



# Indian River County, Florida

Indian River County  
Administration Complex  
1801 27th Street  
Vero Beach, Florida 32960  
indianriver.gov

## Meeting Minutes - Final

### Board of County Commissioners

*Joseph Flescher, District 2, Chairman*

*Deryl Loar, District 4, Vice Chairman*

*Susan Adams, District 1*

*Joseph H. Earman, District 3*

*Laura Moss, District 5*

**John A. Titkanich, Jr., County Administrator**

**Jennifer W. Shuler, County Attorney**

**Ryan L. Butler, Clerk of the Circuit Court and Comptroller**

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Tuesday, January 28, 2025

9:00 AM

Commission Chambers

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#### 1. CALL TO ORDER

**Present:** 5 - Chairman Joseph Flescher  
Vice Chairman Deryl Loar  
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

**Rev. Dr. Crystal Bujol, Gifford Youth Orchestra**

#### 3. PLEDGE OF ALLEGIANCE

**Jennifer Shuler, County Attorney**

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

ADDED: 11.A.3. Riverfront Groves Public Hearing (formerly Item 4.A.); and Item 15.E. Legislation requiring Hands-Free Cell Phone Use while Driving (formerly Item 4.B.).

MOVED: Item 14.A. to follow Item 5.B and Item 15.E. to be heard under Item 8.  
Public Comment

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

**Aye:** 5 - Chairman Flescher, Vice Chairman Loar, Commissioner Adams, Commissioner Earman, and Commissioner Moss

**5. PROCLAMATIONS and PRESENTATIONS****5.A. [25-0190](#)** Presentation on Human Trafficking by Tracy Ruleman of Florida Faith Alliance

**Recommended Action:** Present

Gail Tabor, representative from the Florida Faith Alliance, highlighted the critical nature of child sex trafficking, noting that Florida ranked third in the nation for related hotline calls. A campaign titled “Don’t Take the Bait” was introduced to educate middle and high school students. Additionally, a day of defense training will be held, focusing on self-defense against predators. The initiative was supported by the Indian River County School Board and planned to impact students and employees through training sessions.

**Presented**

**5.B. [25-0199](#)** Presentation on Mobile Voter Program

**Recommended Action:** Present

Supervisor of Elections Leslie Swan presented an informational video about the Mobile Voter Program (MVP), which targeted increased engagement for the 2024 presidential election by reaching homebound individuals. Recognized by the Election Center’s Stars and Stripes Award, the MVP program has successfully delivered voter packets to approximately 1,800 individuals through partnerships with local organizations. Karen Deigl, CEO, Senior Resource Association, congratulated Ms. Swan on the award, and spoke of their partnership.

**Presented**

**6. APPROVAL OF MINUTES****7. INFORMATION ITEMS FROM STAFF OR COMMISSIONERS NOT REQUIRING BOARD ACTION**

**7.A.**     [25-0163](#)     Treasure Coast Sock Drive

**Recommended Action:** Informational Only.

**Attachments:** [Memo](#)

Bob Stanley, Treasure Coast Sock Drive (Drive), recounted the origin and growth of the Drive, and informed this year's goal was to collect 20,000 pairs of new socks to be distributed among various local charities. Mr. Stanley described local partnerships and events, as well as the opportunity to donate through Amazon. The Commissioners pitched in with contributions to the effort.

**No Action Taken or Required**

**8. PUBLIC COMMENT: AGENDA-RELATED MATTERS (EXCEPT FOR PUBLIC HEARINGS)**

Hal Lambert, Bike Walk Indian River County, advocated for legislation requiring hands-free cell phone usage while driving. Commissioner Moss introduced a Resolution in support of this legislative effort. Commissioner Moss emphasized the importance of supporting legislation for community safety, especially to protect young drivers, and noted other municipalities had passed similar Resolutions. Mr. Lambert addressed the Board with statistics on Florida's high fatality rate from distracted drivers, and urged support for the Resolution which he stated was supported by State Senator Erin Grall.

Chairman Flescher recounted his experience of the public's resistance to similar legislation in the past and expressed passing this legislation could be an uphill battle. Mr. Lambert noted there were currently cell phone use restrictions for drivers in school zones.

**A motion was made by Commissioner Moss, seconded by Commissioner Adams, to approve Resolution 2025-005, in support of Legislation requiring hands-free cell phone use while driving. The motion carried by the following vote:**

**Aye:** 5 - Chairman Flescher, Vice Chairman Loar, Commissioner Adams, Commissioner Earman, and Commissioner Moss

**9. CONSENT AGENDA**

**A motion was made by Commissioner Earman, seconded by Vice Chairman Loar, to approve the Consent Agenda as amended, pulling Item 9.H. for discussion. The motion carried by the following vote:**

**Aye:** 5 - Chairman Flescher, Vice Chairman Loar, Commissioner Adams, Commissioner Earman, and Commissioner Moss

**9.A.**     [25-0152](#)     Sole Source Designation Requests and Utilization Update

**Recommended Action:** Staff recommends the Board of County Commissioners declare the vendors and products indicated as “new,” or “renew” on the list of sole source vendors as sole source for a three-year period and authorize the Purchasing Division to issue purchase orders in lieu of formal bids or quotes, and as funding is approved by the Budget Department.

**Attachments:**   [Staff Report for 01-28-25](#)  
                          [Sole Source List for 01-28-25](#)

**Approved staff's recommendation****9.B.**     [25-0176](#)     Award of Bid 2025013 North County Wastewater Treatment Facility 24-inch Force Main Replacement

**Recommended Action:** Staff recommends the Board waive the technicality of five years of required firm experience and award bid 2025013 to Cacique Utilities, LLC, approve the sample agreement, and authorize the Chairman to execute it, after review and approval by the County Attorney as to form and legal sufficiency, and review and approval of the required public construction bond and insurance, and after the contractor has become actively registered with the Building Division. So long as there are no increases to the dollar amount under the agreement, upon adequate completion of the work set forth in the agreement, staff is directed to make final payment and release any retainage to Cacique Utilities, LLC, after review and approval by the Purchasing Manager and the County Attorney's Office.

**Attachments:**   [Staff Report](#)  
                          [Sample Agreement](#)

**Approved staff's recommendation****9.C.**     [25-0179](#)     Award of Annual Bid 2025019 for Back Lot Ditch Mowing

**Recommended Action:** Staff recommends the Board award Bid 2025019 to STS Maintain Services, Inc., and authorize the Purchasing Division to issue blanket purchase orders to the recommended bidder. Staff also recommends the Board authorize the Purchasing Manager to renew this bid at the same rates for three (3) 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 the County.

**Attachments:**   [Staff Report](#)

**Approved staff's recommendation**

- 9.D. [25-0202](#) Cooperative Purchasing Agreement and Authorization to Trade for New Stryker Stretchers

**Recommended Action:** Staff recommends the Board of County Commissioners declare assets 29556, 29557, 29878, and 29397 as excess and authorize their trade-in; approve the Savvik Agreement, and authorize the Chairman to sign the agreement after review and approval by the County Attorney as to form and legal sufficiency.

**Attachments:** [Staff Report](#)  
[SAVVIK Cooperative Purchasing Agreement](#)  
[Stryker Stretcher Quote with Trade-Ins](#)

**Approved staff's recommendation**

- 9.F. [25-0200](#) Request for Use of Holman Stadium for Annual Sawbones vs Jawbones Event to be held May 9, 2025.

**Recommended Action:** Staff respectfully requests that the Board of County Commission approve the agreement, authorize the Chairman to sign and grant the User Group's request for waiver of the standard security deposit required by the Stadium Use Agreement.

**Attachments:** [Staff Report](#)  
[2025 HOLMAN STADIUM USE AGMT](#)  
[Holman Stadium Use Guidelines](#)  
[Exh 2 Insurance Requirements](#)  
[Exhibit 3](#)

**Approved staff's recommendation**

- 9.G. [25-0136](#) Children Services Advisory Committee Recommendation of Request for Proposal, Grant Application and Agency Grant Contract for FY 2025-2026

**Recommended Action:** Staff recommends that the Board accept the RFP, the Grant Application and the Agency Grant Contract for FY 2025-2026 as submitted and authorize the County Administrator to execute the individual contracts after review and approval by the County Attorney.

**Attachments:** [Staff Report](#)  
[Request for Proposal](#)  
[Grant Application](#)  
[Sample - Agency Grant Contract](#)  
[Scoring Rubric](#)  
[2024-2025 Needs Assessment Executive Summary](#)

**Approved staff's recommendation**

**9.H.**     [25-0137](#)     Children Services Advisory Committee Updated Guidebook (Revision 12.10.2024)

**Recommended Action:** Staff recommends the Board accept the Children Services Advisory Committee's Guidebook, as submitted.

**Attachments:**   [Staff Report](#)  
                      [CSAC Guidebook Update 12-10-24 Draft](#)  
                      [2025 Updated CSAC Guidebook Resolution](#)

Commissioner Moss requested discussion of this item, noting her concern with the processes related to the Children's Services Advisory Committee's (CSAC) structure and transparency. Specifically, the Commissioner advocated for having the subcommittee member appointments presented before the Board for formal review, and suggested the process for member selection should be revisited due to lack of specific mention in the CSAC's governing Ordinance. Commissioner Moss stated she could not support the current Guidebook updates given her concerns with the appointment process and lack of transparency.

Commissioner Adams, Board liaison to CSAC, agreed with the need for further discussion but noted the Board was limited for time. Commissioner Adams had concerns with disrupting the work the CSAC had already begun, interfering with RFP deadlines, and the time needed to amend the governing Ordinance. She suggested that Commissioner Moss bring the topic back for discussion at the February 25, 2025 BCC meeting.

Assistant County Attorney Chris Hicks addressed the Board noting that the Guidebook up for vote currently tracked the Ordinance as it was written. Commissioner Adams suggested that Commissioner Moss meet with the Attorney's office to discuss desired language changes to the CSAC Ordinance.

**A motion was made by Commissioner Adams, seconded by Chairman Flescher, to approve staff's recommendation and Resolution 2025-001, adopting the guidebook for the Children's Services Advisory Committee. Agreement was reached to return before the Board in February with any suggested changes to the Children's Services Advisory Committee's ruling Ordinance. The motion carried by the following vote:**

**Aye:** 4 - Chairman Flescher, Vice Chairman Loar, Commissioner Adams, and Commissioner Earman

**Nay:** 1 - Commissioner Moss

- 9.I. [25-0147](#) Children Services Advisory Committee: De-obligation of Funding for Motivational Edge FY 2024-2025

**Recommended Action:** Staff recommends the Board approve the CSAC's recommendation to award contingency funding for the children's programs and authorize the County Administrator to execute the agreements after review and approval by the County Attorney as to form and legal sufficiency.

**Attachments:** [Staff Report](#)  
[The Motivational Edge Grant Contract FY2024-25](#)  
[CSAC Approved Program Funding FY2024-25](#)  
[June 2024 Staff Report - CSAC Recommended Program Allocations](#)  
[Motivational Edge Notice for FY2024-25 CSAC Funding](#)

**Approved staff's recommendation**

- 9.J. [25-0167](#) Children Services Advisory Committee's Annual Report FY 2023-2024

**Recommended Action:** Staff recommends the Board accept the Children Services Advisory Committee's Annual Report for FY 2023-2024, as submitted.

**Attachments:** [Staff Report](#)  
[2023-2024 CSAC Annual Report.pdf](#)

**Approved staff's recommendation**

- 9.K. [25-0168](#) Children Services Advisory Committee's 2024/2025 Needs Assessment Update

**Recommended Action:** Staff recommend the Board accept the Children Services Advisory Committee's Needs Assessment 2024/2025 Update, as submitted.

**Attachments:** [Staff Report](#)  
[Needs Assessment Update](#)

**Approved staff's recommendation**

**9.L.**     [25-0205](#)     Request from RG Ambulance Service, Inc. dba American Ambulance, for a renewal of their Class “B” Certificate of Public Convenience and Necessity to Provide Non-Emergency Ambulance Inter-Facility Transports Originating from Indian River County.

**Recommended Action:** Staff recommends that the Board approve and grant a renewal of a Class “B” COPCN to RG Ambulance Service, Inc. dba American Ambulance for a period of two (2) years (February 10, 2025 - February 9, 2027).

**Attachments:**   [Staff Report](#)  
                          [RG Ambulance Service, Inc Application](#)  
                          [Certificate\\_American Ambulance](#)

**Approved staff’s recommendation**

**9.M.**     [25-0206](#)     Request from RG Ambulance Service, Inc. dba All County Ambulance, for a renewal of their Class “B” Certificate of Public Convenience and Necessity to Provide Non-Emergency Ambulance Inter-Facility Transports Originating from Indian River County

**Recommended Action:** Staff recommends that the Board approve and grant a renewal of a Class “B” COPCN to RG Ambulance Service, Inc. dba All County Ambulance for a period of two (2) years (February 10, 2025 - February 9, 2027).

**Attachments:**   [Staff Report](#)  
                          [RG Ambulance Renewal Application](#)  
                          [Certificate\\_All County Ambulance](#)

**Approved staff’s recommendation**

**9.N.**     [25-0196](#)     North County Aquatic Center Source Phase II Well Replacement

**Recommended Action:** Staff respectfully requests that the Board of County Commissioners approve issuance of a purchase orders for the construction of a new Floridan well to replace the irreparable source well of the geothermal heating/chilling system at the North County Aquatic Center of \$203,325.00 to JLA Geosciences Inc. Hydrological Consultants and Centerline Drilling. Staff also recommends authorization for the Purchasing Manager to approve increases to the purchase order for the actual face costs associated with the permitting, public construction bond, and up to 10% in adjustments necessary to expedite the installation and completion of the project.

**Attachments:**   [Staff Report](#)  
                      [Technical Memorandum from JLA](#)  
                      [Well Abandonment Proposal from JLA](#)  
                      [Proposal from Centerline Drilling](#)  
                      [Proposal from JLA](#)

**Approved staff's recommendation**

**9.O.**     [25-0197](#)     Treasure Coast Food Bank License Agreement

**Recommended Action:** Staff respectfully request that the Board of County Commissioners approve the fee waiver request, which waives the \$135 daily non-profit acreage fee for the requested dates, by the Treasure Coast Food Bank at the Indian River County Fairgrounds and authorize the Parks, Recreation and Conservation Director to execute the License Agreement after review and approval for legal sufficiency by the County Attorney.

**Attachments:**   [Staff Report](#)  
                      [TCFB License Agreement](#)  
                      [Food Bank Letter](#)

**Approved staff's recommendation**

- 9.P. [25-0212](#) Request Waiver of Bid Requirement and Issue Purchase Order to Perfect Settings, Inc. for Gifford Aquatic Center Water Slide

**Recommended Action:** Staff recommends that the Indian River County Board of County Commissioners waive bid requirements and approve the issuance of a Purchase Order to Perfect Settings, LLC for the replacement of the Gifford Aquatic Center Waterslide (Quote 3782) in the amount of \$197,600.00. Staff also recommends authorization for the Purchasing Manager to approve increases to the purchase order for the actual face costs associated with the permitting, public construction bond, and up to 10% in adjustments necessary to expedite the installation and completion of the project.

**Attachments:** [Staff Report](#)  
[Quote 3782 Perfect Settings Inc](#)  
[Perfect Settings Slide OS542](#)

**Approved staff's recommendation**

- 9.Q. [25-0189](#) Resolution of Support for Closing the Old Dixie Highway Railroad Crossing

**Recommended Action:** Staff recommends that the Board of County Commissioners approve the Resolution of Support for Closing the Old Dixie Highway railroad crossing.

**Attachments:** [Staff Report](#)  
[Resolution](#)  
[8-15-2023 BCC Minutes](#)  
[Location Map](#)

**Approved staff's recommendation and Resolution 2025-002, supporting the closing of the Old Dixie Highway railroad crossing as part of the County Road 510 improvements by the Florida Department of Transportation.**

- 9.R. [25-0203](#) Request for Release of Easement for 1315 19th Avenue SW

**Recommended Action:** Staff recommends that the Board, through adoption of the proposed resolution, approve the subject release of the County-dedicated drainage and utility easement at 1315 19th Avenue SW.

**Attachments:** [Staff Report](#)  
[Location Map](#)  
[Draft Resolution](#)

**Approved staff's recommendation and Resolution 2025-003, releasing easements (or portion thereof) on Lots 21 and 22, Block A, Oslo Park Sub Unit 3. (Gonzalez)**

**9.S.**     [25-0204](#)     Request for Release of Easement for 1319 19th Avenue SW

**Recommended Action:** Staff recommends that the Board, through adoption of the proposed resolution, approve release of the subject release of the County-dedicated drainage and utility easement at 1319 19th Avenue SW.

**Attachments:**   [Staff Report](#)  
                      [Location Map](#)  
                      [Draft Resolution](#)

**Approved staff's recommendation and Resolution 2025-004, releasing easements (or portion thereof) on Lots 21 and 22, Block A, Oslo Park Sub Unit 3. (Hernandez)**

**9.T.**     [25-0188](#)     Amendment No. 1 to RFQ No. 2022072 (IRC-1505B), Consor Engineers, LLC  
CEI Services for 66th Avenue (69th Street to CR-510/85th Street)

**Recommended Action:** Staff recommends approving Amendment No. 1 to the Agreement with Consor Engineers, LLC, and requests the Board authorize the Chairman to execute Amendment No. 1 to the Agreement on their behalf for a not-to-exceed amount of \$237,676.00. The new total agreement price will be \$3,236,629.39.

**Attachments:**   [Staff Report](#)  
                      [Amend No. 1 with Consor Engineers, LLC](#)

**Approved staff's recommendation**

**10. CONSTITUTIONAL OFFICERS and GOVERNMENTAL AGENCIES****10.A.1.**   [25-0211](#)     Supervisor of Elections - Request for Reimbursement of Municipal Fees

**Recommended Action:** Request to have the revenue received from conducting the November 5, 2024 municipal elections be rolled into the Supervisor of Elections 2024/2025 budget.

**Attachments:**   [Letter from Leslie Swan 01-07-2025](#)  
                      [Book Closing Party Summary by District](#)

*[Clerk Note: This Item was heard following Item 14.B.]*

Supervisor of Elections Leslie Swan appeared before the Board to request revenue received from conducting three (3) municipal elections on November 5, 2024, be rolled into the Supervisor of Elections 2024/2025 budget.

**A motion was made by Vice Chairman Loar, seconded by Commissioner Adams, to approve the Supervisor of Elections' request. The motion carried by the following vote:**

**Aye:**   5 -   Chairman Flescher, Vice Chairman Loar, Commissioner Adams, Commissioner Earman, and Commissioner Moss

## 11. PUBLIC ITEMS

### A. PUBLIC HEARINGS

PROOF OF PUBLICATION FOR THESE HEARINGS IS ON FILE IN THE OFFICE OF THE CLERK TO THE BOARD.

**11.A.1. [25-0149](#)** Children's Services Advisory Committee Ordinance Amendment - LEGISLATIVE

**Recommended Action:** The County Attorney's Office recommends that after the public hearing the Board vote to approve the draft ordinance.

**Attachments:** [Staff Report](#)  
[25.1.14 Ordinance Amending IRC Code 103.22 Final Updated](#)  
[12-26-24 IRC Business Impact Estimate CSAC Membership](#)  
[Affidavit of Publication - Ordinance Amending IRC Code 103.22](#)

Assistant County Attorney Christopher Hicks presented the Children's Services Advisory Committee (CSAC) Ordinance amendment in follow-up to the request from the Board at its December 17, 2024 meeting. Attorney Hicks explained the revisions included having the Commissioner Liaison hold the position of Committee Chair, the chair to be a non-voting member, and to add an additional At-Large Member to replace the non-voting chair to prevent tie votes.

Chairman Flescher sought clarification regarding whether changes in the Ordinance would reset CSAC members terms, and affect terms running concurrently now. Attorney Hicks opined that these changes did not affect the previously appointed members, and the new person appointed could start their term as if they had been appointed previously. He added that changes to any previously appointed member's term would require a specific Ordinance addressing the reasons for change, or include a retroactive clause.

The Chairman opened the public hearing. There being no comments, the Chairman closed the public hearing.

**A motion was made by Commissioner Adams, seconded by Commissioner Earman, to approve staff's recommendation and adopt Ordinance 2025-003, amending Indian River County Code Chapter 103, Section 103.22 "appointment to the Children's Services Advisory Committee". The motion carried by the following vote:**

**Aye:** 5 - Chairman Flescher, Vice Chairman Loar, Commissioner Adams, Commissioner Earman, and Commissioner Moss

**11.A.2. [25-0201](#)**

Appeal of Planning and Zoning Commission Decision on Rezoning Request by Red Jazmine Land Company, LLC

**Recommended Action:** Based on staff's thorough analysis and findings, the Board of County Commissioners is urged to uphold the Planning and Zoning Commission's denial of Red Jazmine Land Company, LLC's rezoning application. The request is inconsistent with the Comprehensive Plan, incompatible with surrounding land uses, and contrary to the public interest. Maintaining the current CL zoning protects the balance between commercial and residential uses in this area and aligns with the County's long-term development goals.

**Attachments:** [Staff Report](#)  
[Appeal Letter](#)  
[11-14-2024 P&Z Staff Report](#)  
[Unapproved 11-14-2024 P&Z Meeting Minutes](#)

Chairman Flescher introduced the parties for the proceeding as being Red Jazmine Land Company, LLC (Applicant) and Indian River County.

Each Commissioner, as requested by the Chairman, disclosed ex parte communications, site visits, or independent investigations. The Commissioners also affirmed that they have an open mind and can base their decisions on the evidence presented and the applicable law. The Chairman opened the public hearing, and the Deputy Clerk administered the Oath to all persons who wished to speak at the hearing.

Long Range Senior Planner Cindy Thurman presented staff's analysis of the Applicant's appeal of the Planning and Zoning Commission's (PZC) November 14, 2024 decision to deny rezoning 4.2 acres from CL (Limited Commercial District) to CH (Heavy Commercial District).

Ms. Thurman's presentation of the Applicant's request, noted that CL was meant for limited commercial activities that served nearby residents while CH zoning allowed broader commercial activities like light manufacturing. The proposed change was analyzed against the criteria set in the Land Development Regulations contained in Chapter 902.12(3) of the County's code. Several criteria were found not to be met, including concerns about the compatibility of heavy commercial use with nearby residential properties.

The Planning and Zoning Commission had voted 5-1 to deny the request, stating it was inconsistent with the County's Comprehensive Plan and did not fit well with the surrounding area. The denial was appealed by the Applicant which argued that the decision was based on misapprehension and incompatibilities that were legally

unfounded. Detailed analysis of the denial to rezone and staff's response to the appeal claims were contained in staff's memo dated January 15, 2025. Staff concluded that the rezoning denial should be upheld, emphasizing the need to maintain a balance between commercial and residential areas, and maintain alignment with the County's long-term development goals.

Chairman Flescher received clarification that the request was compatible with the land use, but the rezoning request was not in harmony with the rest of the Comprehensive Plan and Land Development Regulations.

Attorney for the Applicant Bruce Barkett presented on behalf of the Applicant who was appealing the PZC denial. Attorney Barkett detailed the Applicant's position that there was a misapprehension of the law, and suggested the PZC's decision may have been made with incomplete information. Attorney Barkett submitted a letter into the record from Neil Hockenhull, who supported approving the rezoning request.

The Board entered into discussion with Attorney Barkett and staff regarding the term residential development, excerpts from the PZC minutes addressing what information was had at the time of the hearing, and clarification regarding the timeline of adjacent rezoning decisions.

The following residents and property owners from the surrounding community appeared before the Board to state their opposition to the rezoning request: increased noise and pollution, concern for public safety, reduction in quality of life, and lowered property values. The speakers also expressed a desire for commercial development such as shops and restaurants which supported the growth of nearby residential neighborhoods

Jocelyn Jauregui  
Mario Santacroce  
Scott Eckert  
Edward Newman  
Glenn Martin  
Joe Warusz  
James Durning  
Ares Santiago  
David Rainero  
Kerstin Joslin-Venus  
Carol Zdrok  
Shelly Templeton  
Donna Santacroce  
Evelyn Wirsing

Andrew Elie, owner of the nonconforming adjacent residence mentioned in the Applicant's presentation, confirmed he was not running any kind of business on his property.

Planning and Development Services Director Chris Balter added he had received a letter from the Indian River Neighborhood Association (IRNA) opposing the rezoning request; the letter was entered into the record. He also offered clarification of the purpose of the County's Comprehensive Plan and Land Development Regulations.

Attorney Barkett offered his closing presentation stating the area was in flux. He made mention that the residents' property was buffered by commercially zoned property and US Highway 1.

There being no further comments, the Chairman closed the public hearing.

County Attorney Jennifer Shuler stated the standard of review in a quasi-judicial hearing. Attorney Shuler received confirmation from the Board that their decision was based on the analysis offered by staff and the facts that had been entered into the record.

**A motion was made by Commissioner Moss, seconded by Chairman Flescher, to approve staff's recommendation to uphold the Planning and Zoning Commission's denial of the rezoning application. The motion carried by the following vote:**

**Aye:** 5 - Chairman Flescher, Vice Chairman Loar, Commissioner Adams, Commissioner Earman, and Commissioner Moss

The Chairman called for a recess at 12:24 p.m. and reconvened the meeting at 12:36 p.m. with all members present.

**11.A.3. [25-0194](#)** First Public Hearing - Proposed Developer's Agreement Between Riverfront Groves, Inc. and Indian River County

**Recommended Action:** Staff recommends the Board review the Proposed Developer's Agreement, open the public hearing for comment, close the public hearing and make a motion to bring the Proposed Developer's Agreement back to the Board for the required second public hearing on February 11, 2025.

**Attachments:** [Staff Report](#)  
[Aerial Photo](#)  
[Proposed Developers Agreement with Riverfront Groves, Inc.](#)  
Affidavit

*[Clerk Note: Item 4.A. was moved to Item 11.A.3.]*

Deputy County Attorney Susan Prado presented the first of two required hearings regarding the Developer's Agreement (Agreement) for proposed residential development Harmony Isles, 1375 98th Avenue. Attorney Prado detailed required improvements and contributions included in the agreement: dedication of right-of-way, intersection/turn lane improvements, and utility improvements. The agreement also listed a set of improvements contingent on whether the nearby Venetian Groves development proceeded.

Attorney Prado confirmed for Commissioner Moss that a traffic study had been done, and that recommendations from the study were put into the Agreement under Item 7. She confirmed a copy of the traffic report would be forwarded to the Commissioner.

The Chairman opened the public hearing.

Attorney Pete Sweeney, MTC Law, appeared before the Board on behalf of the Applicant, Riverfront Groves, Inc.

There being no comments, the Chairman closed the hearing.

Commissioner Moss suggested the Agreement was incomplete, as the traffic study was not included for review; Items 2.d. and 7 were her noted concerns. The Commissioner agreed to moving forward to the second public hearing scheduled for February 11, 2025.

**A motion was made by Vice Chairman Loar, seconded by Chairman Flescher, to approve staff's recommendation. The motion carried by the following vote:**

**Aye:** 5 - Chairman Flescher, Vice Chairman Loar, Commissioner Adams, Commissioner Earman, and Commissioner Moss

**B. PUBLIC NOTICE ITEMS**

**12. COUNTY ADMINISTRATOR MATTERS**

12.A. [25-0218](#) City of Vero Beach - Revised Request for County Funding for the Humiston Beach Boardwalk Project.

**Recommended Action:** Staff recommends the Board consider and determine their level of funding participation for the Humiston Beach Boardwalk project and approve the revised funding commitment. Indian River County Board of County Commissioners will contribute up to [amount] toward the Humiston Beach Boardwalk project with the County's contribution not to be more than the City's portion of funding for the project, excluding federal or state grants or appropriations received toward the project. Direct the County Attorney to draft a project participation agreement outlining the Board of County Commissioners' commitment and participation in the Humiston Beach Boardwalk project.

**Attachments:** [CAI COVB Request Humiston Project \(20250123\)](#)

County Administrator John Titkanich presented the City of Vero Beach's (City) revised request for County funding for the Humiston Beach boardwalk project. He recounted that in December, the County approved contributing \$400,000 or 50% of the project costs (less any federal or state grants). The City later modified the project from a concrete sidewalk to a concrete boardwalk and requested modification of the funding agreement for the revised estimated cost of \$2.3 million. The City was simultaneously working with the Indian River Community Foundation to collect private donations. Staff recommended that the Board consider increasing its support, noting the County's contribution would not exceed the City's portion, less any public grants.

Chairman Flescher acknowledged the project had evolved with significant public support and donations, and stated his belief the County should stick to its original financial commitment which already had funds allocated.

Under discussion, Vice Chairman Loar received confirmation the City's Mayor was unaware of any discussions with State Representatives. Commissioner Titkanich elaborated on the effect of possible FEMA grants, and reiterated the maximum funding promised was \$400,000, less public funding and not to exceed the City's contribution.

City Councilmember Aaron Vos appeared before the Board with details of the community's financial and material contributions; any overages would be put into a maintenance fund. Commissioner Adams requested details of the maintenance plan to avoid a repeat of the current situation. Councilmember Vos agreed with the need, but did not have details of a plan. Mr. Vos informed the Board with just-received confirmation from the City's mayor that they would seek funding from the state, and confirmed their \$1 million commitment.

Additional discussion was had regarding design, final costs, scope of the project, and

how the County's funds would be spent. Mr. Voss asked how much of a breakdown the County needed; Attorney Shuler pointed out details would be needed to craft the Interlocal Agreement. Administrator Titkanich clarified the project included the cement boardwalk with a crossover, two (2) pavilions, and an ADA ramp. The Board sought confirmation that the County's funds would not be spent on a lifeguard tower, which was a separate project. Commissioner Adams suggested treating the commitment as a grant, and noted funds would not be dispensed until the City's documentation was complete.

Tom Sullivan, County resident, thanked the Board on behalf of the public.

Commissioner Adams added her dissent was based on her unchanged opinion the County's contribution was too high.

**A motion was made by Commissioner Moss, seconded by Commissioner Adams, to approve the revised funding commitment from Indian River County of up to \$400,000 toward the Humiston Beach Boardwalk project, with the County's contribution not to be more than the City's portion of funding for the project, less federal or state grants or appropriations received toward the project. The motion carried by the following vote:**

**Aye:** 4 - Chairman Flescher, Vice Chairman Loar, Commissioner Earman, and Commissioner Moss

**Nay:** 1 - Commissioner Adams

## 12.B. [25-0187](#)

**Attachments:** [Anfield to Arrow Contract Draft 2025](#)

County Administrator John Titkanich informed the County's long-term lobbyist, Anfield Consulting, Inc., was transitioning to a new name, Arrow Group Consulting, Inc., as part of a merger with Gunster Law Firm. Staff recommended continuing with the renamed firm for lobbying services through June 30, 2025.

Commissioner Adams agreed with staff's recommendation, noting a six-month initial contract was a good idea to gauge how the relationship moved forward.

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

**Aye:** 5 - Chairman Flescher, Vice Chairman Loar, Commissioner Adams, Commissioner Earman, and Commissioner Moss

## 13. DEPARTMENTAL MATTERS

### A. Building and Facilities Services

### B. Community Services

C. Emergency Services

D. Human Resources

E. Information Technology

F. Natural Resources

G. Office of Management and Budget

H. Parks, Recreation, and Conservation

I. Planning and Development Services

J. Public Works

K. Sandridge Golf Club

L. Utilities Services

**13.L.1.** [25-0182](#) Amendment to Indian River County Department of Utility Services (IRCDUS) Rate Schedule

**Recommended Action:** Staff recommends that the Board of County Commissioners (BCC) approve the proposed rate corrections to the Indian River County Department of Utility Services - Rates, Fees, and Charges Schedule for fiscal year 2023/2024, effective October 1, 2023, for fiscal year 2024/2025, effective January 1, 2025, and for fiscal year 2025/2026, effective October 1, 2025.

**Attachments:** [Staff Report](#)

Director of Utility Services Sean Lieske appeared before the Board to discuss an amendment to the Department of Utility Services rate schedule which was approved by the Board on September 24, 2024. Director Lieske described the miscalculations in two (2) categories which required amending the previously approved rates. Staff's memo dated December 12, 2024, contained details of the affected rates in two (2) different categories.

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

**Aye:** 5 - Chairman Flescher, Vice Chairman Loar, Commissioner Adams, Commissioner Earman, and Commissioner Moss

## 14. COUNTY ATTORNEY MATTERS

**14.A**    [25-0169](#)    VAB Chair/Vice Chair election

**Recommended Action:** Staff recommends the Board elect a Chair and Vice Chair of the Value Adjustment Board.

**Attachments:**    [Staff Report](#)

*[Clerk Note: This Item was heard following Item 5.B.]*

County Attorney Jennifer Shuler introduced the item noting Florida Statute required the County Commissioners to appoint two members from their Board to the Value Adjustment Board (VAB); this year's appointed Commissioners were Chairman Flescher and Commissioner Earman. Attorney Shuler informed that a recent opinion from the General Council of the Florida Department of Revenue stated that the County Commissioners should appoint the chairman of the VAB. Attorney Shuler advised the Board to elect a Chair and Vice Chair for the VAB. The recommendation was supported by the VAB's outside counsel.

Chairman Flescher recommended Commissioner Earman as Chair of the Value Adjustment Board.

**A motion was made by Commissioner Moss, seconded by Chairman Flescher, to approve the appointment of Commissioner Earman to the position of Chairman of the Value Adjustment Board. The motion carried by the following vote:**

**Aye:** 5 - Chairman Flescher, Vice Chairman Loar, Commissioner Adams, Commissioner Earman, and Commissioner Moss

Commissioner Earman recommended Chairman Flescher as Vice Chair of the Value Adjustment Board.

**A motion was made by Commissioner Earman, seconded by Vice Chairman Loar, to approve the appointment of Chairman Flescher to the position of Vice Chairman of the Value Adjustment Board. The motion carried by the following vote:**

**Aye:** 5 - Chairman Flescher, Vice Chairman Loar, Commissioner Adams, Commissioner Earman, and Commissioner Moss

- 14.B. [25-0198](#) Time Certain 10:00 am - Request for Closed Litigation Session - Sole

**Attachments:** [Staff Report](#)

The Chairman read the opening remarks of the Attorney-Client Session scheduled for 10:00 a.m. regarding the case of Michael and Jeannie Sole vs Indian River County. The estimated time of the closed Attorney-Client session was 60 minutes.

The closed litigation session was attended by Jennifer Shuler, County Attorney, John Titkanich, County Administrator, and members of the Board of County Commissioners. and a certified court reporter. County Attorney Shuler noted for the record that she sought advice from counsel regarding litigation in the named case.

The Board reconvened in the Chambers at 10:57 a.m. The Chairman terminated the Attorney-Client Session and reopened the regular Board meeting with all members present, resuming with Item 10.A.1.

**No Action Taken or Required**

## 15. COMMISSIONERS MATTERS

- A. Commissioner Joseph E. Flescher, Chairman
- B. Commissioner Deryl Loar, Vice Chairman
- C. Commissioner Susan Adams
- D. Commissioner Joseph H. Earman
- E. Commissioner Laura Moss

- 15.E. [25-0222](#) Support of Legislation Requiring Hands-Free Cell Phone Use While Driving

**Recommended Action:** Request the Board of County Commissioners approval of the resolution authorizing Chairman to sign resolution in support of Legislation Requiring Hands-Free Cell Phone Use While Driving.

**Attachments:** [Memorandum](#)  
[Hands Free Resolution - IRC](#)

*[Clerk Note: This Item was heard under Item 8. Public Comment]*

## 16. SPECIAL DISTRICTS AND BOARDS

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.

### A. Emergency Services District

### B. Solid Waste Disposal District

**16.B.1.** [25-0184](#) Approval of the SWDD Meeting Minutes of November 5, 2024

**Recommended Action:** Approve

**Attachments:** [11052024 SWDD\\_Draft](#)

**A motion was made by Commissioner Adams, seconded by Chairman Flescher, to approve the Solid Waste Disposal District meeting minutes of November 5, 2024 as written. The motion carried by the following vote:**

**Aye:** 5 - Chairman Flescher, Vice Chairman Loar, Commissioner Adams, Commissioner Earman, and Commissioner Moss

**16.B.2.** [25-0192](#) Work Order No. 7 to Geosyntec for Annual Permit, Compliance Monitoring, and Reporting for 2025

**Recommended Action:** Solid Waste Disposal District (SWDD) staff recommends that its Board approve Work Order No. 7 with Geosyntec Consultants for \$326,874.54 to provide engineering services related to the SWDD Annual Permit, Compliance Monitoring, and Reporting; and authorize the Chairman to execute the same, as presented.

**Attachments:** [Staff Report](#)  
[Work Order No 7 – Geosyntec](#)

There was no discussion on this item.

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

**Aye:** 5 - Chairman Flescher, Vice Chairman Loar, Commissioner Adams, Commissioner Earman, and Commissioner Moss

**16.B.3. [25-0208](#)** Work Order No. 18 to Kimley-Horn for the Solid Waste Disposal District Annual Financial Reports

**Recommended Action:** Solid Waste Disposal District (SWDD) staff recommends that its Board approve Work Order No. 18 with Kimley-Horn and Associates, Inc. for \$65,625 to provide engineering services related to the SWDD Annual Financial Reports; and authorize the Chairman to execute the same, as presented.

**Attachments:** [Staff Report](#)  
[Work Order No 18 – KHA](#)

There was no discussion on this item.

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

**Aye:** 5 - Chairman Flescher, Vice Chairman Loar, Commissioner Adams, Commissioner Earman, and Commissioner Moss

### **C. Environmental Control Board**

## **17. PUBLIC COMMENT: NON-AGENDA-RELATED MATTERS**

Mike Hooker appeared before the Board to discuss issues with the aging sewer infrastructure along 12th Street, west of US 1. The speaker discussed failing sewer infrastructure, the need for timely upgrades by 2030, and the financial burden on property owners due to new regulations requiring connections to a substandard system. He requested the Board's assistance in moving forward the planned sewer line upgrade to meet the 2030 deadline, and avoid the expense of connecting to an outdated system.

Chairman Flescher acknowledged the difficulty Mr. Hooker faced, and agreed to speak with the Utilities Department for options.

**No Action Taken or Required**

## **18. ADJOURNMENT**

There being no further business, the Chairman adjourned the meeting at 1:37 p.m.