retention pond improvements; authorizing the County Attorney or its outside counsel to acquire the attached property by the institution of proceedings in eminent domain, and providing an effective date.

9. CONSTITUTIONAL OFFICERS and GOVERNMENTAL AGENCIES

10. PUBLIC ITEMS

A. PUBLIC HEARINGS

B. PUBLIC DISCUSSION ITEMS

- 10.B.1.** Request to Speak from Freddie L. Woolfork and Joe Idlette III re: Gifford Neighborhood Plan Report Card

Mr. Freddie Woolfork addressed the Commission to discuss communication between members of the Gifford community, the Board, and County staff with regard to the grade card for incomplete projects, complete projects, and the estimated time frame for project completion, which he referred to as "ICE."

Mr. Joe Idlette, III, President of the Progressive Civic League, requested information on Phase II of the Gifford Neighborhood Planned Improvements.

County Administrator Jason Brown provided an update regarding the construction of sidewalks on Martin Luther King Jr. Boulevard from 58th Avenue to US 1. He stated that the section from 43rd Avenue to US-1 had been worked out in an agreement with Brightline, and the section from 43th Avenue to 58th Avenue was being redesigned, which would require less right-of-way to be acquired. Administrator Brown anticipated that the project, known as 7.3. in the Gifford Neighborhood Planned Improvements, would be completed in 2023-2024.

Commissioner Flescher addressed the "incomplete" grade on the 7.3 sidewalk project, noting his desire to get the grade changed to "complete" as soon as possible.

No Action Taken or Required

C. PUBLIC NOTICE ITEMS

County Attorney Dylan Reingold read the three (3) public hearing notices into the record.

- 10.C.1.** Public Notice of Public Hearing for December 7, 2021, to Consider an Ordinance Establishing the Lakeside at Indian River Community Development District

No Action Taken or Required

- 10.C.2.** Notice of Public Hearing Scheduled for December 7, 2021 Board Meeting for a Conceptual PD Plan and Special Exception Approval for a Multi-Family Development

No Action Taken or Required

- 10.C.3.** Notice of Public Hearing Scheduled for December 14, 2021 Board Meeting for a County Initiated Request to Amend the 5 Year Capital Improvements Program and Supporting Data and Analysis of the Capital Improvements Element of the Comprehensive Plan. [Legislative]

No Action Taken or Required

11. COUNTY ADMINISTRATOR MATTERS

- 11.A.** CARES Act and ARP Funded Community Support Programs - Recommended Sunset Date

County Administrator Jason Brown referred to staff's memorandum dated November 8, 2021, to highlight the recovery programs/projects that had been supported with Coronavirus Aid, Relief, and Economic Security (CARES Act) and American Rescue Plan (ARP) funds. He recommended a sunset date of December 31, 2021 for the Small Business Assistance Program and the Nonprofit Assistance Program, and he proposed a new application deadline of November 19, 2021. Due to a backlog with the Federal government with regard to the System for Award Management (SAM), Administrator Brown felt it was appropriate that the Board extend the sunset date for applicants who had already registered with SAM.gov, and had submitted all documents for approval.

Helene Caseltine, Economic Development Director, Indian River County Chamber of Commerce, and Tom Kindred, Regional Director, Florida Small Business Development Center at Indian River State College, voiced their appreciation for the Board's consideration of the applicants who had submitted their paperwork and were awaiting documentation from SAM.gov or other sources.

Commissioner Flescher inquired about reopening the programs if it became necessary; Administrator Brown stated that the Board had the flexibility to make adjustments if there was a need.

Chairman O'Bryan expressed his desire to discontinue both programs in the near future, and he requested a progress update to be scheduled for the second meeting in February.

Commissioner Moss felt that the Nonprofit Assistance Program should sunset at the end of February 2022, due to the amount of time the program had been in existence,

which was less than six (6) months. Discussion ensued among the Board and Administrator Brown, with the majority of the Board agreeing that the deadline for accepting applications for the Nonprofit Assistance Program should be December 15, 2021.

A motion was made by Commissioner Adams, seconded by Commissioner Flescher, to: 1) establish a sunset date of December 31, 2021 for the Small Business Assistance Program and the Nonprofit Assistance Program; 2) set a deadline of November 19, 2021 for accepting new applications for the Small Business Assistance Program; 3) set a deadline of December 15, 2021 for accepting new applications for the Nonprofit Assistance Program; and 4) allow additional time for the approval of applications that were in progress as of December 31, 2021. The motion carried by the following vote:

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

Nay: 1 - Commissioner Moss

11.B.

Eviction Diversion Program - Recommended Sunset Date

County Administrator Jason Brown utilized staff's memorandum dated November 8, 2021, to update the Board on the Eviction Diversion Program (the Program). He provided the Board with a recommendation to sunset the County's administration of the Program on December 31, 2021, and to allocate \$750,000 to the United Way of Indian River County to administer the Program from January 1, 2022 through April 1, 2022. He acknowledged the support of Judge Nicole Menz, who initially introduced the Program and had served as a mediator in the eviction diversion process.

Administrator Brown also requested the Board's approval to transfer \$1.2 million of the remaining funds to reimburse the County Health Insurance fund for COVID-19 related expenses.

Meredith Egan and Lisa Kahle, representing the United Way of Indian River County, were present to acknowledge their role in continuing the Program.

Members of the Board expressed their appreciation to all individuals who were involved in making the Program a success.

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

Aye: 5 - Commissioner Flescher, Chairman O'Bryan, Commissioner Adams, Vice Chairman Earman, and Commissioner Moss

12. DEPARTMENTAL MATTERS

A. Community Development

B. Emergency Services

C. General Services

D. Human Resources

E. Information Technology

F. Office of Management and Budget

G. Public Works

H. Utilities Services

13. COUNTY ATTORNEY MATTERS

13.A. Indian River County Committees - Member Reappointments

County Attorney Dylan Reingold referred to staff's memorandum dated November 8, 2021, to present the list of committee members seeking reappointment. He stated his intention to return to the December 7, 2021 meeting with nominees who have applied to serve on the Agricultural Advisory Committee and the Planning & Zoning Commission.

A motion was made by Commissioner Adams, seconded by Commissioner Moss, to approve the County Attorney's list of committee members seeking reappointment in January 2022. The motion carried by the following vote:

Aye: 5 - Commissioner Flescher, Chairman O'Bryan, Commissioner Adams, Vice Chairman Earman, and Commissioner Moss

14. COMMISSIONERS MATTERS

A. Commissioner Joseph E. Flescher

B. Commissioner Peter D. O'Bryan

14.B.1. Request the Board to consider a letter of support or Resolution for Gifford Youth Achievement Center (GYAC) Downlinks In-Flight Proposal for NASA and to provide technical support if needed

Youth Programs Director Curtis Webb, from the Gifford Youth Achievement Center (GYAC), addressed the Board to request letters of support to accompany their proposal to NASA for the GYAC Downlinks In-Flight Program (the Program).

Chairman O'Bryan clarified that the Program would allow the kids at the GYAC to have a direct link to the cosmonauts at the International Space Center. He was in favor of the Commissioners writing letters to accompany the application for 2022, and he suggested that Mr. Webb begin planning for a large event to

celebrate the Program in 2023. Chairman O'Bryan made mention that the GYAC, if approved, may need the assistance of the County's Information Technology (IT) staff, and that they could reach out to IT Director Dan Russell, who was familiar with NASA and the Program.

Commissioner Flescher announced that he had recently written a letter of support with regard to the Program, and he would share his letter with his fellow Commissioners. He expressed excitement for the possibility that the youth at the GYAC would be involved with the International Space Station.

A motion was made by Commissioner Adams, seconded by Commissioner Flescher, to authorize the Board to write letters of support for the Gifford Youth Achievement Center (GYAC) to accompany their proposal to NASA for a Downlinks In-Flight Program, and to direct the County's IT staff to assist the GYAC with technical support if needed. The motion carried by the following vote:

Aye: 5 - Commissioner Flescher, Chairman O'Bryan, Commissioner Adams, Vice Chairman Earman, and Commissioner Moss

14.B.2.

Request the Board consider appointing an alternate member to the Medical Examiner Task Force being put together by Senator Harrell

Chairman O'Bryan reminded his fellow Commissioners that he had recently been appointed to serve as a member of the Medical Examiner Task Force; he recommended the appointment of Vice Chairman Earman to serve as an alternate member in his absence.

A motion was made by Commissioner Flescher, seconded by Commissioner Moss, to appoint Vice Chairman Earman to serve on the Medical Examiner Task Force as an alternate member in Chairman O'Bryan's absence. The motion carried by the following vote:

Aye: 5 - Commissioner Flescher, Chairman O'Bryan, Commissioner Adams, Vice Chairman Earman, and Commissioner Moss

14.B.3.

City of Vero Beach Water update.

(Clerk's Note: Item 14.B.3. was added to the Agenda.)

Chairman O'Bryan announced that the County was expecting an additional mediation meeting to be scheduled with the City of Vero Beach regarding the issue of water and the 1989 territorial agreement. He pointed out that Commissioner Flescher had been serving as the Board's representative at previous meetings, and suggested that he remain in that capacity. Commissioner Flescher accepted the recommendation, and the Chairman stated that it was not necessary for the Board to vote on the item.

A vote was not required

C. Commissioner Susan Adams

D. Commissioner Joseph H. Earman

E. Commissioner Laura Moss

15. SPECIAL DISTRICTS AND BOARDS

A. Emergency Services District

The Board of County Commissioners 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.

B. Solid Waste Disposal District

15.B.1. Work Order No. 47 to Kimley Horn and Associates for Roadway and Drainage Improvements at the IRC Landfill

There was no discussion on the item.

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

Aye: 5 - Commissioner Flescher, Chairman O'Bryan, Commissioner Adams, Vice Chairman Earman, and Commissioner Moss

15.B.2. Amendment No. 2 to Work Order No. 3 to Geosyntec for Phase I Redevelopment for South Gifford Road Landfill

Managing Director of the Solid Waste Disposal District Himanshu Mehta referred to staff's memorandum dated November 5, 2021 to highlight the improvements that were needed at the Indian River County Landfill, formerly known as the Gifford Landfill.

Mr. Freddie Woolfork voiced his appreciation for the communication from Director Mehta, who stated that the project was moving forward.

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

Aye: 5 - Commissioner Flescher, Chairman O'Bryan, Commissioner Adams, Vice Chairman Earman, and Commissioner Moss

C. Environmental Control Board

16. ADJOURNMENT

There being no further business, Chairman O'Bryan adjourned the meeting at 10:31 a.m.