



# 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

*Peter O'Bryan, Chairman, District 4*

*Joseph H. Earman, Vice Chairman, District 3*

*Susan Adams, District 1*

*Joseph Flescher, District 2*

*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, May 17, 2022

9:00 AM

Commission Chambers

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#### 1. CALL TO ORDER

#### 2. ROLL CALL

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

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

#### 2.B. INVOCATION

**Pastor Richard Demsick, Freedom Church**

#### 3. PLEDGE OF ALLEGIANCE

**Commissioner Laura Moss**

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

Added: Item 7.F. Information on visioning workshops for future land use strategies.

**A motion was made by Commissioner Moss, seconded by Commissioner Flescher, to approve the Agenda as amended. The motion carried by the following vote:**

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

#### 5. PROCLAMATIONS and PRESENTATIONS

- 5.A. [22-0405](#) Presentation of Proclamation Honoring Stephanie Laughton Pooley on her Retirement from the Indian River County Office of the Tax Collector

**Recommended Action:** Read & Present

**Attachments:** [Proclamation - Stephanie Laughton Pooley](#)

Ms. Stephanie Laughton Pooley was joined by Carole Jean Jordan, Tax Collector, Jeffery R. Smith, Clerk of the Circuit Court & Comptroller, and staff from the Tax Collector's office. Also in attendance was former Tax Collector Karl Zimmermann. Ms. Pooley stated she was honored to have served the public and thanked the Board for the recognition.

**Read and Presented by Chairman O'Bryan**

- 5.B. [22-0303](#) Presentation of Proclamation in Recognition of Memorial Day, 2022

**Recommended Action:** Read and Present

**Attachments:** [Proclamation](#)

*[Clerks note: this discussion was heard in conjunction with Item 10.B.1.]*

Vice Chairman Earman read the Proclamation in recognition of Memorial Day, 2022. Curtis Paulisin of Vietnam Veterans of Indian River County (VVIRC) thanked the Board for the Proclamation and engaged in a brief discussion with Commissioner Flescher regarding the importance of remembering those who paid the ultimate price for our freedom.

**Read and Presented Vice Chairman Earman**

- 5.C. [22-0331](#) Presentation of Proclamation Celebrating Florida's Emancipation Day Observance in Indian River County on May 21, 2022

**Recommended Action:** Read and Present

**Attachments:** [Proclamation](#)

Ms. Jonnie Mae Perry, CEO Gifford Historical Museum and Cultural Center, was joined by representatives from the Florida African-American Heritage Preservation Network (FAAHPN), the Indian River County Historical Society, and the Indian River County African-American community. Ms. Perry thanked the Chairman and each Commissioner for the recognition of Florida's Emancipation Day in Indian River County on May 21, 2022. Also present to accept the Proclamation was Centenarian Ms. Lenora Williams.

**Read and Presented by Commissioner Moss**

- 5.D. [22-0352](#) Presentation of Proclamation Recognizing the Week of May 15-21, 2022, as National Police Week

**Recommended Action:** Read and Present

**Attachments:** [Proclamation](#)

Indian River County Sheriff Eric Flowers thanked the Board for the Proclamation and those who attended the annual Florida Memorial Ride and ceremony where fallen K9 officer Joker was remembered. He stated when the community takes time to say thank you, it means a lot to the Deputies in the department.

Chairman O'Bryan remarked the ceremony was nice and the tribute to K9 Joker was touching.

Commissioner Moss also commented she appreciated the reading of all the names of the fallen.

**Read and Presented by Commissioner Flescher**

- 5.E. [22-0398](#) Presentation of Proclamation Designating The Week of May 23-30, 2022, as National Beach Safety Week

**Recommended Action:** Read and Present

**Attachments:** [Proclamation](#)

Beach Operations Supervisor Captain Johnathan Billings thanked the Board for the Proclamation. Captain Billings discussed the Junior Lifeguard Program and introduced Kameron Keaton who just completed his EMT training and has joined Ocean Rescue as a full-time lifeguard. He responded to Commissioner Adams's question, stating the Junior Lifeguard Program starts at 9 years old and participants work their way through the program. Ocean Rescue begins to recruit at 16 years old, and at 18 years old the applicants are able to join Ocean Rescue as a lifeguard. Captain Billings mentioned there was a national lifeguard shortage and the public could learn more about becoming a lifeguard at the North County or Gifford Aquatic Centers.

**Read and Presented by Commissioner Adams**

## 6. APPROVAL OF MINUTES

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

Commissioner O'Bryan acknowledged the following retirees and thanked them for their service.

- 7.A. [22-0315](#) Proclamation Honoring Nancy Wood on Her Retirement From Indian River County Board of County Commissioners Department of Community Development / County Planning Division with Twenty-One Years of Service

**Attachments:** [Proclamation](#)

**No Action Taken or Required**

- 7.B. [22-0324](#) Proclamation Honoring Earl Hardwick on His Retirement From Indian River County Board of County Commissioners Department of Public Works / Road & Bridge Division with Twenty-Eight Years of Service

**Attachments:** [Proclamation](#)

**No Action Taken or Required**

- 7.C. [22-0325](#) Proclamation Honoring Helena (Ann) Rankin on Her Retirement From Indian River County Board of County Commissioners Human Resources Department with Thirty-Four Years of Service

**Attachments:** [Proclamation](#)

**No Action Taken or Required**

- 7.D. [22-0326](#) Proclamation Honoring William Stevenson on His Retirement From Indian River County Board of County Commissioners Department of Public Works / Road & Bridge Division with Thirty-Three Years of Service

**Attachments:** [Proclamation](#)

**No Action Taken or Required**

- 7.E. [22-0382](#) Proclamation Honoring Dawn Wallis on Her Retirement From Indian River County Board of County Commissioners Department of Community Development / Building Division with Seventeen Years of Service

**Attachments:** [Proclamation](#)

**No Action Taken or Required**

- 7.F. 22-0426 Chairman Peter O'Bryan presented information on the visioning workshops for future land use strategies being hosted by the Indian River County Metropolitan Planning Organization.

**Recommended Action:** No Action Required

**Attachments:** IndianRiverWorkshops-Flyer-Revised-B

Chairman Peter O'Bryan announced the Indian River County Metropolitan Planning Organization (MPO) was hosting a series of Visioning Workshops to gather the community's input on alternative future land-use strategies for the County. The information on the location and time of the workshops could be found on the Indian River County's Website.

Chairman O'Bryan mentioned Larry Reisman, Community Editor and Columnist for Treasure Coast Newspaper (TC Palm) had written several articles about the visioning process and was hopeful it would generate public interest. He continued, Mr. Reisman's article also disparaged the County Planning Department staff and suggested the County could collaborate with other City planners to reach the goals residents want. Chairman O'Bryan strongly disagreed with the article and pointed out planning failures in those cities Mr. Reisman had mentioned. Chairman O'Bryan praised the IRC Planning Department for the hard work they have done.

County Administrator Jason Brown echoed Chairman O'Bryan's praise for the IRC Planning Department. He was hopeful the article would create more attendance at the workshops, however he felt the criticism of County staff was unwarranted.

Commissioner Laura Moss stated she attended the Visioning Workshop in Sebastian and thanked everyone who participated. She revealed not only does the IRC Planning Department host the Visioning Workshops, they have also brought this information to the high schools to involve and educate students.

Commissioner Susan Adams revisited Mr. Riesman's suggestion to collaborate with other city planners and referenced the first workshop had presentations by the City of Sebastian, and the City of Vero Beach. She continued, it was incumbent upon the community to coordinate what County's future was going to look like, and to come together to create a vision for moving forward.

Joseph Paladin, Chair of the Land Use Committee of the Indian River Neighborhood Association (IRNA), remarked the new Urban Service Line Awareness Committee (USLAC) would be comprised of people in various positions in the community working together to help guide future growth in Indian River County.

Community Development Director Phil Matson thanked the Board on behalf of his staff for the accolades. He stated staff was very dedicated and has worked hard for the conservation of sensitive environmental land, affordable housing, a healthy economy, and healthy agriculture.

**No Action Taken or Required**

## 8. CONSENT AGENDA

**A motion was made by Commissioner Flescher, seconded by Commissioner Adams, to approve the Consent Agenda as amended, pulling Items 8.G, 8.H., and 8.K for discussion. The motion carried by the following vote:**

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

### 8.A. [22-0360](#) Designation of Excess Equipment as Surplus and Authorization for Disposal

**Recommended Action:** Staff recommends the Board approve the items on the Excess List for 051722 as surplus, and authorize their disposal.

**Attachments:** [Staff Report](#)  
[Excess list for 051722](#)

**Approved staff's recommendation**

### 8.B. [22-0378](#) First Extension and Second Amendment to Agreement for Annual Lift Station Rehabilitation (Bid 2019047)

**Recommended Action:** Staff recommends the Board approve the first extension and second amendment to the agreement and authorize the Chairman to execute it after the County Attorney has approved it as to form and legal sufficiency.

**Attachments:** [Staff Report](#)  
[First Extension and Second Amendment](#)

**Approved staff's recommendation**

- 8.C. [22-0379](#) DiVosta Homes, LP's Request for Final Plat Approval for Preserve at Waterway Village POD "V" [PD-19-03-02 / 2004010124-90233]

**Recommended Action:** Staff recommends that the Board of County Commissioners grant final plat approval for The Preserve at Waterway Village POD "V".

**Attachments:** [Staff Report](#)  
[Location Map](#)  
[Final Plat Layout](#)

**Approved staff's recommendation**

- 8.D. [22-0381](#) Request for Release of Conservation Easements in VeroLago Subdivision

**Recommended Action:** Staff recommends that the Board, through adoption of the draft resolution, approve release of the conservation easements described in the draft resolution.

**Attachments:** [Staff Report](#)  
[Map of Easements Proposed for Release/Recordation](#)  
[Draft Resolution Releasing Easement](#)  
[Draft County Resolution Attachments](#)

**Approved staff's recommendation and Resolution 2022-026, releasing Conservation Easements on Lots 159 and 172, Vero Lago subdivision Phase 3; and Lots 144 and 145, Vero Lago subdivision Phase 4.**

- 8.E. [22-0388](#) Vero Beach Ranches, LLC's Request for Final Plat Approval for Covington Run Roadway Plat [SD-19-08-04 / 2018080006-87382] and Covington Run Affidavit of Exemption [AOE-19-05-03 / 2018080006-83963]

**Recommended Action:** Staff recommends that the Board of County Commissioners grant final approval of the Covington Run Roadway Plat, and by a separate motion, staff recommends that the Board of County Commissioners grant final approval of the Covington Run Affidavit of Exemption.

**Attachments:** [Staff Report](#)  
[Location Map](#)  
[Roadway Final Plat Graphic](#)  
[AOE Graphic](#)

**Approved staff's recommendation**



- 8.F. [22-0389](#) William H. Massagee, III and Lynn V. Massagee, Trustees of the Massagee Revocable Trust Request for Approval of the Massagee Affidavit of Exemption [AOE-21-07-02 / 2015030080-89610]

**Recommended Action:** Staff recommends that the Board of County Commissioners accept the dedication of the limited access easement and authorize the chairman to execute the subject Affidavit of Exemption.

**Attachments:** [Staff Report](#)  
[Location Map](#)  
[Affidavit of Exemption Layout](#)

**Approved staff's recommendation**

- 8.G. [22-0400](#) Stormwater Summer Camp

**Recommended Action:** Staff requests approval from the Board for Indian River County Stormwater to lead a Summer Camp hosted by Pelican Island Audubon at the Audubon House

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

*[Clerks Note: This item was heard in conjunction with Item 8.H.]*

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

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

- 8.H. [22-0386](#) Summer Camp Partnership with The Learning Alliance

**Recommended Action:** Staff requests approval from the Board to participate in the Moonshot Academy Summer Program and authorizes the Chair to execute the MOU after review and approval of the MOU by the County Attorney's office

**Attachments:** [Staff Report](#)  
[Moonshot Academy / IRC Summer Program MOU](#)

Chairman O'Bryan commented the Stormwater Summer Camp and Moonshot Academy Summer Program, in partnership with the Learning Alliance, was a great opportunity and commended Stormwater Educator, Alexis Peralta for leading the camp. Ms. Peralta stated she was very excited to host the Stormwater Summer Camp and gave thanks to The Pelican Island Audubon Society for providing their facility and van.

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

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

- 8.I.**     [22-0401](#)     Easement and Agreement for FPL Underground Distribution Facilities for Moorhen Marsh Low Energy Aquatic Plant Systems (LEAPS) Headworks Structure

**Recommended Action:** Staff recommends that the Board of County Commissioners approve the Underground Distribution Facilities Installment Agreement, the Underground Easement, and the Notice of FPL Facilities (Form 360) and authorize the Chairman to execute all.

**Attachments:**   [Staff Report](#)  
                      [FPL Underground Dist Facilities Install Agreement](#)  
                      [FPL Underground Easement \(Business\)](#)  
                      [Notice of FPL Facilities \(Form 360\)](#)  
                      [FPL Design for Overhead and Underground](#)

**Approved staff's recommendation**

- 8.J.**     [22-0402](#)     Amendment No. 2 to Work Order No. 27 - Kimley Horn and Associates, Inc., Dick Bird Park Pickleball Complex, IRC-2204

**Recommended Action:** Staff recommends approval of Amendment No. 2 to Work Order No. 27, with Kimley-Horn and Associates, Inc., authorizing the professional services as outlined in Exhibit B in the amount of \$20,200 and requests the Board of County Commissioners authorize the Chairman to execute Amendment No. 2, Work Order No. 27.

**Attachments:**   [Staff Report](#)  
                      [Amend 2 to WO 27, KHA](#)

**Approved staff's recommendation**

- 8.K. [22-0399](#) Approval of Revised Agreement for Use of Facilities with Indian River County and the School Board of Indian River County

**Recommended Action:** Staff respectfully recommends the Indian River County Board of County Commissioners accept the Agreement for Use of Facilities between the School Board of Indian River County and Indian River County, Florida and authorize the Chairman to execute the agreement after review by the County Attorney for legal sufficiency.

**Attachments:** [Staff Report](#)  
[Agreement for Use of Facilities](#)

Vice Chairman Joe Earman stated his approval of a revised agreement between Indian River County and the School Board of Indian River County as a great move to allow for the shared use of facilities for softball, baseball, and other activities. He encouraged Chairman O'Bryan or the County Administrator to draft a letter to allow schools to open their playgrounds and open space for the public's use after hours and on weekends.

Assistant Superintendent of Student Affairs, Advocacy & Access, Eric Seymour, stated safety was the primary goal at school facilities. He indicated the use of facilities could create more opportunities not only for programs but for kids and students as well. Chairman O'Bryan made a suggestion for Vice Chairman Earman to work with Assistant Superintendent Seymour and County Attorney Dylan Reingold to draft a letter supporting the public's use of school facilities and bring it back under an item for approval in a future meeting.

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

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

- 8.L. [22-0384](#) Award of Bid 2022045 for Hallstrom Farmstead Revegetation

**Recommended Action:** Staff recommends the Board Award bid 2022045 to Sandhill Environmental Services, LLC, authorize the Chairman to sign the sample agreement after approval by the County Attorney as to form and legal sufficiency, and authorize the Parks and Recreation Division to coordinate with the contractor to maximize the plant coverage possible under the bid and below the \$75,000 not to exceed award.

**Attachments:** [Staff Report](#)  
[Sample Agreement](#)

**Approved staff's recommendation**

**8.M.**     [22-0385](#)     Award of Bid 2022033 for Round Island Beach Park Prefabricated Aluminum Lifeguard Tower

**Recommended Action:** Staff recommends the Board award bid 2022033 to Bausch Enterprises, Inc., approve the sample agreement, and authorize the Chairman to execute it, after review and approval by the County Attorney, as to form an legal sufficiency. Staff further recommends that the board authorize the Budget Office to make up any difference in funded needed for the project through a future cash forward budget amendment.

**Attachments:**   [Staff Report](#)  
                          [Sample Agreement](#)

**Approved staff's recommendation**

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

### **10. PUBLIC ITEMS**

#### **A. PUBLIC HEARINGS**

**10.A.1** [22-0387](#) Local Option Gas Tax Distribution Percentages (Legislative)

**Recommended Action:** Staff recommends approval of the 2022/2023 revenue distribution percentages

**Attachments:** [Staff Report](#)  
[Code chapter 209.04](#)  
[LOGT Chart-Spreadsheet](#)  
[Public Hearing Advertisement](#)  
[April 2022 Sample Letter to Municipalities](#)

*[Clerks note: this item was heard after 10.B.1]*

Public Works Director Richard Szpyrka summarized the Local Option Gas Tax Distribution Percentages for the following year 2022/2023, he noted Chapter 209 of the Indian River County Code required the County to conduct a Public Hearing for the distribution of the gas tax to the five (5) municipalities. The City of Sebastian requested a discussion regarding the distribution rates. They were advised the process involved changes to the Ordinance and they were past the point of having any changes made for 2022/2023 revenue distribution.

Director Szpyrka responded to Commissioners Moss' question as to the duration of this approval, he stated it was for one year.

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

County Administrator Jason Brown agreed to meet with the municipalities to address their requests for future changes to the Ordinance.

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

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

**10.A.2** [22-0392](#)

Consideration of a Proposed Land Development Regulation Amendment to Section 930.07 to Require New Manufactured Homes within the Flood Hazard Area, Coastal High-Hazard Areas, or Coastal A Zones to be Elevated One Foot Above Base Flood Elevation (Legislative)

**Recommended Action:** Staff recommends that the Board of County Commissioners adopt the proposed manufactured home flood zone ordinance

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

[Draft Ordinance - 930.07 Clean Version](#)

Public Works Director Richard Szpyrka asked for consideration to amend the wording of Section 930.07 for the raising of manufactured mobile homes to be (1) foot above the base flood elevation in flood hazard areas, coastal high-hazard areas, or Coastal A Zones. He explained the change was needed to maintain minimum prerequisite for participation in the National Flood Insurance Program's Community Rating System (CRS).

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

Director Szpyrka responded to Commissioner Flescher's query that the modification to the language meant elevating only the frame of the mobile home; the earth beneath the home would not be altered. He commented staff had reached a Class 5 CRS rating which meant a 5% reduction in insurance rates for all City residents.

**A motion was made by Commissioner Flescher, seconded by Vice Chairman Earman, to adopt Ordinance 2022-006, amending sections 930.07 (review criteria for all development projects) of Chapter 930 (stormwater management and flood protection) of the code of Indian River County in order to update requirements pertaining to manufactured homes; providing for conflict and severability; providing for codification and providing for an effective date. The motion carried by the following vote:**

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

**10.A.3** [22-0409](#) Children's Services Advisory Committee Ordinance (Legislative)

**Recommended Action:** The County Attorney's Office recommends that the Chair open the public hearing, take any public comment, close the public hearing and that the Board vote to approve the revised draft ordinance.

**Attachments:** [Staff Report](#)  
[Children's Services Advisory Committee Ordinance](#)

Pursuant to the Board's requested changes, County Attorney Dylan Reingold commented staff had made the change to the Children's Services Advisory Committee portion of the Ordinance Code to include business experience as a qualification for community members appointed by the Board, as well as increase in the millage cap from 0.125 to 0.25.

A discussion ensued for clarification of Section 103.27 regarding children's services being economically and efficiently provided by the County. It was determined the section stated the County may provide funding if the need was there.

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

**A motion was made by Commissioner Adams, seconded by Chairman O'Bryan, to adopt Ordinance 2022-007, amending Part II (Children's Services Advisory Committee) of Chapter 103 (Commissions and Boards) to update various aspects of the Children's Services Advisory Committee, including membership, funding and distribution of funds; and providing for codification, severability, repeal of conflicting provision; and an effective date. The motion carried by the following vote:**

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

**10.A.4** [22-0410](#) Irrigation Ordinance (Legislative)

**Recommended Action:** The County Attorney's Office recommends the Indian River County Board of County Commissioners open the public hearing, take any public input, close the public hearing and vote to approve the revised draft ordinance.

**Attachments:** [Staff Report](#)  
[Model Updated Water Conservation Ordinance](#)  
[Affidavit of Publication - Irrigation Ord.](#)

County Attorney Dylan Reingold stated St. Johns River Water Management District (SJRWMD) was presented with the recommended changes to the Irrigation Ordinance the Board had discussed at their May 03, 2022 meeting. SJRWMD staff did not support the wording change of 'Daylight Saving Time/Standard Time', to 'Months', nor supported the definition of 'new landscaping', and believed the changes exceeded the regulation requirements. Attorney Reingold also stated additionally, as per the direction of the Board, changes were made to the penalty provision.

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

Commissioner Flescher sought and received confirmation from Attorney Reingold that SJRWMD and their Attorney had given the green light on the Ordinance as presented.

Chairman O'Bryan called upon Director of Utility Services, Sean Lieske to have staff develop an educational brochure outlining the new irrigation landscape schedule.

Commissioner Laura Moss stated she was in agreement with the Board with the exception of the penalty provision.

**A motion was made by Commissioner Flescher, seconded by Vice Chairman Earman, to adopt Ordinance 2022-008, creating Chapter 319 (water conservation ordinance for landscape irrigation) of the code of Indian River County providing for local implementation of the water conservation rule for landscape irrigation of the St Johns River Water Management District; providing definitions; providing the landscape irrigation schedules; providing exceptions to the landscape irrigation schedules; providing for waivers from the specific day of the week limitations; providing for applicability of the ordinance; providing for enforcement of the ordinance; providing for penalties for violation of the Ordinance; providing for conflict and severability; providing for codification; and providing for an effective date. The motion carried by the following vote:**



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

**Nay:** 1 - Commissioner Moss

## B. PUBLIC DISCUSSION ITEMS

**10.B.1** [22-0408](#) Request to Speak from Curtis Paulisin, Vietnam Veterans of Indian River County, Inc. re: 2022 Mary Snyder Annual Golf Tournament

**Recommended Action:** No action required

**Attachments:** [Golf Tournament Flyer](#)

*[Clerks note: this Item was heard prior to Item 10.A.1]*

Mr. Paulisin introduced Mary Ann Koenig, Editor; Vince McNally, Secretary for VVIRC; Vic Diaz, Co-founder of VVIRC, to speak. Each demonstrated, through personal experience, the importance of continued support for veterans. Mr. Diaz mentioned how the Mary Snyder Annual Golf tournament had provided help over the years to deliver the necessary assistance to the Vietnam Veterans in Indian River County and how the mission of VVIRC was to service those who bore the cost of freedom. Mr. Paulisin thanked Assistant County Administrator Mike Zito, Director of Golf Operations Bella Nagy, and the Board for their continued support for the Mary Snyder Annual Golf Tournament scheduled for June 18, 2022.

**No Action Taken or Required**

## C. PUBLIC NOTICE ITEMS

**10.C.1** [22-0380](#) Notice of Scheduled Public Hearing for a Proposed Farm Based Rum Distillery (Agricultural Industry) with Associated Accessory Residential Units

**Recommended Action:** The referenced public notice item is provided for the Board's information. No action is needed at this time.

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

County Attorney Dylan Reingold read the notice into the record.

**No Action Taken or Required**

**10.C.2** [22-0383](#) Notice of Public Hearing Scheduled for June 7, 2022 Board Meeting for a Rezoning from A-1, Agricultural-1 District to IG, General Industrial District

**Recommended Action:** The referenced public notice item is provided for the Board’s information. No action is needed at this time.

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

County Attorney Dylan Reingold read the notice into the record.

**No Action Taken or Required**

**10.C.3** [22-0391](#) Public Notice of Public Hearing for June 7, 2022, for Ordinance Regarding the Oslo Park Street Paving District MSBU

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

County Attorney Dylan Reingold read the notice into the record.

**No Action Taken or Required**

**10.C.4** [22-0393](#) Notice of Scheduled Public Hearing for June 7, 2022: Fischer Right-of-Way Abandonment

**Recommended Action:** The referenced public notice item is provided for the Board’s information. No action is needed at this time.

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

County Attorney Dylan Reingold read the notice into the record.

**No Action Taken or Required**

**11. COUNTY ADMINISTRATOR MATTERS**

**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****13. COUNTY ATTORNEY MATTERS****13.A. [22-0396](#)** Fire Station #13 - Removal of Fire Tower

**Recommended Action:** The County Attorney's Office recommends the Indian River County Board of County Commissioners vote to approve the draft resolution.

**Attachments:** [Staff Report - Fire Tower](#)  
[Resolution for Fellsmere Fire Tower](#)

County Attorney Dylan Reingold presented Resolution 2022-027 authorizing the fire tower located at Fire Station 13 to be transferred to the City of Fellsmere in mid-June or July. He noted staff would need additional time to deliver due to procurement/permitting issues; once resolved the transfer to the City of Fellsmere would be completed.

Vice Chairman Earman commented it was a sad day for 4th Street and 43rd Avenue to not see the fire tower anymore, although it was good to keep the tower within the County and a great addition to the City of Fellsmere.

**A motion was made by Commissioner Flescher, seconded by Commissioner Adams, to approve Resolution 2022-027, finding the sale of the Fire Tower at Fire Station #13 to the City of Fellsmere is in the best interests of the citizens of Indian River County, Florida. The motion carried by the following vote:**

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

- 13.B. [22-0411](#) Settlement of Lease Interest for Parcel 132 Tenant B&B Farms, Inc. d/b/a Countryside Citrus, 6555 81st Street

**Recommended Action:** Staff recommends that the Board approve the proposed settlement of all claims and costs of B&B Farms, Inc. d/b/a Countryside Citrus in this law suit in the amount of \$15,000 and authorize outside counsel to proceed with preparation and execution of the necessary court documents needed to settle the case and conclude the law suit.

**Attachments:** [Staff Report](#)  
[Parcel 132 Sketch and Legal Description](#)

Deputy County Attorney William DeBaal presented extinguishment of a leasehold interest on the portion of right-of-way Parcel 132 at 6555 81st Street. In 2021, 1.07 acres was purchased from the Van Antwerp Family Trust for the 66th Avenue improvement project. The property was under a lease to B & B Farms, dba: Countryside Citrus. He stated outside counsel had negotiated fifteen thousand dollars (\$15,000) in a full and final settlement. He continued, B & B Farms had leased this parcel in the past for their Annual Corn Maze and had requested the Board approve an extended possession without compensation for use in the Fall of 2022.

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

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

- 13.C. [22-0403](#) Demolition Lien - 4470 31st Avenue

**Recommended Action:** The County Attorney's Office recommends that the Indian River County Board of County Commissioners waive 90% of the accrued interest, so long as the lien and 10% of the outstanding interest for a total of \$6,771.43 is paid within 60 days and that once paid, the Board authorizes the Chairman to execute a release of the lien.

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

County Attorney Dylan Reingold provided a brief history of the demolition lien for the property at 4470 31st Avenue contained in his memorandum dated May 9, 2022. He indicated the property taxes had been paid, the Code Enforcement Board had reduced its lien, and the Utilities Department had agreed to a settlement of their lien for the property located at 4470 31st Ave. He continued, to be consistent with the recent demolition liens released by the Board, that the Board waive ninety percent (90%) of the demolition lien left on this property after the accrued interest amount of \$6,771 was paid in full within the next 60 days.

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

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

**13.D.** [22-0404](#) Code Enforcement Board Appointment

**Recommended Action:** The County Attorney recommends that the Board review the applicant's application, and determine whether to appoint him to fill the unexpired term for the "Architect" to the Code Enforcement Board.

**Attachments:** [Staff Report](#)  
[Application Carlos L. Flores Blancaneaux](#)

*[Clerk's note: This item was heard prior to Item 10.C.1.]*

County Attorney Dylan Reingold presented Carlos L. Flores-Blancaneaux's application for consideration to fill the unexpired term for the "Architect" to the Code Enforcement Board. Mr. Flores-Blancaneaux spoke briefly about his 21 years of practicing architecture and stated he felt honored to be appointed. Chairman O'Bryan thanked him for volunteering to serve.

Commissioner Flescher thanked Mr. Flores-Blancaneaux for his commitment as it had been a vacancy for some time.

Vice Chairman Earman mentioned he had heard great things about Mr. Flores-Blancaneaux and was happy to have him on board.

**A motion was made by Commissioner Flescher, seconded by Commissioner Adams, to appoint Carlos L. Flores Blancaneaux as Architect member to the Code Enforcement Board. The motion carried by the following vote:**

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

**13.E.** [22-0394](#) County Attorney's Annual Employment Agreement

**Recommended Action:** The County Attorney recommends that the Board review the proposed agreement, and decide whether to approve the agreement and authorize the Chairman to sign it.

**Attachments:** [Staff Report](#)  
[Contract \(2022-2023\)](#)

County Attorney Dylan Reingold presented the County Attorney's Annual Employment Agreement for the Board's consideration.

Chairman O'Bryan commended the work done by Attorney Reingold and staff.

**A motion was made by Commissioner Flescher, seconded by Commissioner Adams, to approve the County Attorney's Annual Employment Agreement. The motion carried by the following vote:**

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

**14. COMMISSIONERS MATTERS**

- A. Commissioner Peter D. O'Bryan, Chairman**
- B. Commissioner Joseph H. Earman, Vice Chairman**
- C. Commissioner Susan Adams**
- D. Commissioner Joseph E. Flescher**
- 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 11:14 A.M.