



# 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

*Chairman, Joseph E. Flescher, District 2*  
*Vice Chairman, Peter D. O'Bryan, District 4*  
*Commissioner Susan Adams, District 1*  
*Commissioner Joseph H. Earman, District 3*  
*Commissioner Laura Moss, District 5*

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

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Tuesday, May 11, 2021

9:00 AM

Commission Chambers

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#### 1. CALL TO ORDER

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

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

#### 2.B. INVOCATION

**Pastor Alex Pappas, Ocean's Unite Lutheran Church**

#### 3. PLEDGE OF ALLEGIANCE

**Jason Brown, County Administrator**

#### 4. ADDITIONS/DELETIONS TO THE AGENDA / EMERGENCY ITEMS

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

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

#### 5. PROCLAMATIONS and PRESENTATIONS

**5.A.** Presentation of Proclamation Honoring Nancy Mossali on Her Retirement From Indian River County Board of County Commissioners Office of County Attorney with Thirty-Five Years of Service

Commissioner Adams read and presented the Proclamation to Ms. Nancy Mossali, and congratulated her on her retirement following thirty-five years with the County

Attorney's office.

Each Commissioner, in turn, thanked Ms. Mossali for her time and commitment to County staff. County Attorney Dylan Reingold expressed the highest praise for the talent and knowledge she brought to the County, and also for the wonderful person she is. County Administrator Jason Brown added his appreciation for Ms. Mossali's accuracy and professionalism, and thanked her for always serving the community with excellence. Deputy County Attorney Bill DeBaal, who shared memories from their many years of working together, suggested that Ms. Nancy Mossali should have a street named after her.

**Read and Presented**

- 5.B.** Presentation of Proclamation Recognizing May 09-15, 2021 as National Police Week and May 15, 2021 as Peace Officers Memorial Day

Chairman Flescher read and presented the Proclamation to Indian River County Sheriff Eric Flowers, Deputy Chief Lonnie Rich, Deputy Chief Milo Thornton, Captain Kent Campbell, and Undersheriff Thomas Raulen. Sheriff Flowers expressed to the Board his appreciation for the honor.

**Read and Presented**

- 5.C.** Presentation of Proclamation Designating May 9 Through May 15, 2021, As Economic Development Week In Indian River County

Commissioner O'Bryan read and presented the Proclamation to Helene Caseltine, Economic Development Director with the Indian River County Chamber of Commerce (the Chamber). Ms. Caseltine, who was accompanied by volunteers, investors, and staff, spoke of the Chamber's accomplishments over the years, and thanked the Commission for their continued support.

**Read and Presented**

**6. APPROVAL OF MINUTES**

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

**8. CONSENT AGENDA**

**A motion was made by Commissioner Adams, seconded by Commissioner Moss, to approve the Consent Agenda as presented. The motion carried by the following vote:**

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

- 8.A.** Declaration of Unity of Title for County Owned Property Known as the Hallstrom Farmstead Conservation Area

**Approved staff's recommendation****9. CONSTITUTIONAL OFFICERS and GOVERNMENTAL AGENCIES****9.A.** Indian River County Sheriff Eric Flowers re: Financial Items

Sheriff Eric Flowers addressed the Board to discuss financial items that involved reallocating and/or expending funds. He referred to his memorandum dated May 5, 2021, to detail his request. The Board had no questions for Sheriff Flowers.

**A motion was made by Vice Chairman O'Bryan, seconded by Chairman Flescher, to approve the Sheriff's request to have \$100,000 reallocated from within the Capital Improvement Plan to fund a kitchen floor improvement project; \$55,502 expended from the DEA Equitable Sharing Fund to equip the Special Investigations Unit; and \$30,000 expended from the Law Enforcement Trust Fund to purchase additional law enforcement protective equipment. The motion carried by the following vote:**

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

**10. PUBLIC ITEMS****A. PUBLIC HEARINGS****PROOF OF PUBLICATION OF ADVERTISEMENT FOR THE HEARING IS ON FILE IN THE OFFICE OF THE CLERK TO THE BOARD****10.A.1.** Request from Turbo Transport Services LLC for a Class "E" Certificate of Public Convenience and Necessity to provide Wheelchair transports originating from Indian River County - Administrative

Emergency Services Chief Tad Stone referred to staff's memorandum dated May 4, 2021, to present the Board with an application for a Certificate of Public Convenience and Necessity (COPCN).

Mr. Shardy Sauveur, representing Turbo Transport Services, LLC, addressed the Board via Zoom to provide his company's credentials.

Chairman Flescher opened the public hearing.

There being no speakers, the Chairman closed the public hearing.

**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 Earman, and Commissioner Moss

**B. PUBLIC DISCUSSION ITEMS****10.B.1.** Request to Speak from Connie Clark re: Utility Bill at 4776 34 Ave

Director of Utility Services Vincent Burke provided the Board with an overview of the item involving a proposed payment plan to clear up consumption charges, an unpaid sewer impact fee loan, and penalty and interest charges for three (3) accounts on parcels of property owned by the now deceased Ms. Odessa Clark. Per the guidance of County Attorney Dylan Reingold, Director Burke made it clear that prior to drawing up a payment plan, Ms. Connie Clark, daughter of the late Ms. Odessa Clark, would be required to work through the legal process of changing ownership of the properties to a family member.

Ms. Connie Clark was present to answer questions from the Board. She responded to Vice Chairman O'Bryan's inquiry that although a 12-month payment plan dollar amount would not be feasible, she agreed to a 36-month payment plan to satisfy the base dollar amount plus 10% of the interest and penalties that were owed to the County to avoid foreclosure action.

Clerk of the Circuit Court and Comptroller Jeffrey R. Smith recommended that Ms. Clark contact the Civil Department Supervisor, Ms. Linda Bickford, to discuss the legal process involving estates and transferring property ownership. Mr. Smith also provided contact information to Ms. Clark, and he agreed to do what he could to move the process along swiftly to avoid foreclosure action.

**The Board reached consensus to grant a 180-day extension on the foreclosure action at 4776 34th Avenue, and to direct staff to work with Ms. Connie Clark on a 36-month payment plan agreement to collect fees that were due to the County.**

**C. PUBLIC NOTICE ITEMS****11. COUNTY ADMINISTRATOR MATTERS****12. DEPARTMENTAL MATTERS****A. Community Development****B. Emergency Services****C. General Services****D. Human Resources****12.D.1.** Addition of Surgery Plus Benefit as Optional Benefit for Individuals Insured on the County's Group Health Plan

Human Resources Director Suzanne Boyll referred to staff's memorandum dated May 2, 2021, to discuss the SurgeryPlus Benefit, which would realize an estimated annual cost savings of \$298,000-\$695,000 to the County's Health Plan. She made it clear that all covered members would be eligible for the \$0 out-of-pocket cost benefit, and they would also have the option to continue utilizing the Florida Blue network.

Vice Chairman O'Bryan requested to see a list of physicians and hospitals that were participating in the SurgeryPlus network, and he inquired about why surgeons would accept a lesser dollar amount for their services.

Ryan Burke, SurgeryPlus representative, explained that the list of providers and hospitals in the Surgeons of Excellence network could only be provided to Human Resources until the County signed on to be their client. Regarding the Vice Chairman's inquiry about surgeons agreeing to a lesser payment, Mr. Burke stated that the limited number of providers in the network was an advantage that would lead to the specialist being chosen more frequently. He included that the providers were paid efficiently, within 10 days of performing the surgery. Mr. Burke went over the process a member would experience if they were in need of surgery, pointing out that a care advocate would be assigned to arrange everything necessary for the member.

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

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

#### **12.D.2.**

Medical and Pharmacy Benefit - Recommendations for Plan Year 2021/22

Suzanne Boyll, Human Resources Director, referred to staff's memorandum dated May 3, 2021, while providing a detailed overview of the medical and pharmacy benefit changes for the year 2021/2022. She included the plan's performance through March 2021 to project the additional funding that would be needed. Ms. Boyll presented two (2) options for consideration: Option 1, staff's recommendation, which included a contribution increase to the employer and to the employees enrolled in the Premier Gold plans; and Option 2, which included an increase to the employer contribution only.

Discussion ensued among members of the Board, with Commissioner Earman recommending approval of Option 2, a \$0 increase for all members, and a \$0 increase for retirees. If Option 2 could not be agreed upon by the Commission, he suggested an increase to only the members enrolled in the Premier Gold and Silver Single plans. Vice Chairman O'Bryan was in favor of Option 1, but added that the retiree contribution increase should be smaller than the employee

contribution increase. Chairman Flescher and Commissioner Moss supported the recommendation made by Commissioner Earman.

Director Boyll provided clarification as to how the retiree rates were established.

County Administrator Jason Brown addressed the retiree subsidy and contribution amounts, and he relayed his concern for future rates.

Chairman Flescher opened the floor for public comment; there were no speakers.

Vice Chairman O'Bryan pointed out that due to the formula used to calculate the retiree contribution amount, an increase to the employer contribution would automatically increase the retiree contribution. Commissioner Earman indicated that he understood and made it clear that he was in favor of a \$0 increase for everyone involved, including the employer.

**A motion was made by Commissioner Earman, seconded by Chairman Flescher, to approve the Medical and Pharmacy Benefits for Plan Year 2021-22 with a \$0 increase to the contribution from the employer, the employee, and the retiree. The motion carried by the following vote:**

**Aye:** 3 - Chairman Flescher, Commissioner Earman, and Commissioner Moss

**Nay:** 2 - Vice Chairman O'Bryan, and Commissioner Adams

Chairman Flescher called for a recess at 10:44 a.m., and reconvened the meeting at 10:59 a.m., with all members present.

### **12.D.3.**

#### Results of Employer Clinic Survey and Next Steps

Human Resources Director Suzanne Boyll referred to staff's memorandum dated May 4, 2021, as she read the results of the Indian River Employer Clinic Interest Survey, which had been sent to County employees as well as employees of the Constitutional Offices.

Chairman Flescher acknowledged the employee interest in having the option to visit a clinic, however he pointed out the difficulty involved with employees providing responses without knowing more of the relevant details. He made mention that the employer clinic for the School District of Indian River County (the District) was slow in the beginning but had since resulted in a cost and time savings for the employees, and a reduction in costs for the District.

Commissioner Earman discussed the obstacles of offering a new option to employees, yet he agreed that an employer sponsored clinic could be successful. He inquired about retirees who were enrolled in the County's plan also being eligible to utilize the

clinic.

Ms. Boyll responded that upon Board approval of further evaluation by Lockton Companies, decisions would have to be made regarding the inclusion of use by retirees, the hours of operation, where the clinic would be located, etc.

Although supportive of further evaluation, Vice Chairman O'Bryan stated that a large number of employees were concerned the plan costs and employee contributions would increase if an employer sponsored clinic was offered; he asked Ms. Boyll to relay the concern to Lockton Companies.

Commissioner Moss added that her only concern was that the clinic would be a "money pit."

**A motion was made by Commissioner Adams, seconded by Chairman Flescher, to approve further evaluation of an employer sponsored clinic by Lockton Companies at a cost of \$75,000. The motion carried by the following vote:**

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

#### **E. Information Technology**

#### **F. Office of Management and Budget**

#### **G. Public Works**

#### **H. Utilities Services**

### **13. COUNTY ATTORNEY MATTERS**

#### **13.A. Children's Services Dedicated Millage**

County Attorney Dylan Reingold referred to staff's memorandum dated April 29, 2021, to discuss moving forward with putting the Children's Services Dedicated Millage up for consideration by the voters as a referendum on the November 8, 2022 ballot. He provided an overview of the draft ordinance, which included the areas of expertise desired for establishing the 15 member Children's Trust Advisory Board (Advisory Board), and the funding schedule for the 12 years the Children's Trust would be in effect. Attorney Reingold made mention that the municipalities would be asked to approve the referendum prior to moving it forward. He requested that the Board provide him with further direction regarding changes to the proposed draft ordinance.

Chairman Flescher inquired if there was an alternative to pursuing the approval of the municipalities. Attorney Reingold responded that he had researched the matter and was not aware of an alternative if the Board wanted a separate line item on the tax

roll. Attorney Reingold added that he would gladly accompany the Children's Trust representatives when meeting with the municipalities.

Vice Chairman O'Bryan pointed out that all municipalities did not have to approve the referendum to have it placed on the ballot. He then offered clarification as to how the line item would appear on the tax roll and the transparency it would provide to the taxpayer.

Jeffery R. Smith, accompanied by fellow members of the Children's Trust Exploratory Committee (the Exploratory Committee), thanked the Commissioners, Attorney Reingold, and County Administrator Jason Brown for meeting individually with them and for providing valuable ideas and support. He reported that the Exploratory Committee had received positive input from individuals throughout the County. Mr. Smith also discussed transparency and the benefits of generating the funding by way of a line item on the tax roll. He then suggested changes to the qualifications of two (2) of the proposed Advisory Board members: 1) Proposed Member #14 would not be limited to only an Accountant, the member could be a certified financial expert; and 2) Proposed Member #13 should be replaced with an additional Member-at-Large, due to the perception of involving a member from the Taxpayers' Association Board.

Michael Kent, also representing the Exploratory Committee, expressed gratitude to the Board and County staff for the collaborated effort to better care for the kids of the community. He requested consideration for not only the change to the proposed Advisory Board members, but also to the 12-year funding schedule by proposing a two (2) step phase-in that would provide for 2/8 or 1/4 (0.2500) of a mill for the initial four (4) years, and 3/8 (0.3750) of a mill for the remaining eight (8) years.

Vice Chairman O'Bryan suggested that the proposed 14th member of the Advisory Board could be an Accountant, a Certified Financial Officer, a Certified Financial Planner, or a person with proven financial experience. He agreed with replacing proposed Member #13 with an additional Member-at-Large person to keep 15 voting members on the Advisory Board, as proposed in the draft ordinance. He was also in favor of the two (2) step phase-in with the initial four (4) years at .2500 of a mill and the remaining eight (8) years at .3750 of a mill.

A discussion ensued when Commissioner Earman, who fully supported the dedicated millage, mentioned that he was also open to putting a one (1) mill cap on the funding. Vice Chairman O'Bryan advised that dedicated millage would allow the Advisory Board to know the amount of funding available each year. Mr. Smith again addressed the Board to state that per Florida Statutes, they were limited to 0.5000 of a mill, and after the Exploratory Committee considered the options, dedicated millage was the preferred method of funding. Administrator Brown provided Commissioner Earman with a recap of the more recent adjustments to the Children's Services



funding. Each of the Commissioners stated their support for the dedicated millage referendum.

**A motion was made by Vice Chairman O'Bryan, seconded by Commissioner Adams, to approve staff's recommendation with the following changes: 1) To the 15 member Children's Trust Advisory Board: a) Member #14 will be an Accountant, a Certified Financial Officer, a Certified Financial Planner, or a person with proven financial experience; b) Member #13, proposed to represent the Taxpayers' Association of Indian River County, will be deleted; and c) an additional Member-at-Large will be added, bringing the number to two (2) at-large voting members; and 2) Funding for the Children's Trust will be based on a two (2) step phase-in, an ad valorem tax of 0.2500 of a mill for the initial four (4) years, and 0.3750 of a mill for the remaining eight (8) years. The motion carried by the following vote:**

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

#### **14. COMMISSIONERS MATTERS**

**A. Commissioner Joseph E. Flescher, Chairman**

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

**C. Commissioner Susan Adams**

##### **14.C.1.**

Approval of Special Rate for Use of the Fairgrounds Following Events at Sandridge Golf Club

Commissioner Adams introduced a special rate for groups renting the Indian River County Fairgrounds in conjunction with an event at Sandridge Golf Club (Sandridge). She noted that the special rate would only be effective if the clubhouse could not accommodate the number of people attending the festivities that followed a golf outing, and it would sunset upon completion of the Sandridge Clubhouse Addition Project. Commissioner Adams recommended a special rate of 75% of the non-profit rate, but upon question by Vice Chairman O'Bryan, she agreed that the same discounted rate could be applied to for-profit group events.

Assistant County Administrator Mike Zito was in favor of including for-profit groups when setting the special rate, however he noted that most events held at Sandridge were purposed to benefit a charity.

**A motion was made by Commissioner Adams, seconded by Chairman Flescher, to approve a special rate equivalent to 75% of the non-profit rental rate and 75% of the for-profit rental rate for events at the Indian River County Fairgrounds when booked in conjunction with an event at Sandridge Golf Club, with a sunset date upon completion of the Sandridge Clubhouse Addition Project. The motion carried by the following vote:**

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

**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.** Final Pay CCNA2018 WO No. 7 to Geosyntec for One Year of Groundwater Monitoring/Reporting and Related Consulting Services at the Former South Gifford Road Landfill

There was no discussion on this item.

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

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

**C. Environmental Control Board**

**16. ADJOURNMENT**

There being no further business, Chairman Flescher adjourned the meeting at 12:05 p.m.