



Indian River County, Florida

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

Draft Meeting Minutes

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

Tuesday, August 19, 2025

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

Wesley Davis, Property Appraiser

3. PLEDGE OF ALLEGIANCE

Commissioner Laura Moss

4. ADDITIONS/DELETIONS TO THE AGENDA / EMERGENCY ITEMS

Moved: Item 9.J. to be heard under Attorney's Matters as Item 14.A.2.

Tabled: Item 13.F.I.

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. Presentation of Proclamation Honoring Julianne Renk Price For Her Contributions to the Indian River County Health Department

Ms. Price was joined by a large number of her colleagues and people she's served as she accepted the Proclamation honoring her public service, including creation of the nonprofit "Every Dream Has a Price", which builds housing for people in need. Ms. Price thanked the Board and all those in attendance for the recognition.

Presented by Chairman Flescher

5.B. Presentation of a \$110,000 Check to Support Repurposing of Material from Florida Department of Transportation's SRA-1A Bridge Replacement for the Indian River County's Artificial Reef Program

Kylie Yanchula, Natural Resources Director, recounted the project's milestones which culminated in repurposing 3,500 tons of demolition debris from the Sebastian Inlet Bridge Replacement Project for use as artificial reef material. The project was made possible by Coastal Conservation Association's (CCA) donation in the amount of \$110,000 which defrayed more than half of the cost.

Frank Gidus, Director of Habitat and Environmental Restoration for CCA Florida, was joined by staff members as he presented a check to the Board and discussed the positive impact of the artificial reef project.

Presented

5.C. Presentation of Proclamation Designating August 2025 As Florida Water Professionals Month

Director of Utility Services Sean Lieske was joined by staff members from all divisions of the Utilities Department as he offered praise and appreciation for the work they did to ensure services for the County's residents.

Presented by Commissioner Earman

6. APPROVAL OF MINUTES

6.A. Regular Meeting of June 03, 2025

A motion was made by Commissioner Adams, seconded by Chairman Flescher, to approve the Regular Meeting Minutes of June 3, 2025 as written. The motion carried by the following vote:

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

6.B. Regular Meeting of June 17, 2025

A motion was made by Vice Chairman Loar, seconded by Commissioner Adams, to approve the Regular Meeting Minutes of June 17, 2025 as written. The motion carried by the following vote:

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

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

7.A. Administrator Approved Items

No Action Taken or Required

7.B. Florida Public Service Commission Order No. PSC-2025-0208-PAA-EQ

No Action Taken or Required

7.C. 3rd Quarter FY 2024/2025 Budget Report

No Action Taken or Required

7.D. 2026 Holiday Schedule

No Action Taken or Required

7.E. SWDD Closures and Collection Service Changes for the Labor Day Holiday

No Action Taken or Required

7.F. Event Calendar

No Action Taken or Required

7.G. Notice of Unclaimed Moneys

No Action Taken or Required

7.H. Beach & Shores Preservation Advisory Committee Vacancy

Commissioner Earman thanked Ms. Graziani for her service.

No Action Taken or Required

7.I. Construction Board of Adjustment & Appeals Committee Vacancy

No Action Taken or Required

7.J. Children's Services Advisory (Main) Committee and Children's Services Advisory Committee: Grants Review and Program

Commissioner Adams thanked Mr. Schlitt for his contribution to the Main Committee, and noted his departure also created an opening on the Grant Review Subcommittee.

No Action Taken or Required

7.K. Economic Development Council Committee Vacancies

Commissioner Adams highlighted the vacancies on the Economic Development Committee.

No Action Taken or Required

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

Christopher Drake, Executive Director of the Youth Sailing Foundation, spoke regarding designated anchorage areas in the Indian River Lagoon. He requested reconsideration of anchorage area 2, stating it posed a navigational hazard for children in the sailing program. He provided the Board with a letter of support from the City of Vero Beach.

Chris Pope, Board of Directors, Youth Sailing Foundation, addressed the Board regarding boats discharging sewage while anchored. County Administrator John Titkanich informed her that the State established a no discharge zone from Fort Pierce through Indian River County. Commissioner Adams invited Ms. Pope and Mr. Drake to add their comments to the record during the public hearing under Item 11.A.1.

Martin Stygar, Sebastian, discussed the financial hardship of the universal garbage collection fee and requested consideration for retirees on a fixed income.

No Action Taken or Required

9. CONSENT AGENDA

A motion was made by Commissioner Adams, seconded by Chairman Flescher, to approve the Consent Agenda as amended, pulling Item 9.I. 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. Approval of Checks and Electronic Payments June 7, 2025 to June 13, 2025

Approved

9.B. Approval of Checks and Electronic Payments June 14, 2025 to June 20, 2025

Approved

9.C. Approval of Checks and Electronic Payments June 21, 2025 to June 27, 2025

Approved

- 9.D.** Approval of Checks and Electronic Payments June 28, 2025 to July 4, 2025
Approved
- 9.E.** Approval of Checks and Electronic Payments July 5, 2025 to July 11, 2025
Approved
- 9.F.** Approval of Checks and Electronic Payments July 12, 2025 to July 18, 2025
Approved
- 9.G.** Approval of Checks and Electronic Payments July 19, 2025 to July 25, 2025
Approved
- 9.H.** Approval of Checks and Electronic Payments July 26, 2025 to August 1, 2025
Approved
- 9.I.** The Nineteenth Judicial Circuit requests an additional \$40,000 to cover costs for the remainder of the fiscal year for the County's problem-solving courts. This would result in an amended award totaling \$90,000 for FY 2024/2025.
- Senior Court Operations Consultant Wendy Parent informed Commissioner Moss that the amended budget request was a one-time ask to cover unexpected transportation expenses. It was noted that next year's requested budget of \$75,000 was approved at the most recent Budget Workshop hearing. At Commissioner Adams request, Ms. Parent provided information about the interventions and treatments offered by the three problem solving courts: Adult Drug Court, Mental Health Court, and Veterans Treatment Court.
- A motion was made by Commissioner Moss, seconded by Chairman Flescher, to approve the Nineteenth Judicial Circuit Court's request for an additional \$40,000 to cover costs for the remainder of the fiscal year for the County's problem-solving courts. The motion carried by the following vote:**
- Aye:** 5 - Chairman Flescher, Vice Chairman Loar, Commissioner Adams, Commissioner Earman, and Commissioner Moss
- 9.J.** Early Learning Coalition Board Vacancy Appointment
Moved item to be heard under County Attorney's Matters as 14.A.2.
- 9.K.** Termination of Award of Bid 2025038 - Annual Right-of-Way Mowing
Approved staff's recommendation

- 9.L.** Designation of Excess Equipment as Surplus and Authorization for Disposal
Approved staff's recommendation
- 9.M.** Jason Bourdette Workers Compensation Settlement
Approved staff's recommendation
- 9.N.** Waiver of Bids for Replacement of the Access Control System at Courthouse
Approved staff's recommendation
- 9.O.** Release of Retainage and Change Order No. 1, Traffic Operations Facility (IRC-2104)
Approved staff's recommendation
- 9.P.** Release of Retainage and Change Order #2, Fire Station 11 Renovations
Approved staff's recommendation
- 9.Q.** Work Order No. 3, CPZ Architects, Inc – IRC Administration Building B - 2nd Floor West Side Office Build Out – Human Resources
Approved staff's recommendation
- 9.R.** Consideration of the Indian River County SHIP Program 2025 Annual Report
Approved staff's recommendation
- 9.S.** Approval of FY 2025/2026 and FY 2026/2027 Radiological Emergency Preparedness Agreement (REP Grant)
Approved staff's recommendation
- 9.T.** Approval of 2025/2026 State Funded Subgrant Agreement (T0428) To Update Indian River County's Hazards Analysis
Approved staff's recommendation
- 9.U.** Request from National Health Transport, Inc. for a Class “B” Certificate of Public Convenience and Necessity to Provide Non-Emergency Ambulance Inter-Facility Transports Originating from Indian River County
Approved staff's recommendation

- 9.V.** Approval for Advance Purchase of Fire Rescue Apparatus
Approved staff's recommendation
- 9.W.** Approval County's Stop Loss Policy Renewal with Highmark for Fiscal Year 25/26
Approved staff's recommendation
- 9.X.** Coastal Technology Corporation Final Boat Ramp Study – Work Order Number 1
Approved staff's recommendation
- 9.Y.** Jones' Pier Conservation Area Bungalow Renovation Release of Retainage to Close Construction Services, LLC - Bid 2024009
Approved staff's recommendation
- 9.Z.** 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 2025-035, authorizing the execution of a Public Transportation Agreement with the Florida Department of Transportation.
- 9.AA.** Amendment to the Public Transportation Grant Agreement (PTGA) with the Florida Department of Transportation (FDOT) for Intercounty Bus Service
Approved staff's recommendation and Resolution 2025-036, authorizing the execution of a Public Transportation Amendment to the Public Transportation Grant Agreement with the Florida Department of Transportation.
- 9.AB.** Work Order No. 02 Carter Associates, Inc. 20th Avenue Sidewalk (8th Street to 12th Street) IRC-2508
Approved staff's recommendation
- 9.AC.** Work Order No. 13 Andersen Andre Consulting Engineers, Inc. Indian River Boulevard (4th Street - 12th Street) IRC-1817
Approved staff's recommendation
- 9.AD.** APTIM WO#2018006-21 - Sector 3 Hardbottom Impact Analysis
Approved staff's recommendation

- 9.AE.** Gifford Elevated Storage Tank Construction Phase - Final Pay Application and Budget Decrease Approval, Viking Painting LLC. IRCDUS Project ID 13.23.538

Approved staff's recommendation

- 9.AF.** Recommendation to Approve Agreement with Gray Matter Systems, LLC, for Implementation Services for the Industrial Control Systems Network Upgrade Project, IRCDUS Project ID: 00.23.545

Approved staff's recommendation

- 9.AG.** Amendment 2 to AtkinsRéalis USA, Inc., Work Order No. 6 for Continuation of Staff Augmentation Support Services

Approved staff's recommendation

10. CONSTITUTIONAL OFFICERS and GOVERNMENTAL AGENCIES

- 10.A.1.** Indian River County Supervisor of Elections Leslie R. Swan: Request Revenues Received to be Rolled Back into Supervisor of Elections FY2024/2025 Budget

Supervisor of Elections Leslie Swan appeared before the Board to request that the revenue earned from petition verification, data lists, and public records requests be rolled back into in the Elections Office 2024-2025 budget. She reported verifying 8,567 petitions and fulfilling 23 data requests, which generated \$4,890. Ms. Swan wanted to use those funds to help cover the costs of voter notification mailings required by House Bill 1205, signed into law on May 2, 2025.

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

The Chairman called for a recess at 9:56 a.m., and reconvened the meeting at 10:05 a.m. with all members present.

11. PUBLIC ITEMS

A. PUBLIC HEARINGS

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

11.A.1

Amending the Code of Indian River County, Title IX, Land Development Regulations, Chapter 932 "Coastal Management" to Establish Anchoring Limitation Areas in the City of Vero Beach and the Town of Indian River Shores in Accordance with Florida Statute 327.4108

Senior Lagoon Environmental Specialist Melissa Meisenburg presented an Ordinance to establish Anchoring Limitation Areas (ALAs) in the County. Her presentation began with a timeline and the Interlocal Agreements (ILAs) between the County and its Municipalities: the City of Vero Beach (COVB), the City of Sebastian, and the Town of Indian River Shores; Sebastian later withdrew their participation at the August 20, 2024 BCC meeting. She then reviewed the requirements for ALAs, enforcement, and exclusions. Next, maps were displayed of the anchoring areas agreed to by Vero Beach and Indian River Shores. The projected budget of \$255,500-\$329,000 included consultant fees and construction of signs and buoys. Municipalities would reimburse the County 50 percent of the construction costs and would be responsible for on-going monitoring, maintenance, and enforcement.

Ms. Meisenburg informed Commissioner Earman that Sebastian preferred to see how the ALAs performed before committing, and there was no penalty to later modify the maps which had been vetted by the Florida Fish and Wildlife Commission. County Attorney Jennifer Shuler added that if changes were made, they needed to go through the Ordinance process again.

Chairman Flescher referred to previous comments from the Youth Sailing Foundation's (YSF) leadership. Ms. Meisenburg recounted being informed of their request to eliminate Area 2. It was her understanding that the City removed the portion of Area 2 which was adjacent to the YSF, and confirmed the approved anchoring areas were contained in an agreement between the COVB and the YSF; the County received the final maps from COVB. County Administrator John Titkanich noted the final Vero Beach map covered a smaller area than the map submitted during the ILA.

The Chairman opened the floor for comments.

Danessa Chambers, Assistant City Engineer, City of Vero Beach (COVB), recounted the City's decision to reduce only a portion of Area 2 adjacent to the YSF, and noted the City's discomfort reducing the area further. Commissioner Adams received confirmation from Ms. Meisenburg that the map shown at this meeting was the one approved by the COVB and would be part of the Ordinance; Ms. Chambers agreed the displayed map was correct.

Christopher Drake, Executive Director of the Youth Sailing Foundation, returned to the Board to ask that the entirety of Area 2 be removed for safety. He

questioned how removing more of the area would be a detriment. Commissioner Adams advised that if Mr. Drake desired further changes, he needed to address the COVB directly. He asked if Area 2 could be stricken or amended, and decided upon at a later date. He was advised to address the City as they were the decision makers, not the County.

Chris Pope, Board of Directors of the Youth Sailing Foundation, explained the source of their miscommunication with the COVB which led to the objections. She received confirmation the item would be voted on today, and changes from the COVB could be handled as future amendments to the Ordinance.

Keith Drewett, Vice President of the Clean Water Coalition, commended the Board and staff for bringing forth the Ordinance, stating it would make a difference in the health of the Lagoon. His organization recommended the Board's approval of the ALAs.

There being no further comments, the Chairman closed the floor for comments.

Chairman Flescher congratulated Ms. Meisenburg on receiving the Lagoon Champion Award from the Clean Water Coalition. Administrator Titkanich thanked Ms. Meisenburg on for her work in partnering with the Municipalities.

A motion was made by Commissioner Moss, seconded by Chairman Flescher, to approve staff's recommendation and adopt Ordinance 2025-012, amending the Code of Indian River County, Title IX, Land Development Regulations, Chapter 932 "Coastal Management" to establish anchoring limitation areas in the City of Vero Beach and the Town of Indian River Shores in accordance with Florida Statute 327.4108. 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

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.** Indian River County Stormwater Management Plan
Tabled

G. Office of Management and Budget

13.G.1.**Approval of Changes to Purchasing Manual and Procedures and Authorization to Advertise for Public Hearing for Changes to Chapter 105 Indian River County Code**

Procurement Manager Jennifer Hyde opened the item by introducing her staff, their qualifications, and the division's goal. She then presented the proposed changes to the Indian River Code (Code) and updates to the Purchasing Manual and Procedures (Manual). The changes sought to address the challenges of increased costs and delivery times, low spending thresholds, and cyber security.

Proposed changes to Chapter 105 of the Code included reorganization of the content, moving procedures to the Manual, an spending threshold increase for the County Administrator, and required disclosure of vendor ownership by County employees. Proposed changes to the Manual included increasing the quote threshold to \$10,000, increasing the formal procurement (bid) threshold to \$100,000, increasing the Procurement Manager's threshold to \$100,000, increasing the County Administrator's authority to \$200,000, increasing bid security to \$200,000, and increasing the construction bond requirement to \$200,000. The section ended with a list of miscellaneous changes related to the bid and award process.

Chairman Flescher expressed reservations at increasing the County Administrator's threshold to \$200,000. He was uncomfortable granting the authority to spend such a large amount without the Board's approval; he suggested setting the limit at \$100,000. Vice Chairman Loar received information from Ms. Hyde on the benefits to lowering the bond capacity on certain projects. Commissioner Earman was assured that the changes would make the County more efficient and more responsive during emergencies.

Commissioner Earman was in favor of increasing the Administrator's threshold, and sought input from Administrator Titkanich on how to ensure communication regarding expenditures. The Administrator noted he produced a quarterly report and offered to create a monthly one instead. Chairman Flescher maintained his objection to being notified only after the money was spent, except in cases of emergency, and noted he could call a special call meeting to discuss large expenditures. Ms. Hyde informed Commissioner Adams that typical projects in the \$100,000 to \$200,000 range included roofing bids, boardwalks, painting, power washing and other large repair work. Commissioner Moss expressed support for staff's recommendation.

The Chairman opened the floor for public comment.

Richard Minetti, Resident, suggested evaluating Ms. Hyde's changes for a year.

Lalita Janky spoke in favor of the lower threshold for the Administrator and having the Board informed of larger amounts for non-emergencies.

Commissioner Loar favored increasing the spending threshold if it expedited work and saved money, stating he trusted the County Administrator to make the right decisions. The Chairman assured there was no otherwise, but he felt more comfortable in his stewardship of the County's money at the \$100,000 level.

Ralph Poppell spoke in favor of setting the purchasing limit at \$100,000 for the County Administrator.

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

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

Nay: 1 - Chairman Flescher

H. Parks, Recreation, and Conservation

I. Planning and Development Services

J. Public Works

13.J.1. Rain Tree Corners Special Assessment Request

Assistant Director of Public Works Danny Ooley presented the special assessment request from the residents of Raintree Corners. He recounted that the culvert at the entrance to the 16-home subdivision failed during heavy rain, and the County's Road and Bridge Department provided a temporary fix. In pursuing a permanent fix, the residents were informed the Indian River Farms Water Control District (IRFWCD) required replacing the existing 60-inch culvert with a larger 84-inch reinforced concrete pipe which raised the project's cost to over \$300,000. Most homeowners could not afford to pay this upfront so the Homeowners Association (HOA) petitioned Public Works to create a special assessment to fund the project. The HOA turned over the engineering plans and permits already gathered. Half of the homeowners have committed to paying their share at the project's start, while four residents had yet to submit consent signatures. Mr. Ooley described the next steps in approving the subdivision's request.

Commissioner Adams received confirmation from Attorney Shuler that the Attorney's Office was working in conjunction with Public Works to prepare and certify the public notice to the residents. Vice Chairman Loar was notified that a new bid would be secured, but the repayment terms had not yet been decided. Mr. Ooley also confirmed to Vice Chairman Loar that residents who paid early would reduce the amount the others would be assessed.

Richard Minetti expressed his community's need for the repair and thanked the Board.

Joel Molinari notified the Board that 14 residents had provided their consent. He praised Public Works for their assistance.

Mary Wolonowski described the hardship she faced by the failed culvert.

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

K. Sandridge Golf Club**L. Utilities Services**

The Chairman called for a recess at 11:16 a.m., and reconvened the meeting at 11:25 a.m. with all members present.

14. COUNTY ATTORNEY MATTERS

14.A. Environmental Land Acquisition Panel Committee Appointment

Attorney Jennifer Shuler presented the three applicants to the Board. Chairman Flescher spoke favorably of Dr. Richard Gilmore.

A motion was made by Commissioner Moss, seconded by Chairman Flescher, to approve Richard G. Gilmore as the Natural Resources Member At Large appointee to the Environmental Land Acquisition Panel. The motion carried by the following vote:

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

14.A.2 14.A.2 Previous 9.J. Early Learning Coalition

County Attorney Jennifer Shuler recommended appointing the sole applicant, Jessica Staudt, to the position.

A motion was made by Commissioner Moss, seconded by Chairman Flescher, to approve Jessica Staudt as the Board of County Commissioners Representative on the Early Learning Coalition Board. The motion carried by the following vote:

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

14.B. Sale of Tower Easement and Property Near Sea Oaks

Assistant County Attorney Chris Hicks provided background on the property which was formerly used for utilities and had been declared surplus on June 18, 2024, at the request of Sea Oaks. Staff was instructed at that time to negotiate with Sea Oaks for their purchase of the property. While the property was no longer being used for utilities, however, the County had entered into a 2007 agreement with Verizon Wireless for the company to construct a cell tower and lease a portion of the property from the County for the tower's operation.

After negotiations with staff, a purchase offer of \$859,700 from Sea Oaks was agreed to contingent upon the cell tower and its easement remaining in place. Simultaneously, the County sought to sell the easement to Wireless Edge, and reached a negotiated price of \$2,100,000. The County was advised to first sell the cell tower easement before closing on the sale of the underlying property to Sea Oaks. If the Board approved the easement sale, staff would then continue on to finalize the sale of the property to Sea Oaks.

Chairman Flescher stated he was pleased with the negotiated agreement. Vice Chairman Loar confirmed that the cell tower did not have Emergency Services' equipment installed on it.

Sea Oaks' attorney Bruce Barkett supported staff's recommendation. He stated the residents of Sea Oaks would prefer to keep a monopole tower rather than a lattice structure. Attorney Hicks noted the current lease prevented changes in the tower itself which was owned by Verizon.

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

14.C. Florida Development Finance Corporation Consent Resolution for
Brightline

County Attorney Jennifer Shuler presented Brightline Holding LLC's request to issue \$400,000 of revenue bonds through the Florida Development Finance Corporation's (FDFC) to finance safety improvements at railroad crossings. A previously signed Interlocal Agreement allowed the issuance of the bonds subject to the Board's consent.

Chairman Flescher informed the public that there was no financial obligation on the County's part related to the FDFC bonds.

Brian Kronberg, Senior Vice President of Brightline, discussed enhancements planned for 32 of the County's railroad crossings.

A motion was made by Commissioner Moss, seconded by Chairman Flescher, to approve staff's recommendation and Resolution 2025-037, providing consent to the Florida Development Finance Corporation to the issuance of Revenue Bonds on behalf of Brightline Holdings LLC and/or certain affiliates; and providing an effective date. The motion carried by the following vote:

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

i14.D. Michael and Jeannie Sole v. IRC Settlement Agreement

County Attorney Jennifer Shuler provided a recap of events regarding the Krogel Homestead Conservation Area, 11296 Indian River Drive, which the County acquired in 2002 for the public's use. She explained that the previous owners had entered into an Open Space Agreement (OSA) with an adjacent property to the south, now owned by Mr. and Mrs. Sole. The Soles sued the County in 2023 to enforce the OSA, with judgment granted to prohibit the County from allowing public access to the open space and waterfront area. Both parties were ordered to work together on how to restrict public access. In the negotiated settlement before the Board, the County agreed to install a locked fence, escort non-County visitors, and install native plants; in return, the Soles agreed to withdraw their motion seeking reimbursement of their attorney's fees and costs. She added that the Sole's property was under contract, and the new owners were in favor of the settlement agreement.

Vice Chairman Loar received clarification that County staff would escort anyone needing access to the open space area. Commissioner Adams was advised that the County owned the open space, but the public was not allowed to access it, and further, the County had to take measures to prevent public access. Discussion was had regarding the original intent of the Krogel property. Commissioner Earman expressed doubt about the property's suitability for public traffic and favored approving the settlement.

Beth Powell, Director of Parks, Recreation, and Conservation, provided Commissioner Adams with details on the fence which would be hogwire and fence posts with a locked pole gate. Ms. Powell confirmed for Commissioner Moss that grant funds were used to purchase the Krogel property which was also the site of a historically significant homestead. Ms. Powell detailed the improvements made to the rest of the property, and confirmed the restored home could be opened. Ms. Powell confirmed the rest of the property could be opened to the public once the fence was installed.

A motion was made by Commissioner Earman, seconded by Commissioner Adams, 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

C. Commissioner Susan Adams

D. Commissioner Joseph H. Earman

E. Commissioner Laura Moss

16. SPECIAL DISTRICTS AND BOARDS

A. Emergency Services District

B. Solid Waste Disposal District

C. Environmental Control Board

17. PUBLIC COMMENT: NON-AGENDA-RELATED MATTERS

18. ADJOURNMENT

There being no further business, the Chairman adjourned the meeting at 12:04 p.m.