



# Indian River County Florida

## Meeting Minutes 4

### Board of County Commissioners

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

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

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

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Tuesday, January 5, 2021

9:00 AM

Commission Chambers

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**This meeting can be attended virtually via Zoom. Instructions can be found at the end of this agenda and also online at [www.ircgov.com](http://www.ircgov.com).**

#### 1. CALL TO ORDER

#### 2. ROLL CALL

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

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

#### 2.B. INVOCATION

**Dr. Christina Moore**

#### 3. PLEDGE OF ALLEGIANCE

**Commissioner Peter D. O'Bryan**

#### 3.A. CONSTITUTIONAL OFFICERS OATH OF OFFICE

**The Honorable David C. Morgan, County Judge, Nineteenth Judicial Circuit Court of Florida**

Property Appraiser Wesley Davis, Clerk of the Circuit Court and Comptroller Jeffrey R. Smith, Supervisor of Elections Leslie Rossway Swan, and Tax Collector Carole Jean Jordan recited the Oath of Office, administered by The Honorable David C. Morgan, County Judge, Nineteenth Judicial Circuit Court of Florida.

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

*(Clerk's Note: This item was heard prior to Item 3.A.)*

Moved: Item 11.A. to follow Item 8. Consent Agenda  
Items 12.B.1. and 12.B.2. to follow Item 11.A.  
Item 11.B. to follow Item 12.B.2.

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

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

**5. PROCLAMATIONS and PRESENTATIONS**

**5.A.** Presentation of Proclamation Honoring Deborah Gee on Her Retirement From the Indian River County Office of the Tax Collector With 38 Years and 8 Months of Service

Chairman Flescher read and presented the Proclamation to Deborah Gee, who was present with her family, coworkers and friends. The Chairman thanked her for 38 years and eight (8) months of service to the residents of Indian River County.

Members of the Board, County Attorney Dylan Reingold, County Administrator Jason Brown, and Tax Collector Carole Jean Jordan each spoke of Ms. Gee's patience, kindness and unwavering dedication to the taxpayers.

**Read and Presented**

**6. APPROVAL OF MINUTES**

**6.A.** Final Budget Hearing of September 23, 2020

**A motion was made by Commissioner Adams, seconded by Vice Chairman O'Bryan, to approve the Final Budget Hearing Meeting Minutes of September 23, 2020. The motion carried by the following vote:**

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

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

**7.A.** Order PSC-2020-0448-TRF-EI approving FPL's COVID-19 small business assistance program

**No Action Taken or Required**

- 7.B.** Florida Public Service Commission Consummating Order PSC-2020-0508-TRF-EI approving FPL's petition for proposed disposition of voluntary solar partnership rider and approving revised tariff

**No Action Taken or Required**

- 7.C.** Order PSC-2020-0512-TRF-EI granting FPL's proposed optional vehicle public charging pilot tariffs, effective 1/1/21

**No Action Taken or Required**

- 7.D.** Appointment of New District 1 Representative to Children's Services Advisory Committee (CSAC)

Commissioner Adams thanked Mr. Paul Reeves for his service on the Children's Services Advisory Committee (CSAC). She announced that Kerry Bartlett would be replacing Mr. Reeves as the District 1 appointee.

**No Action Taken or Required**

- 7.E.** St. Johns River Water Management District (SJRWMD) 2021 Governing Board Meeting Schedule

**No Action Taken or Required**

- 7.F.** Notice of Amendment No. 2 - Florida Department of Environmental Protection, Coastal Partnership Initiative for the Jones' Pier Conservation Area Saltmarsh Wetland and Hydric Hammock Restoration - Grant Agreement Number CZ219

**No Action Taken or Required**

- 7.G.** Indian River County Venue Event Calendar Review

**No Action Taken or Required**

- 7.H.** Update on Brightline Trains Expenses

**No Action Taken or Required**

- 7.I.** 2021 Treasure Coast Regional Planning Council Comprehensive Economic Development Strategy Committee (TCRPC CEDS) District Appointment Member Listing

**No Action Taken or Required**

- 7.J.** Children's Services Advisory Committee - District 5 Appointment

Commissioner Moss thanked Ms. Molly Steinwald for her service on the Children's Services Advisory Committee (CSAC), and she announced that she would be appointing Ms. Hope B. Woodhouse to represent District 5.

**No Action Taken or Required**

**8. CONSENT AGENDA**

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

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

- 8.A.** Checks and Electronic Payments December 4, 2020 to December 10, 2020  
**Approved**
- 8.B.** Checks and Electronic Payments December 11, 2020 to December 17, 2020  
**Approved**
- 8.C.** Public Official Bond for Eric S. Flowers as Sheriff  
**Approved**
- 8.D.** Request by Catherine Mary Blum and Brendon R. Blum for release of an easement located at 4531 7th Place SW  
**Approved Resolution 2021-001, releasing an easement located at 4531 7th PI SW, Arbor Trace Phase 1 PD. (Blum)**
- 8.E.** Request by 63rd Street Group, LLC for release of an easement located at 4400 77th Street  
**Approved Resolution 2021-002, releasing an easement located at 4400 77th Street, Hobart Estates Subdivision Unit 1. (63rd Street Group, LLC)**
- 8.F.** Resolutions Cancelling Taxes on Properties Purchased for Public Purpose: Right-Of-Way for 66th Avenue from Marsha A. Kinchen, an Unmarried Woman and Marvin Kenneth Kinchen, an Unmarried Man; and Kinchen Groves, Inc., a Florida Corporation  
**Approved staff's recommendation and Resolution 2021-003, cancelling certain taxes upon publicly owned lands, pursuant to Section 196.28, Florida Statutes (Kinchen); and Resolution 2021-004, cancelling certain taxes upon publicly owned lands, pursuant to Section 196.28, Florida Statutes. (Kinchen Groves, Inc.)**
- 8.G.** Professional Roof Design and Evaluation Consulting Services, RFQ No. 2020031  
**Approved staff's recommendation, with the three (3) top ranked firms being Jay Ammon Architect, Inc.; REI Engineers, Inc.; and A/R/C Associates, Inc.**
- 8.H.** Work Order No. 15 - Morgan & Eklund, Inc. 2021 Beach Profile Monitoring Surveys (WINTER)  
**Approved staff's recommendation**

8.I. Work Order No. 16 - Morgan & Eklund, Inc. 2021 Beach Profile Monitoring Surveys (SUMMER)

**Approved staff's recommendation**

8.J. Approval of FY 2020/2021 and FY 2021/2022 Radiological Emergency Preparedness Agreement (REP Grant)

**Approved staff's recommendation**

## 9. CONSTITUTIONAL OFFICERS and GOVERNMENTAL AGENCIES

## 10. PUBLIC ITEMS

### A. PUBLIC HEARINGS

PROOF OF PUBLICATIONS OF ADVERTISEMENT FOR HEARINGS IS ON FILE IN THE OFFICE OF THE CLERK TO THE BOARD

10.A.1. Public Hearing for Amendment to Section 100.03 "Amendment or Repeal of Ordinances" of Chapter 100 "General Provisions" of the Code of Indian River County, Codifying and Publishing the Ordinances to Readopt the Code up to and Including Supplement 137 - LEGISLATIVE

County Attorney Dylan Reingold referred to staff's memorandum dated December 3, 2020, to present an annual compliance item regarding the Code of Indian River County.

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

**A motion was made by Vice Chairman O'Bryan, seconded by Commissioner Adams, to adopt Ordinance 2021-001, amending Section 100.03 "Amendment or repeal of ordinances" of Chapter 100 "General Provisions" of The Code of Indian River County ("The Code"), codifying and publishing the ordinances up to and including Supplement 137 thereto, readopting the Code, designating the Code as the best evidence of the current law of Indian River County, Florida, and providing for severability, codification, and an effective date. The motion carried by the following vote:**

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

10.A.2. Amending Section 401.07 (The Indian River County Wind Borne Debris Region and Basic Wind Speed Map) of Part I (Standard Codes Generally) of Chapter 401 (Building Codes) of the Code of Indian River County, to Adopt an Amended Wind Speed Map - LEGISLATIVE

Director of Community Development Phil Matson introduced Scott McAdam, Building Official, who provided a brief presentation on the County's amended Wind Speed Maps as detailed in staff's memorandum dated December 14, 2020.

He included that a new map for Risk Category IV, listed as Exhibit 2 in the attachments, had been added to the 2020 7th Edition Florida Building Codes.

Chairman Flescher inquired and received a breakdown of the Florida Building Code from Official McAdam, who detailed the three (3) wind speed zones and the wind speed increase for Risk Category 4, which included essential buildings such as police stations, fire stations, the Emergency Operations Center, and buildings or structures providing support to the essential service buildings. He made mention that the current essential structures had been grandfathered in and would remain in compliance until they needed to be repaired or replaced.

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

**A motion was made by Commissioner Earman, seconded by Vice Chairman O'Bryan, to adopt Ordinance 2021-002, amending Section 401.07 (The Indian River County Wind Borne Debris Region and Basic Wind Speed Map) of Part 1 (Standard Codes Generally) of Chapter 401 (Building Codes) of the Code of Indian River County, to replace the existing wind speed map with two updated wind speed maps; and providing for codification; severability; conflict of ordinances; and effective date of the ordinance. The motion carried by the following vote:**

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

## **B. PUBLIC DISCUSSION ITEMS**

### **10.B.1.** Request to Speak from Deborah Cooney Re: Settlement Offer

Ms. Deborah Cooney addressed the Board to discuss allegations against the County, the Sheriff's Department, and former Sheriff Deryl Loar. She requested that the Board call the former Sheriff's \$10,000 bond.

Chairman Flescher and Vice Chairman O'Bryan denied Ms. Cooney's claims against County employees and the Constitutional officers.

**No Action Taken or Required**

## **C. PUBLIC NOTICE ITEMS**

## **11. COUNTY ADMINISTRATOR MATTERS**

### **11.A.** Provide Update Regarding COVID-19 Vaccinations

*(Clerk's Note: This item was moved to follow Item 8. Consent Agenda.)*

Director of Emergency Services Tad Stone provided an update regarding COVID-19 vaccinations. He noted that the Fire Rescue and Emergency Management Divisions

of Emergency Services were working with the Florida Department of Health in Indian River County, Cleveland Clinic Indian River Hospital, and Treasure Coast Community Health to make the vaccination process run as smooth as possible. He discussed the schedule for administering the vaccines to individuals 65 years of age or older, and he reminded the Board of the continuous guideline changes that have been coming from the State and the Centers for Disease Control and Prevention (CDC).

Commissioner Moss inquired and received clarification from Chief Stone that [www.AlertIndianRiver.com](http://www.AlertIndianRiver.com) was the best way to sign up to receive notifications regarding vaccination appointment availability. In addition, the Commissioner mentioned community frustrations related to communication and limited supply, and Chief Stone clarified that the State determined the number of vaccines each County would receive.

Vice Chairman O'Bryan was in favor of vaccinations being administered to the oldest residents first. Chief Stone pointed out the difficulty of sorting by age based on the Governor's orders.

Miranda Hawker, Health Officer, Florida Department of Health in Indian River County, stated that the County was unable to break down the vaccinations by age due to the current executive orders from the Governor, which included eligibility for individuals age 65 or older. She also mentioned that the vaccine supply coming to the County was variable with little advanced notice; however, once the vaccines became more readily available there were outlets for getting the shots administered. Vice Chairman O'Bryan inquired and received clarification from Ms. Hawker that the County had been assured the second doses of the vaccine. In addition, he commended the Health Department on their effort to reach as many people as possible, noting that all people do not have access to a computer.

Commissioner Moss addressed concerns that phone calls were not being answered at Cleveland Clinic Indian River Hospital. Ms. Hawker recommended that established patients of Cleveland Clinic should continue to reach out to the hospital for vaccines. She also pointed out that the volume of phone calls being received by the Hospital and by the Health Department was tough to keep up with.

Chairman Flescher spoke on the effectiveness of the County's alert system, noting that the residents who were signed up to receive the alerts had acted in a timely fashion and filled the available appointments very quickly, and that the issue of limited vaccines was challenging for everyone. The Chairman was encouraged by the number of residents interested in getting the COVID-19 vaccine, and he suggested that the County would need additional medical professionals to administer the vaccines when they were more readily available.

County Administrator Jason Brown stated that the County had worked with a vendor to supply nurses and medical staff when needed. In an effort to be prepared, he authorized Chief Stone and Ms. Hawker to get updated pricing for administering vaccines since the previously used pricing was for 24-hour staffing. Administrator Brown stated that he would return to the Board for approval when the vendor pricing was available.

Commissioner Earman applauded the work done by Chief Stone and his staff, Ms. Hawker and her staff, and Administrator Brown.

Commissioner Adams requested clarification regarding the formula used to determine the number of vaccines being allocated to each County, and Ms. Hawker explained that the State made the decision and the number of vaccines were determined by the population. Chief Stone added that nonresidents meeting the age requirement could sign up to receive a vaccination in Indian River County. The Commissioner also addressed the frustrations felt throughout the community due to the number of individuals trying to reserve an appointment versus the limited number of vaccines available.

Individuals who were interested in receiving vaccine notifications were reminded to go to the County's home page, [www.ircgov.com](http://www.ircgov.com), then click on "Subscribe" in the Alert Indian River window, or go to [www.AlertIndianRiver.com](http://www.AlertIndianRiver.com). The notifications, sent by email and/or by text message, would include a link to follow for choosing an appointment time.

In closing, it was the full consensus of the Board that Administrator Brown would get the nursing staff pricing secured and return to a future meeting for discussion and approval.

#### **Board Reached Consensus**

#### **11.B. CARES Act 2.0 - Proposed Spending Plan**

County Administrator Jason Brown referred to staff's memorandum dated December 24, 2020, to provide a detailed overview of the CARES Act 2.0 Proposed Spending Plan, which included the previously approved allocations and the recommended reallocations for public health and public safety. He announced the possibility of a revision from Treasure Coast Community Health, noting that staff would return for Board approval if the request for additional funding was received.

Administrator Brown discussed increasing the Small Business Assistance Program funding from \$5,000 to \$10,000 for new applicants and reaching out to small business owners who had received the initial \$5,000 to see if they were in need of additional

funding. He mentioned that aesthetic services and small family farms had been added to the list of eligible small businesses, and he clarified the role the United Way had played to assist the County and numerous other partners in providing services to residents who were severely impacted by COVID-19.

Under discussion, Vice Chairman O'Bryan spoke in full support of staff's recommendation as it had been presented, and he and Commissioner Earman commended staff on the great work being done. Commissioner Moss inquired about nonprofit organizations being included under Economic Development, and she suggested offering them a \$5,000 grant. Administrator Brown requested direction from the Board due to the fact that nonprofit organizations were measured differently than for-profit businesses. Commissioner Adams pointed out that the United Way had funded 23 nonprofit organizations, and she agreed with the County Administrator that a separate process for funding nonprofits would need to be established and voted on at a future meeting. Commissioner Earman and Vice Chairman O'Bryan agreed, with Vice Chairman O'Bryan adding that nonprofit organizations should reach out to the United Way, who would be receiving an allocation under Community Support as presented in staff's recommendation. Commissioner Moss disagreed with her fellow Commissioners regarding nonprofits being excluded from the Economic Development category.

Additional inquiries were made by Commissioner Moss regarding municipalities receiving CARES Act funds in 2021 if they had returned unused funds at the end of 2020, and the dollar amount being budgeted for community education. Management and Budget Director Kristin Daniels clarified that the proposed \$45,000, an additional need under BCC Expenses, Educational Campaigns, would bring the amount available for community education to \$90,000. Administrator Brown added that funding would be available to provide additional assistance to the municipalities and for outreach to the community, if necessary. Commissioner Moss resumed discussion and received feedback from Administrator Brown about the degree of need and the ability of the Treasure Coast Food Bank to distribute food throughout the County.

Commissioner Earman inquired with Administrator Brown about the United Way's process of sorting/screening the local non-profit organizations.

Vice Chairman O'Bryan suggested that flyers be included with utility bills as another way to inform the public about the available assistance programs to home owners, tenants, and small businesses.

The Chairman opened the floor for public comment.

Deborah Cooney addressed the Board with comments regarding the United Way. She also mentioned an issue she was having with uploading public comments and

sending emails to the County. Chairman Flescher informed Ms. Cooney that her messages had been received.

Heather Stapleton, Executive Director, Vero Heritage, Inc. who stewards the Heritage Center and operates the Indian River Citrus Museum, spoke on the financial hit they had taken due to the vast number of rental cancellations caused by COVID-19. She encouraged the Board to have a discussion in the near future regarding offering assistance to unique nonprofit organizations that were not direct service providers.

Helene Caseltine, Economic Director, Indian River County Chamber of Commerce, spoke on behalf of small business owners within the community as she thanked the Board for increasing the small business grant program funding. In addition, she inquired and received clarification from Administrator Brown that long-term vacation rentals were not included under the category of hospitality due to the "one size fits all" structure of the program.

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

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

**Nay:** 1 - Commissioner Moss

Chairman Flescher called for a recess at 11:01 a.m., and he reconvened the meeting at 11:10 a.m., with all members present.

## 12. DEPARTMENTAL MATTERS

### A. Community Development

### B. Emergency Services

*(Clerk's Note: The Emergency Services items were heard following Item 11.A.)*

#### 12.B.1.

Approval of Renewal of the 800 MHz Communications System Master Service Agreement with Communications International, Inc.

There was no Board discussion on this item.

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

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

**12.B.2.** Approval of Extension of the Public Safety Communications System FX Software Services Agreement

There was no Board discussion on this item.

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

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

**C. General Services**

**D. Human Resources**

**E. Information Technology**

**F. Office of Management and Budget**

**G. Public Works**

**H. Utilities Services**

**12.H.1.** Sole Source for Aqua Aerobic Systems Inc.

There was no Board discussion on this item.

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

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

**13. COUNTY ATTORNEY MATTERS**

**14. COMMISSIONERS MATTERS**

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

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

**C. Commissioner Susan Adams**

**D. Commissioner Joseph H. Earman**

**E. Commissioner Laura Moss**

**15. SPECIAL DISTRICTS AND BOARDS**

**A. Emergency Services District**

**B. Solid Waste Disposal District**

**C. Environmental Control Board**

**16. ADJOURNMENT**

There being no further business, the Chairman adjourned the meeting at 11:38 a.m.