



# 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**

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**Tuesday, March 11, 2025**

**9:00 AM**

**Commission Chambers**

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#### **1. CALL TO ORDER**

**Present:** 5 - Chairman Joseph Flescher  
Vice Chairman Deryl Loar  
Commissioner Susan Adams  
Commissioner Joe Earman  
Commissioner Laura Moss

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

#### **2.B. INVOCATION**

**Deacon Wilfred Hart, Friendship Missionary Baptist Church**

#### **3. PLEDGE OF ALLEGIANCE**

**Commissioner Joseph H. Earman**

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

**A motion was made by Commissioner Adams, seconded by Vice Chairman Loar, to approve the Agenda as amended, deleting Item 14.C., moving Item 16.B.4. after Item 5. 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**

#### **6. APPROVAL OF MINUTES**

##### **6.A. Regular Meeting of December 03, 2024**

**Recommended Action:** Approve

A motion was made by Vice Chairman Loar, seconded by Commissioner Adams, to approve the Regular Meeting Minutes of December 03, 2024 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 December 17, 2024

**Recommended Action:** Approve

A motion was made by Commissioner Adams, seconded by Vice Chairman Loar, to approve the Regular Meeting Minutes of December 17, 2024 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**

**No Action Taken or Required**

**7.A.** The Hospital District's Public Official Bonds for William Cooney, Allen Jones, Michael Kint, Chuck Machett, M.D., and Paul Westcott, and Continuation Certificates for Kerry Bartlett and Karen Deigl have been received from the Law Offices of Jennifer D. Peshke, P.A. The Bonds are on File in the Office of the Clerk to the Board.

**Recommended Action:** No Action Required

**No Action Taken or Required**

**7.B.** Event Calendar

**Recommended Action:** No action required

**No Action Taken or Required**

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

**9. CONSENT AGENDA**

A motion was made by Commissioner Earman, seconded by Chairman Flescher, to approve the Consent Agenda as amended, pulling Item 9.D. and Item 9.N. 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 January 25, 2025 to January 31, 2025

**Recommended Action:** Approve the list of checks and electronic payments issued for the time period of January 25, 2025 to January 31, 2025

**Approved**

**9.B.** Checks and Electronic Payments February 1, 2025 to February 7, 2025

**Recommended Action:** Approve the list of checks and electronic payments for the time period of February 1, 2025 to February 7, 2025

**Approved**

**9.C.** Designation of Excess Equipment as Surplus and Authorization for Disposal and Trade-In

**Recommended Action:** Staff recommends the Board declare the items on the Excess List for 031125 as surplus, and authorize their disposition, as indicated.

**Approved staff's recommendation**

**9.D.** Authorization to Increase Blanket Purchase Orders

**Recommended Action:** Staff recommends the Board of County Commissioners waive the requirement for bids and authorize increases to the listed Purchase Orders, as approved by Budget.

Chairman Flescher initiated the discussion on waiving the requirement for bids and authorizing increases to the following Purchase Orders. He turned the meeting over to County Administrator John Titkanich.

Administrator Titkanich referred to staff's memo dated February 25, 2025, and presented the three (3) requests.

1) Eastern Pipeline Construction for Directional Drilling; 2) Eastern Pipeline Construction for Directional Drilling; 3) Sandridge Golf Club Pro Shop inventory from three vendors.

Chairman Flescher expressed concern that waiving the requirement for bids could undermine transparency and lead to cost overruns. Doing so could allow department heads to allocate funds without prior discussion, approval, or public awareness of such actions.

Administrator Titkanich acknowledged the Chairman's concerns regarding budget adherence. He stated the purchasing team prepared this agenda item for a policy adjustment due to rising utility pipe costs that may exceed the budget. He continued that the Pro Shop inventory had regularly been on the Consent Agenda and included

in budget amendments, with amounts already allocated at the start of the fiscal year.

Purchasing Manager Jennifer Hyde addressed Commissioner Adams, clarifying that staff sought approval for specific purchase orders. Regarding the Sandridge items, staff was obligated to use designated suppliers, which prevented them from initiating a bidding process. In addition, staff requested a waiver of the bidding requirement since purchase orders exceeding \$75,000 fall outside the Administrator's authority and require the Board's approval. Lastly, emergencies often arise, and there was a limit for repair purchases, including concrete repairs. She stated that maintaining flexibility with these purchase orders was crucial to ensure funds were available for contractors. This proactive request was meant to secure pre-approval for a specific vendor rather than seeking approval post-factum.

The Board and staff continued to discuss the purchasing process and the Administrator's approval authority.

Commissioner Adams emphasized that transparency was achieved through open discussions and expressed her appreciation to the Chairman for initiating such dialogue. She underscored the importance of ensuring that everyone was up to date. To enhance this communication, she suggested that the Administrator include these four items in his quarterly Administrative Approvals report. This way, the Board would be informed about when and how funds were spent.

Deputy County Administrator Mike Zito explained that Sanridge's inventory management operated as a rolling stock system. The team analyzes the previous year's sales data to project current sales and maintains a flexible inventory. Staff typically budget 5% to 10% more than the prior year, which has proven effective.

Chairman Flescher emphasized the importance of accountability to the public we serve, especially as they contribute through their taxes. The Board must ensure these funds were allocated responsibly, fairly, and transparently. It was crucial to keep the public well-informed.

**A motion was made by Commissioner Adams, seconded by Commissioner Moss, to approve staff's recommendation, and to direct the County Administrator to include the budget amendment items in the quarterly update. The motion carried by the following vote:**

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

#### **9.E. Waiver of Bid Requirement for Stryker Equipment Maintenance**

**Recommended Action:** Staff recommends the Board of County Commissioners waive the requirement for bids and authorize the Purchasing Division to issue purchase orders for the current

Stryker Procore annual maintenance program.

**Approved staff's recommendation**

**9.F.** Approval of Agreement for Next Generation 911 Core Services

**Recommended Action:** Staff recommends the Board approve the agreement with INdigital, and authorize the Chairman to execute it, after review and approval by the County Attorney as to form and legal sufficiency.

**Approved staff's recommendation**

**9.G.** Consideration of the revised Indian River County Local Housing Assistance Plan for the Fiscal Years 2024-2025, 2025-2026, and 2026-2027

**Recommended Action:** Staff and the AHAC recommend that the BCC approve the new Indian River County Local Housing Assistance Plan by adopting the attached resolution, authorizing the Chairman to sign the certification page, and authorizing staff to make any changes to the LHAP as may be required after review by the state.

**Approved staff's recommendation and Resolution 2025-010, Approving the Local Housing Assistance Plan as required by the State Housing Initiatives Partnership Program Act, Subsections 420.907-420.9079, Florida Statutes; and Rule Chapter 67-37, Florida Administrative Code; authorizing and directing the Chairman to execute any necessary documents and certifications needed by the State; authorizing the submission of the Local Housing Assistance Plan for review and approval by the Florida Housing Finance Corporation; and providing an effective date.**

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

**9.H.** Florida Department of Environmental Protection Local Government Funding Request Grant 23IR2, Amendment #1, Indian River County 2022 Hurricane Ian and Nicole Recovery Project

**Recommended Action:** Staff recommends the Board approve FDEP Amendment #1 to FDEP LGFR Grant Agreement 23IR2 and authorize the Commission Chairman to sign this Amendment. Staff also recommends the Board further authorize the County Administrator to sign any future Amendments to LGFR 23IR2 that do not alter its' financial terms on behalf of the County and upon concurrence by the County Attorney.

**Approved staff's recommendation**

**9.I.** Approval for Purchase of Fire Rescue Brush Trucks

**Recommended Action:** Staff recommends the Board authorize the Purchasing Division to issue a Purchase Order in the amount of \$594,242.00.

**Approved staff's recommendation**

- 9.J.** Meritage Homes of Florida, Inc.'s Request for Final Plat Approval for Hampton Park PD Phase 2 [PD-21-04-04 / 2004040192-96959]

**Recommended Action:** Planning Staff recommends that the Board of County Commissioners grant final plat approval for Hampton Park PD Phase 2.

**Approved staff's recommendation**

- 9.K.** Work Order 17 to Kimley-Horn and Associates, Inc. for Oslo Water Treatment Plant Capital Upgrades & Renewals, IRCDUS Project ID 12.25.505

**Recommended Action:** Staff recommends that the Indian River County Board of County Commissioners approve Work Order 17 to Kimley-Horn and Associates, Inc. for the Oslo Water Treatment Plant Capital Upgrades & Renewals project in the amount of \$56,818.84 and authorize the Chair to execute the same. Staff also recommend authorizing the Department of Utility Services to retain a project reserve of \$8,522.83 establishing a budget of \$65,341.67, for said project to cover potential scope variability or owner directed change(s) required to adhere to project objectives. So long as there are no changes in the dollar amount under the work order and amendments up to the approved budget and upon adequate completion of the work set forth, staff is directed to make final payment to Kimley-Horn and Associates, Inc.

**Approved staff's recommendation**

- 9.L.** Authorization to Increase Blanket Purchase Order No. 101023 to Ring Power Corporation for Spoonbill Marsh River Intake Station Access Road & Electric Power, IRCDUS Project ID 12.24.501

**Recommended Action:** Staff recommends the Indian River County Board of County Commissioners authorize an increase of \$70,000.00 for Purchase Order Number 00101023 to Ring Power Corporation, increasing from \$75,000.00 to \$145,000.00 for Spoonbill Marsh River Intake Station Access Road & Electric Power.

**Approved staff's recommendation**

- 9.M.** Final Payment to Florida Design Drilling, Inc. for Upper Floridan Aquifer South Well No.1 Replacement, IRCDUS Project ID: 11.22.503

**Recommended Action:** Staff recommends that the Indian River County Board of County Commissioners (BCC) approve Application and Certification for Payment No. 8, final payment and

release of retainage, to Florida Design Drilling, Inc. in the amount of \$80,853.75 for Bid No. 2024024 for the Upper Floridan Aquifer South Well No. 1 Replacement (S1R) project and authorize staff to issue payment for the same. Staff also recommends that the Indian River County Board of County Commissioners approve Change Order No.1 for Bid 2024024 for a deduction of \$314,175.00 (savings) from the original contract value of \$1,931,250.00 for Bid No. 2024024 and authorize staff to sign the same.

**Approved staff's recommendation**

**9.N. Acceptance of Three Beach Accessible Wheelchairs from Surfing's Evolution & Preservation Foundation "SEPF"**

**Recommended Action:** Staff respectfully requests that the Board of County Commissioners accept three (3) beach wheelchairs from Surfing's Evolution & Preservation Foundation and allow Staff to apply for a grant to receive an ATV to be used for guarding County beaches.

Parks, Recreation & Conservation Director Beth Powell expressed her gratitude to Johnathan Billings from Indian River County Ocean Rescue for prioritizing safety for beachgoers. She thanked him for securing grant funding for three beach wheelchairs, improving accessibility. Additionally, she acknowledged motorists who supported beach accessibility through the purchase of Endless Summer license plates, which help fund these initiatives.

Mr. Billings informed the Board about the distribution plan for three beach wheelchairs across the County: one at Golden Sands, one at Tracking Station, and one at Round Island. The Round Island wheelchair would be stored under the new tower for easy access, while the one at Tracking Station would be kept in the shed at the back. Golden Sands currently lacked a storage solution, Mr. Billings noted he had proposed a shed in this year's budget.

Commissioner Adams expressed her gratitude to staff for their dedicated efforts in enhancing accessibility across all County parks, ensuring they were handicap accessible. She recognized that improving beach access had been a longstanding priority and that staff had been focused on making progress in this area for several years.

Commissioner Earman and Ms. Powell discussed the need for beach accessibility options, especially for those without wheelchairs. They highlighted the Mobi-Mat, introduced after the hurricanes, which improved access to the water. While permitting limitations existed, areas like Round Island could benefit from Mobi-Mats to assist children and individuals with mobility issues. Ms. Powell stated that staff would explore additional options, review permitting requirements, and consider these

enhancements in the next budget.

**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

## **10. CONSTITUTIONAL OFFICERS and GOVERNMENTAL AGENCIES**

## **11. PUBLIC ITEMS**

### **A. PUBLIC HEARINGS**

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

#### **11.A.1. First Public Hearing - Proposed Developer's Agreement Between Meritage Homes of Florida, Inc. and Indian River County**

**Recommended Action:** Staff recommends the Board review the Proposed Developer's Agreement, open the public hearing for comment, close the public hearing and make a motion to bring the Proposed Developer's Agreement back to the Board for the required second public hearing on March 25, 2025.

Deputy County Attorney Susan Prado presented the proposed Developer's Agreement for Lakeside West, a residential development planned to include 201 single-family lots divided into two phases. She added that this project was located north of 25th Street SW, along 43rd Avenue SW, and noted the developer was required to contribute towards the costs of County improvements. Ms. Prado requested the Board take the following actions: review the proposed Developer's Agreement, open the public hearing for comments, close the public hearing, and make a motion to bring the Developer's Agreement back to the Board for the second public hearing scheduled for March 25, 2025.

Commissioner Moss expressed concerns regarding reliance on a 2004 traffic study that used outdated standards, especially given the significant traffic issues plaguing the area. Planning and Development Services Director Chris Balter responded that despite its age, the 2004 traffic study was still considered relevant and more thorough than what current standards required. He explained the complexities of project vesting, which could last five to seven years with the possibility of extensions.

Commissioner Adams sought clarification on how different projects utilized traffic studies and the validity of older studies. Mr. Balter explained that traffic studies reflect



conditions at specific points in time, including the developments that were entitled during that period. Although future projects, such as the anticipated 2027 Oslo Interchange opening, were taken into account, they were not fully captured in older studies. He mentioned that new developments had notably affected traffic patterns, which caused many projects to be scaled back. According to Mr. Balter, traffic studies followed established guidelines typically executed by independent traffic consultants.

Commissioner Earman raised concerns about potential traffic problems stemming from the new Emerson Oaks development near the intersection of Oslo Road and 43rd Street. He pointed out that the area already experienced heavy traffic and expressed worries that 43rd Street might be nearing capacity. County Administrator John Titkanich clarified that the Board was not approving a new development but ratifying a revised agreement reducing the originally authorized units from 288 to 201, alongside necessary infrastructure improvements.

Public Works Director Addie Javed noted that while many units had been built in 2004, the current proposal would result in a lower count. This suggested that the existing infrastructure could accommodate the traffic from the new development.

Vice Chairman Loar addressed flooding concerns, explaining that current regulations mandated effective stormwater management. He highlighted that traffic studies conducted by recognized engineers helped ensure objectivity. He added that peak traffic on 43rd Avenue was primarily directed toward Indrio Road and expressed hope that the Oslo Interchange could help alleviate some congestion.

Chairman Flescher emphasized the importance of understanding the traffic study's complexity and commended the efforts of the trained professionals who ensured its accuracy.

The Chairman opened the public hearing.

Commissioner Earman again expressed concern about the proposed development near Emerson Oaks, specifically regarding traffic on Oslo Road and 43rd Avenue. Administrator Titkanich reiterated that the project, initially approved in 2007 for 288 units, had been scaled down to 201, with mandated improvements for the area.

Public Works Director Addie Javed argued that, despite the past construction, current traffic conditions could be managed with fewer units.

County Attorney Jennifer Shuler emphasized that the Board was voting for a second

public hearing on March 25, 2025.

During the public comments, residents voiced their worries about water usage, sewage capacity, and the potential for increased traffic from the new development. Resident Frank Moore raised concerns about the sustainability of the infrastructure, while Jeanne Koontz questioned how the additional units would impact traffic congestion. Denise Armente deemed the addition of more houses impractical. Many residents urged the Board to consider these factors carefully before deciding on the plan.

With no further comments, the Chairman closed the public hearing.

Chairman Flescher discussed public concerns regarding traffic issues in the Fountain Subdivision and inquired about the assessments regarding installing a traffic light. Director Javed reported that a previous analysis found no need for a traffic light, but staff would revisit the situation in light of resident feedback.

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

**Nay:** 1 - Commissioner Moss

The Chairman called for a recess at 10:26 a.m. and reconvened at 10:35 a.m. with all members present.

#### **11.A.2. Public Camping Ordinance - LEGISLATIVE**

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

County Attorney Chris Hicks introduced a Public Camping Ordinance aimed at aligning with Florida Statute 125.231, which prohibited camping and sleeping in unauthorized areas. Attorney Hicks pointed out that not adopting this Ordinance could lead to potential lawsuits and stressed that its purpose was to ensure community safety while being mindful of those without stable housing.

Commissioner Moss raised concerns about how the County would handle situations where natural disasters left individuals homeless. In response, Chairman Flescher clarified that the County Administrator had the authority to issue emergency orders to adjust regulations as necessary during such crises. County Attorney Jennifer Shuler added that during declared emergencies, lawsuits against the County would be off the

table.

The Chairman opened the Public Hearing.

Public comments included concerns from Arianna Lauritano of RiteLife Services, who argued that the Ordinance risked criminalizing homelessness without addressing its root causes. She advocated for more supportive measures rather than fines and arrests. Marty Mercado from Hope for Families Center highlighted the challenges faced by children experiencing homelessness and suggested that coordinated community efforts were essential to assist families in need.

Meredith Egan, CEO of United Way of Indian River County, criticized the Ordinance for placing first responders as social workers, and calling for amendments to enhance connections between individuals and necessary services. She recommended considering innovative strategies such as emergency shelters and expanded outreach initiatives. Rayme Nuckles from the Treasure Coast Homeless Services Council encouraged the Board to adopt measures preventing displacement and suggested involving the Homeless Continuum of Care in decision-making regarding individuals on public property.

Christian Hammarskjold, a Homeless Children's Services Foundation Board Member, emphasized the importance of collaborating with various organizations to address homelessness, warning that involving law enforcement could complicate matters for struggling families. Resident Lalita Janke called for a compassionate community response, proposing temporary housing solutions, and postponing punitive measures for those recently released from jail or facing economic hardship.

In response, Attorney Hicks clarified the Ordinance concerning public camping, detailing that potential penalties outlined in Section 4 would come into play only after warnings had been issued. He explained that "public camping" was not strictly defined but included streets and County properties while excluding private land and fields. Notably, the Ordinance did not explicitly address individuals living in vehicles but focused on public spaces.

Attorney Hicks suggested requiring law enforcement to connect with local service providers when dealing with such situations, allowing for flexibility in addressing individual circumstances. The Ordinance aimed to improve living conditions for those in need by promoting alternatives to street living rather than leaning toward punitive actions. He stressed that law enforcement's role was not just to enforce penalties but also to provide support and public service.

Further discussions between the Board and staff revolved around refining the referral process to community services, taking into account input from local organizations while ensuring that the language remained adaptable for effective law enforcement action.

Chairman Flescher expressed concerns about the potential to criminalize homelessness and advocated for systematic solutions that upheld the dignity of individuals while addressing issues related to public space. Attorney Hicks reiterated key points about the proposed Ordinance, emphasizing that law enforcement would prioritize issuing warnings before applying penalties and underlining the need to connect individuals with local service providers.

With no further comments, the Chairman closed the Public Hearing.

Vice Chairman Loar remarked that the Ordinance was in line with recent legislative changes in Florida and highlighted that the priority for law enforcement was not to arrest homeless individuals but to explore all available resources before considering such actions.

**A motion was made by Vice Chairman Loar, seconded by Chairman Flescher, to 1) approve staff's recommendation; and Ordinance 2025-006, creating Section 16 of Chapter 306, titled "Prohibition of Public Camping or Sleeping within County Buildings or on its Grounds, Streets, Sidewalks, Right-of-Way and other Public Property"; providing for conflicts; providing for severability; providing for codification; and providing for an effective date. 2) Instruct staff to include the penalties for individuals who do not vacate public property after receiving a warning and to clarify the referral process to community services in the Ordinance. 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. Notice of Scheduled Public Hearing for Budget Amendment 02 for the March 25, 2025 Board Meeting**

**Recommended Action:** No Action Needed

**Read into the record by County Attorney Jennifer Shuler**

## **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 Climate Vulnerability Assessment Update**

**Recommended Action:** Staff recommend that the Board of County Commissioners provide comments for incorporation into the draft Climate Vulnerability Assessment.

Natural Resources Director Kylie Yanchula introduced Tetra Tech Project Manager Georgia Vince and Attorney Erin Deady, a Certified Land Planner, who presented a draft of the Indian River County Climate Vulnerability Assessment. This assessment evaluated the County's infrastructure vulnerability to flooding hazards and was crucial for securing Resilient Florida funding for flood risk projects. Comments during this process were incorporated into the final document, which was set for Board adoption on March 25, 2025.

In a PowerPoint presentation, Ms. Vince outlined the project objectives: identifying vulnerabilities, addressing flooding hazards as per state legislation, guiding future actions, and increasing eligibility for grants. Attorney Deady highlighted the need for consistent vulnerability assessments as mandated by Florida Statute (F.S.) 380.093 (3) (C). The assessment included critical asset inventories, the creation of a summary report with maps, and exposure analyses for potential water interactions in 2040, 2070, and 2100. She clarified that the exposure analysis focused on land elevation, rainfall projections, and sea level rise, excluding stormwater infrastructure.

During the discussion, Commissioner Moss suggested including the Vero Beach Museum of Art due to its flood protection improvements and sought clarification on "mitigation" strategies. Ms. Vince emphasized the importance of mitigation and adaptation strategies, including floodproofing and relocating equipment. Further discussion underscored the need for community collaboration and financial support from the Florida Department of Environmental Protection to enhance resilience planning against climate change and flooding.

**No Action Taken or Required**

**G. Office of Management and Budget**

The Chairman called for a recess at 11:38 a.m. and reconvened at 11:48 a.m. with all members present.

## **H. Parks, Recreation, and Conservation**

### **13.H.1. ELAP Ranking List of Environmental Lands Acquisition Properties for the Initial Nomination Period**

**Recommended Action:** Staff respectfully request that the Board of County Commissioners approve the attached ELAP Final Ranking and Tiered List of Nominations. Staff further requests the Board authorize staff to pursue Tier 1 Ranked Properties for acquisition consistent with the Environmental Lands Acquisition Panel's recommendation including the authority to make conditional offers of purchase and sale subject to approval by the Board of County Commissioners and in accordance with Florida Statute Section 125.355.

Beth Powell, Director of Parks, Recreation & Conservation, announced the initial rankings for the Environmental Lands Acquisition Program (ELAP) and encouraged the community to continue submitting nominations. She added that the bond referendums in 1992 and 2004 raised approximately \$138 million for land acquisition in Indian River County, ultimately leading to the management of over 2,300 acres by the County. In 2022, voters approved a new bond that allocated \$50 million for environmental land protection over the next two decades.

Wendy Swindell, Assistant Director of Parks, Recreation & Conservation, presented a PowerPoint on the newly approved Environmental Lands Program Guide (ELP Guide), which the Board endorsed on December 12, 2023. This guide outlined the policies for acquiring and managing environmentally significant lands. The ELAP consisted of nine members who reviewed nominated parcels and established priorities for acquisition. They held 15 meetings from August 2023 to January 2025.

Ms. Swindell highlighted five key factors related to property quality, emphasizing ecological value and resource availability using the ELP guide and GIS Hub. She also explained the ELAP Scoring Matrix Evaluation Criteria, which assisted the panel in ranking parcels into three tiers based on criteria such as Natural Communities, Habitat Value, and Recreational and Educational potential. The presentation included the final rankings and project tiers for Fee Simple and Easement nominations under the ELAP.

The Board expressed gratitude to the ELAP for their contributions to protecting crucial wetland areas and the Indian River Lagoon. The Board and staff discussed the regulatory challenges impacting development scores in these ecological regions, particularly focusing on tier-one properties and sellers' compliance with County conservation requirements. Acknowledging the complexities of the acquisition process, staff highlighted that potential changes could arise during negotiations.

Attorney George Glenn Jr. shared that his involvement in environmental programs began as a teenager in Indian River County. He stressed the importance of obtaining matching grant funds from the State of Florida, the federal government, and local entities for the program's success. Mr. Glenn noted that nearly 22 Florida counties had land conservation programs and criticized the previous practice of acquiring properties before seeking reimbursement grants. He advocated for a more proactive approach, suggesting that the County identify potential matching funds, such as those from the Florida Communities Trust, before making purchases and presenting proposals to the Board. Chairman Flescher expressed his appreciation for Mr. Glenn's enthusiasm.

Deputy County Administrator Mike Zito explained that the ELAP members possess a high level of expertise in evaluating applications. He expressed confidence in their ability to identify potential cost-sharing opportunities. While staff were skilled at analyzing possible outcomes, he emphasized the importance of acknowledging the limitations of the process.

**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

**I. Planning and Development Services**

**J. Public Works**

**K. Sandridge Golf Club**

**L. Utilities Services**

The Chairman called for a recess at 12:52 a.m. and reconvened at 1:02 p.m. with all members present.

## 14. COUNTY ATTORNEY MATTERS

### 2025 Committees Vacancies and Appointments

#### 14.A.

**Recommended Action:** The County Attorney recommends that the Board review the applicants' résumés and applications and determine whether which applicants to appoint for the various committees.

County Attorney Jennifer Shuler clarified that no votes were taken on member-at-large positions at the previous January 25, 2025, Board meeting. The applicants being presented were related to those positions. Attorney Shuler recommended that each applicant be reviewed individually.

The first committee was the Affordable Housing Advisory Committee (AHAC), which had one vacancy. Two applicants applied: Wendy McDaniel Vocelle, currently a Children's Services Advisory Committee (CSAC) Grants Subcommittee member, and Desiree Samuels-Shultz.

Chairman Flescher revisited a point made during the January meeting about individuals serving on multiple committees. Commissioner Earman expressed a preference for limiting members to one committee at a time. Additionally, the discussion centered around the potential consideration of term limits for member-at-large positions, acknowledging that while some members had commendably served for long periods, it was important to recognize their contributions without rigidly enforcing term limits.

Attorney Shuler reminded the Board that they had the authority to remove any member from a committee for any reason, applicable to both designees and individual appointments. She emphasized that committee members served at the pleasure of the Board and should reflect the community's needs. She noted the legal limitations surrounding service on Regulatory Boards; one individual could not serve on multiple Regulatory Boards. During the review of applicants, those wishing to serve on several Regulatory Boards were removed from consideration because of this restriction.

Commissioner Earman sought to ensure that each member would serve on only one committee at a time and proposed a term limit of eight years. He also suggested implementing an attendance policy to address members missing three plus meetings in a year.

Attorney Shuler informed Commissioner Earman that the changes he proposed could not be addressed in the current meeting, as they would require an Ordinance due to existing code provisions. She recommended that the Board make decisions based on



current sentiments and guide her to prepare proposed code changes for a future meeting.

In an effort to move the discussion forward, Commissioner Adams nominated Wendy McDaniel Vocelle for the AHAC. She praised Ms. Vocelle for her consistent attendance and active participation and highlighted her qualifications as a citizen advocate for low-income individuals in affordable housing.

However, during discussions, it was noted that Ms. Vocelle's affiliation with another committee raised concerns about alignment with the Board's perspective. While Ms. Vocelle was part of the CSAC Grants Subcommittee, not the main committee, Vice Chairman Loar expressed that nominating her would set a precedent allowing individuals to serve on multiple committees and subcommittees.

Commissioner Adams acknowledged Vice Chairman Loar's concerns about the distinction between subcommittees and main committees. She pointed out that no formal policy existed at that time. She suggested that the Board address existing gaps before amending current policies.

A lengthy discussion ensued between the Board and Attorney Shuler, underscoring the importance of preserving continuity within committees. Given that not all members were re-elected simultaneously, this continuity was vital to prevent disruptions in ongoing initiatives.

The Chairman called the question.

**A motion was made by Commissioner Adams, seconded by Chairman Flescher, to appoint Wendy McDaniel Vocelle to the Affordable Housing Advisory Committee (AHAC). The motion carried by the following vote:**

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

Commissioner Earman put forth the nominations of Michael T. Korpar and James E. Power for the Beach and Shore Preservation Advisory Committee (BSPAC). He highlighted that Mr. Korpar served as the Director of Maintenance and Management at John's Island, where he played a vital role in advancing the Sector 4 project by obtaining the necessary applications and easements. Additionally, Mr. Power, a native of Indian River County, brought years of engineering experience from his time in Texas and was keen to contribute his expertise to the committee.

**A motion was made by Commissioner Earman, seconded by Commissioner Moss, to appoint Michael T. Kopar to the Beach and Shore Preservation Advisory Committee (BSPAC). The motion carried by the following vote:**

**A motion was made by Commissioner Earman, seconded by Commissioner Moss, to appoint James E. Power to the Beach and Shore Preservation Advisory Committee (BSPAC). The motion carried by the following vote:**

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

There was no discussion prior to the nomination.

**A motion was made by Commissioner Adams, seconded by Commissioner Moss, to appoint Jan Williams to the Children's Services Advisory Committee (CSAC). The motion carried by the following vote:**

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

There was no discussion prior to the nomination.

**Commissioner Moss made a motion to nominate Lance Lunceford to the Economic Development Council (EDC) Member at Large position. It failed for lack of a Second.**

Commissioner Adams expressed concerns about attendance at the Economic Development Council (EDC). After reviewing the attendance records, she noted that Mr. Howder and Mr. Zimmerman had nearly perfect attendance. Unfortunately, she could not say the same for some other committee members.

A discussion followed regarding the EDC's effectiveness and future direction, with some suggesting that reorganization could be beneficial. Additionally, external organizations may have influenced the EDC's activities, which deserved further attention. The importance of volunteer participation was highlighted as a key factor in the committee's overall operations.

**A motion was made by Vice Chairman Loar, seconded by Commissioner Adams, to appoint Todd Howder to the Economic Development Council (EDC). The motion carried by the following vote:**

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

Commissioner Adams discussed Taxpayers Association President Lance Lunceford's interest in the Economic Development Study and the productive dialogue fostered in that area.

**A motion was made by Commissioner Adams, seconded by Commissioner Moss, to appoint Lance Lunceford to the Economic Development Council (EDC). The motion carried by the following vote:**

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

**14.B. Resolution To Set Second Hearing Concerning the Special Assessment Providing for The Replacement of Culverts for Waters Edge Phase II Subdivision**

**Recommended Action:** County staff recommends that the Board approve the Resolution setting the date and time for the Second hearing on the Waters Edge Special Assessment in compliance with the procedures outlined in Chapter 206 of the Code.

Assistant County Attorney Chris Hicks requested that the Board adopt a Resolution to set a hearing concerning the Special Assessment Waters Edge subdivision culvert replacements. He noted that the first Resolution had been approved at the October 8, 2024, Board meeting, and that work had already begun. According to the Code, a second hearing was required, during which the Board would act as an "Equalizing Board" to determine individual assessments for each lot. This hearing would also provide an opportunity for the affected landowners to come forward and appeal. Attorney Hicks urged the Board to pass the Resolution and set the hearing date for April 8, 2025, which would allow the necessary notices and paperwork to be sent to all affected landowners.

There was no further discussion on this Item.

**A motion was made by Vice Chairman Loar, seconded by Commissioner Adams, to approve staff's recommendation and Resolution 2025-011, setting a time and place at which the owners of properties, located in Waters Edge Phase II Subdivision in 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 the replacement of culvert piping, as to the cost thereof, as to the manner of payment therefore, and as to the amount thereof to be specially assessed against each property benefited thereby. The motion carried by the following vote:**

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

**14.C. Calcutta Drive Docks License Agreements**

**Recommended Action:** Staff recommends that the Board approve the form of the new dock lease agreement and that it direct staff on additional matters involving the leases.

Tabled

## 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

### 16.B.1. Approval of SWDD Meeting Minutes of December 03, 2024

**Recommended Action:** Approve

**A motion was made by Commissioner Earman, seconded by Chairman Flescher, to approve the SWDD minutes of December 03, 2024, as written. The motion carried by the following vote:**

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

### 16.B.2. Approval of SWDD Meeting Minutes of December 17, 2024

**Recommended Action:** Approve

**A motion was made by Commissioner Earman, seconded by Chairman Flescher, to approve the SWDD minutes of December 17, 2024, as written. The motion carried by the following vote:**

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

### 16.B.3. Request for Approval of Change Orders to CK Contractors and Development (CK) for Landfill Improvement Projects

**Recommended Action:** Solid Waste Disposal District staff recommends that its Board approve change orders to CK Contractors and Development (CK) for \$878,004.12, with an amended overall total of \$1,799,331.98, to provide construction services for landfill improvement projects, and authorize the Purchasing Manger to issue change orders to CK.

Himanshu Mehta, the Managing Director of the Solid Waste Disposal District (SWDD), provided an update on the Landfill Improvement project. This initiative included the construction of a new concrete pad, a high-pressure skid, and a driveway crossing in connection with the Nopetro initiative. CK Contractors was selected for the job due to the lack of bids.

Mr. Mehta noted that the project encountered delays primarily due to weather conditions and the Indian River County Water Control District's (IRFWCD) rejection of a 43-inch pipe. This setback forced a switch to a 48-inch pipe, resulting in necessary change orders. He requested additional funding to see the project through as equipment rental costs had increased. The team needed to complete the project before the next rainy season while addressing water quality concerns. However, they would continue to face challenges with installing sheet piles and managing budget overruns, with some project components still pending.

During discussion, the Board and staff addressed the change order that led to increased costs for the pipe. The staff planned to attempt to resell the 43-inch pipe that was ultimately not used. There were inquiries about the notifications from the IRFWCD to the County, which contributed to delays concerning dewatering, bypass operations, and a permit reversal. Mr. Mehta estimated that overall delays could extend between six to nine months, alongside an additional cost of around \$220,000. Completing the project was crucial, and pursuing legal remedies was unlikely to yield effective results. It was emphasized that the challenges stemmed from decisions made by external boards rather than the actions of staff. Questions were raised about accountability regarding a \$43,000 pipe purchase tied to changes from the IRFWCD. The transparency of Kimley-Horn and their adherence to engineering principles were acknowledged, as efforts to collaborate with the IRFWCD had seen limited success.

**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

*[Clerks note: Item 16.B.4. was heard after Item 5]*

**16.B.4. Residential Paper Shredding Event on April 12, 2025**

**Recommended Action:** Solid Waste Disposal District staff recommends that the Board approve the Spring Residential Paper Shredding Event to be held on April 12, 2025.

Recycling Specialist Jill Brown announced the Residential Paper Shredding event would be held on Saturday, April 12, 2025, from 7:00 a.m. to 11:00 a.m. at Southeast Secure Shredding.

**No Action Taken or Required**

**16.B.5.**

Update on the Invitation to Bids for the Landfill and the Customer Convenience Centers

**Recommended Action:** Solid Waste Disposal District staff is requesting Board input on the scope of work as detailed in the invitation to bid.

Himanshu Mehta, the Managing Director of the Solid Waste Disposal District (SWDD), presented an update through a PowerPoint regarding the Invitation to Bid (ITB) for the landfill and Customer Convenience Centers (CCC).

An agreement with Republic Services concerning the County's Class 1 landfill, initially signed in November 2010, and extended in February 2017, had a revised expiration date of September 30, 2025, following a nine-month extension.

Two ITBs were released for landfill operations and the five CCCs on January 10, 2025. Mr. Mehta clarified that the ITB was divided into Phase I for Vendor Qualification and Phase II for Vendor Bids. The SWDD staff recommended a 10-year agreement covering October 1, 2025, to September 30, 2035, with an option to renew for another 10 years.

Potential vendors were requested to submit bids for operations seven days a week and an alternative proposal should the landfill be closed on Sundays, based on traffic studies showing low tonnage on that day.

Although the current CCC hours would remain the same, a Sunday closure could influence the landfill's operation schedule. Mr. Mehta stressed the importance of a fair and transparent bidding procedure, complying with the Cone of Silence regulation that took effect on January 10, 2025.

Chairman Flescher thanked Mr. Mehta for the update.

**No Action Taken or Required**

**C. Environmental Control Board**

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

**18. ADJOURNMENT**

Chairman Flescher expressed deep sorrow at the passing of County Commissioner Kenneth Macht, who had dedicated his service from 1996 to 2004. A devoted veteran, Mr. Macht worked tirelessly to improve the environment in Indian River County. A service was scheduled for March 27, 2025, at Strunk Funeral Home. CHairman Flescher conveyed his heartfelt condolences to the Macht family and the citizens he served.

There being no further business the Chairman adjourned the meeting at 2:49 p.m.