



Indian River County, Florida

Draft Meeting Minutes

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

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

Shauna James, Deputy Clerk

Tuesday, December 3, 2024

9:00 AM

Commission Chambers

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

Pastor Randy Fullerton, Glendale Baptist Church

3. PLEDGE OF ALLEGIANCE

Commissioner Susan Adams

4. ADDITIONS/DELETIONS TO THE AGENDA / EMERGENCY ITEMS

Addition: 11.A.3. Public Hearing to consider Ordinance imposing an additional cent of Tourist Development Tax

Move: Item 15.C.1. to follow Item 5.B.

A motion was made by Vice Chairman Loar, seconded by Commissioner Moss, 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. Presentation of Proclamation Honoring Ira Dean Curry on His Retirement from Indian River County Board of County Commissioner Department of Public Works / Road &

Bridge Division

Mr. Curry thanked the Board for the recognition.

Presented by Chairman Flescher

5.B. Presentation of Opioid Needs Assessment by Thrive, Inc. (Formerly Substance Awareness Center)

Carrie Lester, CEO of Thrive, Inc., presented significant findings from the Opioid and Substance Use Needs Assessment, which Thrive conducted with C.A.R.E. Consulting Group. This initiative, backed by the Board and recognized by national entities, aimed to strategically plan for reducing substance use by understanding community challenges. Data revealed by Data and Outcomes Manager Kylie Motawala focused on substance abuse prevalence in Indian River County, highlighting awareness gaps around Naloxone (Narcan) usage and access. While 71% recognize Narcan, only 41% knew how to use it, and 33% knew where to get it. The presentation also pointed out a shortage of mental and physical health providers and the stigma faced by individuals misusing substances, which hinders their access to help. Targeted public education and intervention efforts were needed to enhance knowledge and address these challenges effectively.

Discussion continued under Item 15.C.1.

No Action Taken or Required

[Clerk's Note: Item 15.C.1. was heard following Item 5.B.]

6. APPROVAL OF MINUTES

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

7.A. SWDD Closures and Collection Service Changes for Christmas and New Year's
Himanshu Mehta, Managing Director of the Solid Waste Disposal District (SWDD), announced holiday closures for the Main County Landfill and all five Customer Convenience Centers. For more details, residents can visit the SWDD website at www.indianriver.gov.

No Action Taken or Required

7.B. Administrator Approved Items

No Action Taken or Required

7.C. Event Calendar

Beth Powell, Director of Parks, Recreation & Conservation, thanked the Recreation and Library teams for their efforts in organizing community holiday events. She promoted the upcoming Christmas parade, highlighting the Centennial float representing Indian River County's history, and encouraged newcomers to participate to boost community spirit. Additionally, she mentioned Breakfast with Santa and advised early registration due to limited availability.

No Action Taken or Required

8. PUBLIC COMMENT: AGENDA-RELATED MATTERS

9. CONSENT AGENDA

A motion was made by Commissioner Adams, seconded by Commissioner Moss, to approve the Consent Agenda as amended, pulling Item 9.O., Item 9.P., Item 9.Q. Item 9.R., and Item 9.T., 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. Checks and Electronic Payments October 19, 2024 to October 25, 2024

Approved

9.B. Checks and Electronic Payments October 26, 2024 to November 1, 2024

Approved

9.C. Checks and Electronic Payments November 2, 2024 to November 8, 2024

Approved

9.D. Checks and Electronic Payments November 9, 2024 to November 15, 2024

Approved

9.E. First Extension to Agreement for Annual Temporary Day Labor Services (Bid 2024022)

Approved staff's recommendation

9.F. Waiver of Bid Requirement for WWTF Tank Purchases

Approved staff's recommendation

9.G. Annual Resolution Delegating authority to Call Letters of Credit in Local Emergencies to the County Administrator

Approved staff's recommendation and Resolution 2024-070, Delegating the authority to the County Administrator or his Designee, to execute Resolutions

calling letters of credit as necessary during a declared State of Local Emergency or declared State of Florida Emergency affecting Indian River County; rescinding Resolution no. 2024-30 effective December 3, 2024; and providing an effective date.

9.H. Annual Resolution Delegating Authority to Declare Local Emergencies to the County Administrator

Approved staff's recommendation and Resolution 2024-071, Delegating authority to the County Administrator to declare States of Local Emergencies and to act in a State of Florida declared emergency affecting Indian River County; rescinding Resolution no. 2024-016 effective December 3, 2024; and providing an effective date.

9.I. Employment Contract for the Deputy County Attorney

Approved staff's recommendation

9.J. Indian River County Library State Aid to Libraries Grant

Approved staff's recommendation

9.K. Approval of Contract for WebEOC Incident Management Software

Approved staff's recommendation

9.L. Approval of Resolution Adopting the 2024 Indian River County Comprehensive Emergency Management Plan (CEMP)

Approved staff's recommendation and Resolution 2024-072, for the adoption of this Comprehensive Emergency Management Plan for Indian River County.

9.M. Request from East Coast Ambulance, LLC 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 and Class "C" Non-Emergency Inter-Facility Transports Requiring a Physician's Order - Administrative

Approved staff's recommendation

9.N. Microsoft Enterprise Agreement Renewal - Correction

Approved staff's recommendation

9.O. Government Channel 27/CableCast Live Streaming Service

Erik Harvey, Director of Information Technology, noted that before 2022, the County's website linked to Comcast Channel 27, but this service ended due to outdated hardware. With a decline in cable subscriptions and a rise in internet streaming, the County has shifted to provide content across various platforms. Viewers could access live broadcasts via the Cablecast app and find download links

on the County website. The transition to this new service would cost \$16,944.53.

Commissioner Earman stated that he was in favor of moving in this direction.

Mr. Harvey responded to Chairman Flescher that the service would be available for streaming on various platforms, including Apple TV, Roku, Amazon Fire TV, iOS, and Android, via the County website and social media.

A motion was made by Commissioner Earman, seconded by Vice Chairman Loar, 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

9.P.

Florida Department of Environmental Protection Local Government Funding Request Grant 25IR1, Indian River County's Sector 3 Hurricanes Ian and Nicole Dune Restoration Cost-Share Funding Assistance

Natural Resources Director Kylie Yanchula provided an update on the completed Sector 3 project, highlighting a request for additional grant funds due to Hurricane Milton's damages, despite the construction phase being finished. The Natural Resources Department aimed to secure more funding, while preparations for the upcoming Sector 5 project, estimated to cost \$8.5 million, were in progress. The local share for this project could range from \$3 to \$6 million, depending on available grant funds.

There was no further discussion.

A motion was made by Vice Chairman Loar, 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

9.Q.

Agency Cost-Share Agreement between the Indian River Lagoon Council and Indian River County for the National Oceanic and Atmospheric Administration Transformational Habitat Restoration Grant for Seagrass Projects at Big Slough and Preachers Hole

Melissa Meisenburg, Senior Lagoon Environmental Specialist, presented a PowerPoint on a Cost-Share Agreement between Indian River County and the Indian River Lagoon Council for seagrass restoration projects at Big Slough and Preachers Hole. The need for urgent action was highlighted due to the Indian River Lagoon's decline, which has seen over an 89% reduction in seagrass coverage from 2011 to 2020, largely due to harmful algal blooms. The initiative aimed to restore fish habitats and improve the lagoon's ecosystem, with a projected budget of \$1,073,506. The County was to compensate Sea & Shoreline, LLC for managing 22.8 acres of seagrass for three years, with expenses being reimbursed to the County through a

National Oceanic and Atmospheric Administration Transformational Habitat Restoration Grant.

Commissioner Earman recognized the significance of the grant and the importance of selecting appropriate locations for the seagrass, free from heavy boat traffic. He thanked staff for their efforts.

A motion was made by Commissioner Earman, seconded by Vice Chairman Loar, 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

9.R. Assignment and Amendment of License Agreement for Surfside at Tracking Station Beach Park

The discussion led by Commissioner Earman covered the certificate of liability insurance from Lutgert Vero, LLC, which has been reviewed and filed. The new Board of Directors for the Surfside Master and Condominium Homeowner's Association addressed safety, security, and the License Agreement concerning dune vegetation trimming, repairs to dune crossovers, and public pathway maintenance. A new fence with a gate was approved, and access after park hours was now prohibited, the HOA would maintain the accessible path. Additionally, Surfside representative Wally David reported damage to a dune crossover from Hurricane Nicole, which served both residents and the public, and he was awaiting for approval from the Board to begin repairs.

A motion was made by Commissioner Earman, seconded by Vice Chairman Loar, 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

9.S. Approval of a Public Transportation Grant Agreement (PTGA) with the Florida Department of Transportation (FDOT) for a Public Transportation Block Grant

Approved staff's recommendation and Resolution 2024-073, authorizing the execution of a Public Transportation Grant agreement with the Florida Department of Transportation.

9.T. Final 2024 Urban Service Boundary (USB) Study

Chris Balter, Director of Planning and Development Services, provided an update on the Urban Service Boundary (USB) study by Inspire Placemaking Collective, Inc. He clarified to Vice Chairman Loar that the City of Vero Beach's density vote on November 5, 2024, did not affect the County's USB plans. He stated the County must prepare for potential annexations and density increases due to existing service agreements with surrounding areas. This required coordination with cities and developer agreements to support the necessary infrastructure for reasonable growth and density.

The Board discussed the importance of Interlocal Agreements moving forward with annexations, including a recent proposal from the City of Sebastian and future discussions with the City of Fellsmere. It was important to note that while the City of Vero Beach was mostly landlocked, areas may still be suitable for annexation. County Attorney Jennifer Shuler would contact the City of Sebastian and the City of Fellsmere to assess their willingness to collaborate on an Interlocal Service or Joint Planning Agreement, with updates to follow for the Board's consideration.

A motion was made by Vice Chairman Loar, 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

9.U. Final 2024 Comprehensive Plan Evaluation and Appraisal Report (EAR)

Approved staff's recommendation

9.V. Work Order No. 15 - Kimley-Horn and Associates, Inc., 8th Street Reconstruction from 66th Ave to 82nd Ave (IRC-2316)

Approved staff's recommendation

9.W. Acceptance of Utility Easements - Spirit of Sebastian PUD Pods 1B-1, 1B-2 and 1A (Located Within the Municipal Boundaries of the City of Sebastian)

Approved staff's recommendation

10. CONSTITUTIONAL OFFICERS and GOVERNMENTAL AGENCIES

10.A. Property Appraiser's Annual Fiscal Report

Wesley Davis, Indian River County Property Appraiser, submitted his annual report and noted his office would return \$564,788 to the County.

A motion was made by Commissioner Earman, seconded by Vice Chairman Loar, to accept the Property Appraiser's 2023/2024 Annual Report. The motion carried by the following vote:

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

10.B. Tax Collectors Annual Fiscal Report

Indian River County Tax Collector Carole Jean Jordan appeared before the Board with members of her staff to present a check for \$3,043,583 being returned to the County.

A motion was made by Vice Chairman Loar, seconded by Commissioner Adams, to accept the Tax Collector's 2023/2024 Annual Report. 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 10:48 a.m. and reconvened at 10:59 a.m. with all members present.

11. PUBLIC ITEMS

A. PUBLIC HEARINGS

11.A.1

Pulte Home Company, LLC's Request for Modified Conceptual Planned Development (PD) and Special Exception Approval for a Residential Development to be known as Emerson Oaks PD [PD-24-03-01 / 2021040075-96000]

PROOF OF PUBLICATION FOR THIS HEARING IS ON FILE IN THE OFFICE OF THE CLERK TO THE BOARD.

Chairman Flescher introduced the parties to the proceeding as Indian River County and Pulte Home Company, LLC (Applicant). As requested by the Chairman, each Commissioner 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. Commissioner Moss disclosed that she had received the traffic analyses for Red Tree Cove. The Chairman opened the public hearing, and the Deputy Clerk administered the Oath to all persons who wished to speak at the hearing.

Patrick Murphy, Chief of Long Range Planning, presented the Emerson Oaks Planned Development formerly known as Red Tree Cove. He noted that on November 15, 2022, the Board of County Commissioners approved the Red Tree Cove development plan, which allowed for up to 175 detached single-family homes at a density of 2.39 homes per acre. The applicant received waivers for minimum lot size, setbacks, and building coverage in exchange for dedicating road right-of-way (ROW) and contributing to a future bridge on 17th Street SW. He stated that this was back before the Board because the project has since been renamed Emerson Oaks and now included increased building coverage, which would reduce the open space from 69.7% to 60.73%. To mitigate this change, the applicant had agreed to dedicate additional ROW and realign the intersection of 43rd Avenue SW and 13th Street SW, resulting in a decrease of four homes

from the total proposed plan. Mr. Murphy presented these details using a PowerPoint presentation and stated that on November 14, 2024, the Planning and Zoning Commission (PZC) recommended approval of the project.

Mr. Murphy responded to Commissioner Moss and stated that the open and green spaces would remain as originally approved. The homes would take up more space on each lot, reducing the open space on individual lots while keeping the overall open space for the entire project the same. Jim Vitter, BGE, Inc., the project civil engineer, concurred with Mr. Murphy.

Resident Charles Festo raised concerns about the development's impact on the canal at 13th Street Southwest, noting that it was overwhelmed during the 2017 Hurricane, causing backups into the lakes. He also highlighted potential traffic issues on 43rd Avenue, particularly when turning north from 13th Street, suggesting the need for a traffic light at 17th or 13th Avenue Southwest or speed bumps to curb speeding.

Mr. Murphy explained that this development's approved traffic study was conducted in 2022, Emerson Oaks featured fewer lots than initially planned, so a revised study was unnecessary. The study concluded that the development did not require a traffic signal at the intersections. However, the Public Works Department reviewed major roads and intersections annually to address traffic concerns, and had lengthened turn lanes to improve traffic flow.

Mr. Vitter discussed the impact of water management beyond the project site. The plan included four water tracks designed to manage on-site water and accommodate additional off-site water.

Resident John Leslie voiced concerns about traffic and flood control. Drawing from his experience with the South Florida Water Management District, he highlighted flooding issues in the area and the proposal for a retention pond near Cypress Street. He was particularly worried about the impact of severe storms, intensified by climate change. Mr. Leslie was also concerned about dust control and roadway safety during construction.

The Board and staff engaged in a lengthy discussion about designing stormwater management systems to mitigate flooding. They also covered the procedures for obtaining land development permits. Additionally, they reviewed the 2022 traffic study and its implications for future development and infrastructure planning.

A motion was made by Commissioner Earman, 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

11.A.2.

Second Public Hearing - Amended and Restated Developers Agreement
Between Providence Point Vero Beach, LLC and Indian River County

Deputy County Attorney Susan Prado stated this Item was for the second public hearing required for an amendment to the developer's agreement for Providence Point, Vero Beach, LLC, as required by Florida Statute Section 163. This hearing pertained to the property located at the south corner of 58th Avenue and 53rd Street and reiterated the information presented to the Board on November 19, 2024.

There was no further discussion on this Item.

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

The Chairman called for a recess at 11:41 a.m. and reconvened at 11:47 a.m. with all members present.

11.A.3.

Public Hearing to Consider Ordinance Imposing An Additional Cent of Tourist
Development Tax

County Attorney Jennifer Shuler emphasized that the decision to authorize the Board of County Commissioners to levy an additional one cent of the Tourist Development Tax (TDT) was a result of the majority vote by Indian River County citizens on November 5, 2024. This additional cent, as part of the amended Ordinance, was a significant step towards beach renourishment. The amendment to Section 210.01 introduced new language to the Code, allowing for this additional one percent of the tourist tax as permitted by Florida Statutes. By leveraging this additional revenue, Indian River County could redistribute some of the existing tax cents to support its intended purpose of funding beach renourishment. With the new language and the additional funds, the 5 cents would be distributed as follows: 2.75 cents for beach renourishment, 2 cents for tourism promotion, and the sports stadium allocation would remain flat at 0.25 cents. This Ordinance would become effective on January 1, 2025.

The Chairman opened the Public Hearing.

Kyle Von Kohorn, Jennifer Bailey, and Robenson Juste from the Realtors Association of Indian River County expressed concerns about a proposed one-cent tax increase.

They suggested that any changes to the tourist tax take effect in the new fiscal year of 2025, and if implemented sooner, the new rate should only apply to contracts signed after the approval. Existing seasonal rental contracts were usually finalized 9 to 12 months in advance and were legally binding. Changes to the tax after execution created financial burdens and complicated renegotiations.

The Board noted that the timing of the application influenced the legislation requiring the issue to be placed on the November 2024 ballot, ensuring voters had the chance to express their views. They recognized the complexities of negotiation but emphasized their focus on long-term contracts, prioritizing small rentals over seasonal ones. The Department of Revenue was informed of the Board's intention to proceed with the January 1, 2025, timeline. While the Board acknowledged the raised concerns, they were unsure if these could be addressed since the Clerk of Court had already sent out the letters.

Attorney Shuler offered to follow up to explore ways to make this process more user-friendly and to collaborate with the Clerk of Court.

There were no additional speakers; the Chairman closed the public hearing.

A motion was made by Commissioner Earman, seconded by Chairman Flescher, to approve staff's recommendation and Ordinance 2024-011, amending Section 210.01 (Taxing District and Levy) and Section 210.03 (authorized uses of revenue) of Chapter 210 (Tourist Development Tax) of the Code of Indian River County, Florida in order to impose an additional cent of the Tourist Development Taxes and to reallocate the authorized uses of the Tourist Development Tax revenue; and providing for codification, severability, repeal of conflicting provisions, and an effective date. 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

- 11.B.1.** Public Notice of Public Hearing Scheduled for December 17, 2024, to Consider Notice Of Intent To Use Uniform Method Of Collecting Non-Ad Valorem Assessments

Read into the record by County Attorney Jennifer Shuler

- 11.B.2.** Public Notice of Public Hearing for December 17, 2024, to Consider an Ordinance Authorizing an Extension of the Temporary Moratorium for an Additional 1 Year with regard to Class B Biosolids

Read into the record by County Attorney Jennifer Shuler

12. COUNTY ADMINISTRATOR MATTERS

12.A.

City of Vero Beach - Request for County Funding for Humiston Boardwalk

County Administrator John Titkanich discussed the City of Vero Beach's (the City) plans to rebuild the Humiston Boardwalk, which was damaged by Hurricane Nicole. The City initially sought almost \$2 million from Federal Emergency Management Agency (FEMA) but only received \$83,095 due to the boardwalk's age. The City has appealed for more funds and aimed to begin construction by November 1, 2025, after the sea turtle nesting season. They were also seeking additional funding from the Tourist Development Tax (TDT), though this process was complicated by County policy. Titkanich emphasized the boardwalk's popularity and the need for funding to align with Florida statutes. He noted that the Tourist Development Council (TDC) must review any TDT revenue requests. The City has proposed three construction options: 1) a concrete boardwalk at the dune's base, 2) a wooden boardwalk at the back, or 3) a concrete sidewalk at the back, and plans to add amenities such as pavilions and a lifeguard tower, which could raise costs significantly and may not comply with current County Ordinances.

The Board, staff, and City Manager Monte Falls discussed various proposals, including requests for a lifeguard pavilion estimated at \$150,000 to \$250,000. With the existing structure deteriorating, funding options were necessary to advance the sidewalk project while adhering to FEMA and Florida Division of Emergency Management (FDEM) guidelines. Concerns arose regarding the historical significance of the sidewalk versus needed upgrades, alongside potential delays from turtle season. If appeals to FEMA were unsuccessful, there could be a funding shortfall of \$626,000, with a successful appeal still requiring an additional \$306,000. Mr. Falls stated that the area was economically vibrant but faced stagnant population growth. Despite public preference for other options, the City Council approved option 3 for a sidewalk project. Confusion arose over changes to the lifeguard tower plans, which now included shade pavilions.

Commissioner Adams highlighted the County's diverse attractions, supporting the cities in the north and west parts of the County, and sought a collaborative approach that did not rely on TDT funds. She acknowledged Vero Beach's popularity, but emphasized the need for an equitable partnership to benefit the County. She expressed concern about the City's proposed allocation of \$800,000, considering it excessive, and was uncertain about the County's capacity to contribute beyond the option 3 allocation.

Mr. Falls stated that the City Council was proceeding with plans for the Humiston Boardwalk despite reduced FEMA funding, with construction set to start on

November 1, 2025. He hoped to collaborate with the County on additional facilities like pavilions and a lifeguard station. Commissioner Earman expressed concerns about using TDT funds and advocated for alternative funding sources. He encouraged County collaboration to secure the necessary financial support for its success.

The discussion highlighted the need to explore legal funding options, like the one-cent sales tax or the General Fund, to help the City address budget shortfalls. The Capital Improvement Element (CIE) could provide resources for immediate restoration efforts. Although alternative materials for the boardwalk might be pricier, quick cost assessments for concrete sidewalks were feasible. If the City Council supported this, the County Administrator would collaborate with Mr. Falls to evaluate expenses and assess project figures for budget alignment.

A motion was made by Commissioner Earman, seconded by Commissioner Moss, to proceed with funding for the boardwalk. The motion failed by the following vote:

Aye: 2 - Commissioner Earman, and Commissioner Moss

Nay: 3 - Chairman Flescher, Vice Chairman Loar, and Commissioner Adams

The discussion continued with Mr. Falls stating that the cost estimate of \$709,097 did not include the pavilions for shade structures. This was only a cost estimate; the final cost would be determined once the project was designed.

Commissioner Adams indicated her willingness to participate in the project as long as it was not funded by TDT dollars and any funds given to the City would be for the sidewalk only. She stressed that any County funds used should be offset by any additional funds the City might receive from FEMA.

The Board instructed Mr. Falls and Administrator Titkanich to determine the necessary funding amount and present it for final approval. The allocated funds would be designated for the sidewalk project only. Mr. Falls agreed to develop a proposal, allowing the Board to decide on the funding before the City planned the next steps.

The Board's goal was to ensure a clear understanding between the parties involved so that the professionals could finalize the details and allow the City Council to support the action. This would also enable the Board to discuss funding.

A motion was made by Commissioner Adams, seconded by Chairman Flescher, directed the County Administrator to work with Mr. Falls to evaluate expenses. In addition, the County Attorney's office was to work with the City of Vero Beach's Manager to enter into a partnership to obtain bids for replacing the Humiston Boardwalk. 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

13.F.1. Coastal Construction Project Access - Graf Application.

Coastal Resource Manager Quentin Bergman presented a PowerPoint to the Board regarding a recent application for access to County Beach Parks for construction. On November 5, 2024, the Board approved new Coastal Construction Access Policies for oceanfront property owners. The first application was submitted on November 20, 2024, involving an alternative access plan through Treasure Shores Beach Park with minimal machinery transfer time. The property owner had committed to ensuring safety and restoring the area after construction and had provided the County with an easement for the project in sector three, with all necessary documentation signed.

He stated the applicant received a Department of Environmental Protection (DEP) permit for their construction project, which required using an excavator on the beach. Due to limited space and denied access through a neighbor's property, Treasure Shores Beach Park was the only access route. Scheduled activities were set for December 9th and 23rd, with backup dates on December 11th and 29th, and all operations would take place on the property.

Chairman Flescher stated that this could significantly impact the County's approach to beach restoration by enabling individuals to contribute to renourishment efforts. By allowing personal involvement in restoration, the County may uncover new opportunities to enhance beach recovery alongside ongoing County projects. This could pave the way for broader participation and successful outcomes in future restoration endeavors.

Commissioner Earman stated that an easement should be a requirement for any

similar requests, as it often involved individuals who want to handle matters independently. He expressed his support for the request, noting the presence of an easement.

A motion was made by Commissioner Earman, seconded by Vice Chairman Loar, 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

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.

Update Regarding EPA Mandated Notice of Unknown Service Line Material Letter Dated November 8, 2024

Sean Lieske, Director of Utility Services, discussed the background of the Lead Service Line Rule established by the Environmental Protection Agency (EPA) in 1991 and its subsequent revisions. The latest update, the Lead and Copper Rule Revision (LCRR), was issued in October 2021 following concerns raised by the Flint, Michigan crisis, where lead leached into drinking water due to lead service lines. This revised rule mandates that community water systems serving over 3,300 people must inventory their lead service lines, commonly used until 1969. Many utilities are currently unaware of the quantity and condition of these lines. The deadline for completing this inventory was October 16, 2024 to enhance the rule's implementation and safeguard public health.

Since 2022, staff had been inventorying service lines to assess lead presence, identifying around 10,000 out of 60,000 lines as unknown. Residents would be notified if their lines were classified as lead or unknown. Updates on unknown service line status would be provided annually, and a website was available for residents to share material details. Mr. Lieske reported a positive response from residents contributing information.

A discussion ensued between the Board and staff noting the various materials used in older homes, such as galvanized metal, lead, PVC, or copper. Newer homes typically did not have lead due to regulatory restrictions, but many older

homes lacked accurate records of their service line materials. While there was a commitment to evaluate all service lines in the next decade, efforts were already in progress for quicker assessments, assisted by the meter services team. It was important to note that solder used before the late 1970s often contained lead, and current evaluations focused on service line materials. Homeowners were responsible for addressing lead issues if solder was present on their premises.

No Action Taken or Required

14. COUNTY ATTORNEY MATTERS

14.A. Fire Station 11 Completion Contract

Assistant County Attorney Chris Hicks referred to staff's memo dated November 26, 2024, and stated that on September 22, 2022, the County contracted Intertech Construction Corporation to remodel Fire Station 11. Unfortunately, the project experienced delays and poor workmanship, leading the Board to revoke the Construction Bond on July 2, 2024. The bonding company had selected Proctor Construction Company, LLC, to complete the project for \$451,512. The County would pay \$171,871; the bonding company would cover the remaining \$279,641. Proctor Construction had 90 days to finish the work, and a \$60,000 contingency fund was available for any unforeseen issues unrelated to Intertech's previous work.

Chief David Johnson, Director of Emergency Services, mentioned that relocating personnel from the trailers at Station 11 during the remaining construction period was under consideration. He was in talks with Windsor management about potential properties and was also exploring the option of leasing a suitable trailer for accommodation. Further information on both alternatives was being gathered, with an update expected for County Administrator John Titkanich within the next week.

Commissioner Earman emphasized the need to promptly address the situation due to challenging conditions. He agreed with Chief Johnson to temporarily relocate employees so Proctor Construction could work without interruptions. This approach would help ensure a thorough cleaning and restoration of the area, prioritizing employees' well-being throughout the process.

A motion was made by Commissioner Earman, seconded by Vice Chairman Loar, 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.B. Monitoring of Committees

County Attorney Jennifer Shuler proposed a resolution to return the responsibility of monitoring Board committees to the County Attorney's office, where it originally resided. This shift aimed to enhance oversight and efficacy, reinforcing that the

Attorney's office was better positioned to handle these tasks effectively.

There was no further discussion.

A motion was made by Commissioner Adams, seconded by Vice Chairman Loar, to approve staff's recommendation and Resolution 2024-074 modifying Resolution 2011-072 re-appointing the County Attorney's office as the monitor of committees, update list of committees to be monitored, add termination language during term. The motion carried by the following vote:

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

14.C. Purchase of Parcel of Property for Fire Station #16

There was no discussion on this Item.

A motion was made by Commissioner Adams, seconded by Vice Chairman Loar, 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

15. COMMISSIONERS MATTERS

A. Commissioner Joseph E. Flescher, Chairman

B. Commissioner Deryl Loar, Vice Chairman

15.B.1. Quarterly Updates from County Administrator and County Attorney

County Attorney Jennifer Shuler provided a comprehensive overview of her office's recent activities, highlighting efforts to foster relationships with her staff through regular meetings to improve communication and operations. A new records custodian position was set to enhance public records management, alongside prioritized training for staff. The office was advancing its digitalization efforts and actively streamlining the developer agreement process to support stalled projects, focusing on compliance and necessary documentation. Additionally, Attorney Shuler emphasized the importance of improved communication with County Commissioners and City Attorneys while addressing legislative priorities, public camping laws, and fair management of assessments and fees. Her initiatives aimed to enhance operational efficiency and community service.

Vice Chairman Loar expressed his appreciation to Attorney Shuler. He highlighted the significance of weekly updates, viewing them as a model of effective communication. Although just over two months have passed since Attorney Shuler was hired, he found the current level of communication encouraging and hoped it would be maintained in the future.

No Action Taken or Required

Vice Chairman Loar reflected on feedback received from the September 9, 2024, meeting while addressing County Administrator John Titkanich. He acknowledged the challenges faced by the Administrator and emphasized the importance of allowing leaders time to evaluate their situations; ongoing communication was key.

County Administrator John Titkanich reported significant progress in Hurricane Milton recovery, noting that debris collection has reached 90%, with a contractor deadline of December 9. Coordination efforts to reopen County Road 512 were ongoing, with updates pending. Nearly 290 hurricane-related permits have been processed, mainly in Vero Beach and unincorporated areas. Staffing changes included new appointments, although total vacancies increased from 67 to 72 due to 44 employee departures since September 24, 2024, particularly in Fire Services and Parks and Recreation. Recruitment continued for critical positions such as Legislative Communications Coordinator and Capital Project Manager. He further noted that in November, the County successfully issued 1,177 out of 1,294 building permits, with improved processing times and a drop in open permits aged 61 to 90 days. Key Performance Indicator (KPI) reports were being developed to optimize efficiency, and a customer service satisfaction survey for the development review process had been launched, inviting anonymous feedback through email.

Administrator Titkanich thanked the Board for their leadership and support.

No Action Taken or Required

[Clerk's Note: Vice Chairman Loar exited the meeting at 2:27 p.m.]

C. Commissioner Susan Adams**15.C.1 Opioid Task Force Update**

Commissioner Adams highlighted the opportunity to utilize opioid settlement funds to tackle the root causes of the opioid crisis effectively. She intended to refine the allocation process by adopting best practices from organizations like the National Association of Counties. She proposed that the Indian River County Opioid and Substance Use Task Force focus on developing a thorough response plan encompassing prevention, intervention, treatment, and recovery. Additionally, the task force would prioritize funding based on local assessments, advise the Board

on resource management, facilitate cross-sector collaboration, and monitor the effectiveness of funded programs to improve strategies.

She stated that the Opioid and Substance Use Task Force in Indian River County would unify key organizations addressing opioid issues. Thrive would serve as a coordinating agency without voting rights. Voting members would be appointed from various sectors, including representatives from the Indian River County Hospital District, School District, Health Department, Federally Qualified Health Center, Cleveland Clinic, local law enforcement, Emergency Services, mental health, community resources, substance use treatment, and an individual with lived experience of substance use disorder.

Commissioner Adams sought input from the Board on managing opioid funds, advocating for a structured approach. The Board considered her suggestion to merge the active Public Safety Coordinating Council with a health-focused council instead of forming a new one, noting the importance of addressing substance-related issues to reduce the county jail population. The discussion emphasized the need to shift funding toward prevention initiatives that aid individuals and organizations before legal involvement, as current funds were primarily directed toward jail and court programs. The plan included revitalizing the inactive council to address opioid issues and ensuring a diverse committee adhered to best practices. Chairman Adams planned to work with County Attorney Jennifer Shuler to present a more straightforward proposal to the Board to update the councils, which currently lack vital representation from Fire Rescue and Health Department members.

It was the consensus of the Board for Commissioner Adams and County Attorney Jennifer Shuler to collaborate together to create a new Public Safety Council/Task Force.

D. Commissioner Joseph H. Earman

E. Commissioner Laura Moss

16. 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

16.B.1. Approval of the SWDD Budget Workshop Minutes of July 10, 2024

A motion was made by Commissioner Adams, seconded by Commissioner Earman, to approve the Solid Waste Disposal District Budget Workshop Minutes of July 10, 2024 as written. The motion carried by the following vote:

Aye: 4 - Chairman Flescher, Commissioner Adams, Commissioner Earman, and Commissioner Moss

Absent: 1 - Vice Chairman Loar

16.B.2 Approval of the SWDD Meeting Minutes of September 10, 2024

A motion was made by Commissioner Adams, seconded by Commissioner Earman, to approve the Solid Waste Disposal District Minutes of September 10, 2024, as written. The motion carried by the following vote:

Aye: 4 - Chairman Flescher, Commissioner Adams, Commissioner Earman, and Commissioner Moss

Absent: 1 - Vice Chairman Loar

16.B.3. Approval of Amendment No. 3 to Work Order No. 1 to Geosyntec for Phase 2, Segment 3, Cell 3 Engineering Services

There was no discussion on this Item.

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

Aye: 4 - Chairman Flescher, Commissioner Adams, Commissioner Earman, and Commissioner Moss

Absent: 1 - Vice Chairman Loar

16.B.4. Request for General Funds for PACE and Other Community Cleanup Projects

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: 4 - Chairman Flescher, Commissioner Adams, Commissioner Earman, and Commissioner Moss

Absent: 1 - Vice Chairman Loar

C. Environmental Control Board

17. PUBLIC COMMENT: NON-AGENDA-RELATED MATTERS

18. ADJOURNMENT

There being no further business, the Chairman adjourned the meeting at 2:31 p.m.

