



Indian River County Florida

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

Meeting Minutes - Final

Board of County Commissioners

Chairman Susan Adams
Vice Chairman Joseph E. Flescher
Commissioner Tim Zorc
Commissioner Peter D. O'Bryan
Commissioner Bob Solari

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

Tuesday, October 20, 2020

9:00 AM

Commission Chambers

This meeting can be attended virtually via Zoom. Instructions can be found with this agenda and also online at www.ircgov.com.

1. CALL TO ORDER

Present: 4 - Chairman Susan Adams
Vice Chairman Joseph Flescher
Commissioner Tim Zorc
Commissioner Peter O'Bryan
Absent: 1 - Commissioner Bob Solari

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

2.B. INVOCATION

Reverend Chris Kollmann, Lutheran Church of the Redeemer

3. PLEDGE OF ALLEGIANCE

Commissioner Peter D. O'Bryan

4. ADDITIONS/DELETIONS TO THE AGENDA / EMERGENCY ITEMS

Move: Item 14.D.1. to be heard following Item 5.A.

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

Aye: 4 - Chairman Adams, Vice Chairman Flescher, Commissioner Zorc, and Commissioner O'Bryan
Absent: 1 - Commissioner Solari

5. PROCLAMATIONS and PRESENTATIONS

- 5.A.** [20-1988](#) Presentation of Proclamation Honoring Bruce H. Colton, State Attorney of 19th Judicial Circuit

Attachments: [Proclamation](#)

Commissioner O'Bryan read and presented the Proclamation honoring Bruce H. Colton for his service to all citizens as the State Attorney for the Nineteenth Judicial Circuit.

Read and Presented

- 5.B.** [20-2065](#) Presentation of FIREMEDIC OF THE YEAR Award by Tad Stone, Director of Emergency Services

Director of Emergency Services Tad Stone presented the Firemedic of the Year Award to David Osgood for performing his duties in a manner that exemplifies a competency that reflects the highest standards of a leader in the fire service, and becoming one of the youngest EMS Field Training Officers in the history of the department.

Presented

- 5.C.** [20-2023](#) Presentation of Proclamation for Lights On Afterschool

Attachments: [Proclamation](#)

Commissioner Zorc presented the Proclamation for "Lights on Afterschool" to the following people in recognition of their innovative afterschool programs: Elizabeth Thomason, Executive Director of the Boys and Girls Club of Indian River County; Co-founders Cathy De Schouwer and Antoine Jennings with Crossover Mission; Freddie Woolfork and Angelia Perry with the Gifford Youth Achievement Center; Verna Wright, Executive Director of the Dasie Hope Center; and Kenya May, Feed the Lambs Enrichments.

Read and Presented

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

- 7.A. [20-2049](#) Proclamation Honoring Jeffrey Hoffman on His Retirement From Indian River County Board of County Commissioners Department of Public Works Road and Bridge Division with Fifteen Years of Service

Attachments: [Proclamation](#)

Chairman Adams thanked Mr. Jeffrey Hoffman for his 15 years of service to Indian River County.

No Action Taken or Required

- 7.B. [20-2068](#) 4th Quarter FY 2019/2020 Budget Report

Attachments: [Staff Report](#)

[4th Quarter Budget Report](#)

No Action Taken or Required

8. CONSENT AGENDA

A motion was made by Vice Chairman Flescher, seconded by Commissioner Zorc, to approve the Consent Agenda as presented. The motion carried by the following vote:

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

Absent: 1 - Commissioner Solari

- 8.A. [20-2053](#) Checks and Electronic Payments October 2, 2020 to October 8, 2020

Attachments: [Finance Department Staff Report](#)

Approved

- 8.B. [20-2047](#) Right-of-Way Purchase - 58th Avenue/37th Street Intersection, 3775 58th Avenue, Vero Beach, FL 32966, Owners: Manzul Rahim

Attachments: [Staff Report](#)

[Purchase Agreement](#)

Approved staff's recommendation

- 8.C. [20-2051](#) Notice of Grant Award from the Florida Inland Navigation District Jones' Pier Museum and Education Exhibits - IR-20-69

Attachments: [Staff Report](#)
[Attachment A](#)
[Attachment B](#)

Approved staff's recommendation

- 8.D. [20-2062](#) Jones' Pier Conservation Area Public Use Improvements - Amendment Number 1 to Work Order Number 3 Continued Construction Administration Services

Attachments: [Staff Report](#)
[Attachment A - Amendment 1 to WO #3](#)
[Exhibit 1 -](#)

Approved staff's recommendation

- 8.E. [20-2050](#) Resolution Authorizing the Community Development Director or his Designee to Endorse Insurance Checks Associated with County Housing Programs

Attachments: [Staff Report](#)
[Proposed Resolution](#)
[Resolution 2004-134 \(conformed\)](#)

Approved Resolution 2020-088, delegating to the Community Development Director or his designee, authority to endorse insurance checks relating to County Housing programs such as SHIP Homes and the Neighborhood Stabilization Program.

- 8.F. [20-2052](#) Ford F-Series Door Latch Class Action Settlement, (Brandon Kommer v. Ford Motor Company), Case No. 1:17-cv-00296-LEK-DJS (N.D. NY)

Attachments: [Staff Report](#)
[Notice of Class Action \(ADA\)](#)

Approved staff's recommendation

- 8.G. [20-2067](#) Resolution Cancelling Taxes on Property Dedicated by GRBK GHO High Pointe, LLC to Indian River County for Public Purpose (65th Street Right-Of-Way)

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

Approved Resolution 2020-089, cancelling certain taxes upon publicly owned lands, pursuant to Section 196.28, Florida Statutes (GRBK GHO High Pointe, LLC).

8.H. [20-2056](#) Amendment to 2021 Pictometry Aerial Imagery Contract

Attachments: [Staff Report](#)
[Amendment 2 Agreement](#)
[Pictometry Imagery Coverage Map](#)

Approved staff's recommendation

8.I. [20-2060](#) Interfund Borrowing and Interfund Loan - Fiscal Year 2019/2020

Attachments: [Staff Report](#)

Approved staff's recommendation

8.J. [20-2061](#) Miscellaneous Budget Amendment 011

Attachments: [Staff Report](#)
[2019 2020 Resolution](#)
[Exhibit "A"](#)

Approved Resolution 2020-090, amending the Fiscal Year 2019-2020 Budget.

8.K. [20-2063](#) 51st Avenue Water Assessment - 65th Street to 69th Street, Petition, Surveying, and Engineering Design Services

Attachments: [Staff Report](#)
[Assessment Area Map](#)
[Preliminary Petitions](#)

Approved staff's recommendation

9. CONSTITUTIONAL OFFICERS and GOVERNMENTAL AGENCIES

- 9.A. [20-2033](#) Indian River County Clerk of the Circuit Court and Comptroller Jeffrey R. Smith:
Application for Citizen Member to the Value Adjustment Board

Attachments: [Staff Memorandum](#)
[Committee Application Mucher](#)
[Mucher Resume \(County\)](#)
[Joseph L George application and resume](#)
[Resignation of Jim Kordiak - VAB](#)

Clerk of the Circuit Court and Comptroller Jeffrey R. Smith deferred the item to County Attorney Dylan Reingold.

County Attorney Dylan Reingold announced the qualifications for Citizen Member (Homesteaded) to the Value Adjustment Board (VAB) and pointed out that there were two applications for consideration by the Board to fill the vacancy.

Chairman Adams inquired whether the position needed to be filled immediately and deferred the item to Vice Chairman Flescher who was the Commissioner Appointee to the VAB. Vice Chairman Flescher spoke of the importance of filling the vacancy prior to the upcoming VAB Meeting and noted that the Citizen Member vacancy was noticed in March 2020; he then nominated applicant Joseph L. George as Citizen Member (Homesteaded) to the VAB.

A motion was made by Vice Chairman Flescher, seconded by Commissioner O'Bryan, to appoint Joseph L. George as Citizen Member (Homesteaded) to the Value Adjustment Board. The motion carried by the following vote:

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

Absent: 1 - Commissioner Solari

10. PUBLIC ITEMS

A. PUBLIC HEARINGS

B. PUBLIC DISCUSSION ITEMS

C. PUBLIC NOTICE ITEMS

County Attorney Dylan Reingold read the Public Notices into the record.

- 10.C.1.** [20-2058](#) Public Notice of Public Hearing Scheduled for October 28, 2020 to Consider the Adoption of an Ordinance to Create a New Section under Chapter 1100 (Economic Development Ad Valorem Tax Exemption for PCP Tactical, LLC) of the Code of Indian River County - LEGISLATIVE

Attachments: [Staff Report](#)

No Action Taken or Required

- 10.C.2.** [20-2030](#) Notice of Public Hearing Scheduled for November 3, 2020: Consideration of an Ordinance of Indian River County, Florida, amending the Zoning Ordinance and the accompanying Zoning Map for approximately ±19.32 acres located approximately +/-870 feet west of 66th Avenue and north of 16th Street, from RM-6, multiple-family residential district (up to 6 units/acre), to RM-8, multiple-family residential district (up to 8 units/acre); and providing codification, severability, and effective date.(Quasi-Judicial)

Attachments: [Staff Report](#)

No Action Taken or Required

11. COUNTY ADMINISTRATOR MATTERS

- 11.A.** [20-2069](#) 2021 Florida Legislative Session Priorities

Attachments: [Staff Report - Legislative Priorities](#)
[Preliminary Legislative Priorities and Concerns](#)

Brian Sullivan, Legislative Affairs and Communications Manager, provided a timeline of the 2021 Florida Legislative session beginning on March 2, 2021. He brought before the Board, a preliminary list of the County's legislative priorities for discussion and their input. He explained that staff would then take the Board's input and recommendations, update the list, and bring it back to the Board for adoption.

Mr. Sullivan recommended that once the County's legislative priorities were adopted, the Board should have a point person and an alternate to advocate in support of those priorities before the Indian River County Legislative Delegation and the Florida Legislature as a whole.

No Action Taken or Required

12. DEPARTMENTAL MATTERS

A. Community Development

B. Emergency Services**C. General Services****D. Human Resources****E. Information Technology****F. Office of Management and Budget****G. Public Works****H. Utilities Services****12.H.1. [20-2064](#)** Shadow Brook Subdivision Proposed Water Assessment Project Resolution I and II

Attachments: [Staff Report](#)
[Assessment Area Map](#)
[Temporary Water Service Agreements](#)
[Providing Resolution](#)
[Setting Resolution for Public Hearing](#)
[Assessment Roll](#)

Director of Utility Services Vincent Burke, through his PowerPoint Presentation, reviewed the Shadow Brook Subdivision Proposed Water Assessment Project and explained the resolution process.

Larry Cherry, 5860 34th Street, the point of contact for the Shadow Brook Subdivision water assessment project, spoke in support of the project.

A motion was made by Vice Chairman Flescher, seconded by Commissioner O'Bryan, to approve: 1) Resolution 2020-091, providing for a water main extension from 58th Avenue to 34th Street, including 58th Court and 34th Lane within Shadow Brook Subdivision and certain specially benefited properties abutting 34th Street, 58th Court and 34th Lane, located within unincorporated Indian River County, Florida; providing the total estimated cost, method of payment of assessments, number of annual installments, and description of the area to be served; and 2) Resolution 2020-092, setting a time and place at which owners of certain properties abutting 34th Street, 58th Court and 34th Lane within Shadow Brook Subdivision located within unincorporated, Indian River County, Florida; and other interested persons, may appear before the Board of County Commissioners of Indian River County and be heard as to the propriety and advisability of constructing the water main extension, as to the cost thereof, as to the manner of payment therefor, and as to the amount thereof to be specially assessed against each property benefited thereby. The motion carried by the following vote:

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

Absent: 1 - Commissioner Solari

12.H.2. [20-2070](#) Utility Accounts Receivable Bad Debt

Attachments: [Staff Report](#)
[Draft Notice of Future Charges](#)

Director of Utility Services Vincent Burke stated that at the March 17, 2020 meeting, the Board tasked staff to bring back information on accrued delinquency fees and charges on utility accounts, and proposed options to enable staff to address and prevent the excessive accumulation of bad debt from reserve accounts moving forward.

Director Burke, through a PowerPoint Presentation, broke down the number and dollar amounts of outstanding debt for the water and sewer accounts, impact fee loans, and assessments. He reviewed the various settlement options for each type of account and sought information from the Board regarding the proposed 90-day and 12-month time period payment options for accounts that had accumulated over 24 consecutive months of charges.

Commissioner O'Bryan received confirmation from County Attorney Dylan Reingold that once the five-year foreclosure window expired on the lien, the County could collect on the outstanding debt for the next 15 years and after 20 years, the lien would disappear. He suggested establishing a policy that would require action to make a settlement offer when the lien reaches four years of age instead of the 19 years being proposed, giving the County more leverage to negotiate. A discussion followed on whether the law allowed foreclosure on a homesteaded property, and protecting the County's ability in the negotiation to get the account from a non-paying to a paying status.

Commissioner Zorc sought and received information from Director Burke on whether the 80 existing residential structures with 170 equivalent residential units of water were either on the condemnation list, fully habitable structures, abandoned, or delinquent.

A motion was made by Commissioner O'Bryan, seconded by Commissioner Zorc, to authorize staff to return with an ordinance at a public hearing that would establish County code to adopt the proposed 90-day and 12-month time period payment options, and direct staff to establish a policy to look at making a settlement offer when liens reach four years of age, instead of 19 years. The motion carried by the following vote:

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

Absent: 1 - Commissioner Solari

13. COUNTY ATTORNEY MATTERS

14. COMMISSIONERS MATTERS

A. Commissioner Susan Adams, Chairman

B. Commissioner Joseph E. Flescher, Vice Chairman

C. Commissioner Tim Zorc

D. Commissioner Peter D. O'Bryan

14.D.1. [20-2022](#) Discussion of Developments at the Indian River County Courthouse

Attachments: [Commissioner's Memorandum](#)

(Clerk's note: This item was heard following Item 5.A. and is placed here for continuity.)

In honor of State Attorney Bruce H. Colton for his 47 years of outstanding public service, Commissioner O'Bryan proposed naming the Indian River County Courthouse Rotunda to be known as the Bruce H. Colton Rotunda.

Jeffrey R. Smith, Clerk of the Circuit Court and Comptroller, spoke of his support and stated that he could not think of a better person to name the Rotunda after than State Attorney Colton.

A motion was made by Commissioner O'Bryan, seconded by Vice Chairman Flescher, to approve the naming of the Indian River County Courthouse Rotunda to be known as the Bruce H. Colton Rotunda. The motion carried by the following:

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

Absent: 1 - Commissioner Solari

E. Commissioner Bob Solari

15. SPECIAL DISTRICTS AND BOARDS

A. Emergency Services District

B. Solid Waste Disposal 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.

15.B.1. [20-2066](#)

Amendment No. 2 to Work Order No. 32 to Kimley-Horn for Household Hazardous Waste and Recycling Transfer Facility Design

Attachments: [Staff Report](#)

[Revised Conceptual Level Budget](#)

[Amendment No 2 To Work Order No 32](#)

Chairman Adams commented that the updated conceptual design for a new Household Hazardous Waste and Recycling Transfer Facility would be beneficial to everyone and was glad to see the project moving forward.

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

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

Absent: 1 - Commissioner Solari

C. Environmental Control Board**16. ADJOURNMENT**

There being no further business, Chairman Adams adjourned the meeting at 10:17 a.m.