



Indian River County Florida

Draft Meeting Minutes

Board of County Commissioners

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

Joseph H. Earman, District 3, Chairman

Susan Adams, District 1, Vice Chairman

Joseph Flescher, District 2

Deryl Loar, District 4

Laura Moss, District 5

John A. Titkanich, Jr., County Administrator

William K. DeBaal, County Attorney

Ryan L. Butler, Clerk of the Circuit Court and Comptroller

Randi Wardlow, Deputy Clerk

Tuesday, September 12, 2023

9:00 AM

Commission Chambers

1. CALL TO ORDER

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

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

2.B. INVOCATION

Dr. G. Timothy Womack, First Presbyterian Church

3. PLEDGE OF ALLEGIANCE

Vice Chairman Susan Adams

4. ADDITIONS/DELETIONS TO THE AGENDA / EMERGENCY ITEMS

Deleted: Item 10.B.1. Public Discussion from J. Andros

Added: Item 13.A. Resolution for Joint Meeting

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

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

5. PROCLAMATIONS and PRESENTATIONS

- 5.A.** Proclamation Designating the Month of September 2023, as Hunger Action Month
- Maureen Pringle and Jen Neufeld, volunteers with the Treasure Coast Food Bank, appeared before the Board to discuss the events to raise awareness during Hunger Action Month. Ms. Pringle shared the organization's partnerships with other local agencies to combat hunger in the community, and thanked the Board for their support.

Read and Presented by Vice Chairman Adams

- 5.B.** Proclamation Designating September 16, 2023, As International Coastal Cleanup Day in Indian River County, Florida
- Kendra Bergman, founder, Coastal Connections, provided information regarding International Coastal Clean Day on September 16, 2023, an event coordinated through the Ocean Conservancy. She discussed the harmful effects of microplastics, and provided statistics from the previous year's clean-up effort. Those interested in volunteering were directed to the organization's website, coastal-connections.org.

Read and Presented by Commissioner Loar

- 5.C.** Proclamation Dedicating September 23rd as Sickle Cell Awareness Day
- Alma Miller and Maya Miller addressed the Board regarding this inaugural effort to raise awareness of sickle cell disease, and spoke of their personal connection to the disease. Ms. Miller invited the community to a parade through Gifford to Victor Hart Park on September 23, 2023.

Read and Presented by Commissioner Moss

- 5.D.** Proclamation Celebrating Mount Olive Primitive Baptist Church's 97th Anniversary
- Elder Michael Monfiston, Pastor, Mount Olive Primitive Baptist Church, discussed the Church's mission in the community and their outreach programs. He thanked the Board for their support and recognition. Commissioner Flescher thanked the Church representatives for making a difference in the community.

Read and Presented by Commissioner Flescher

5.E. Demonstration of new website

Information Technology Director Dan Russell and Webmaster Scott Johnson provided a preview of the redesigned County website at its new domain, indianriver.gov. Mr. Russell thanked staff and walked the Board through the website and detailed the upgraded content management system. The Commissioners each in turn expressed their support of the holistic changes and improved navigation on the website.

Presented by Dan Russell and Scott Johnson

6. APPROVAL OF MINUTES**6.A.** Regular Meeting of July 11, 2023

A motion was made by Commissioner Loar, seconded by Commissioner Flescher, to approve the Regular Meeting Minutes of July 11, 2023 as written. The motion carried by the following vote:

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

6.B. 2023/24 Budget Workshop Meeting of July 12, 2023

A motion was made by Commissioner Flescher, seconded by Vice Chairman Adams, to approve the 2023/24 Budget Workshop Meeting of July 12, 2023 as written. The motion carried by the following vote:

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

7. INFORMATION ITEMS FROM STAFF OR COMMISSIONERS NOT REQUIRING BOARD ACTION**7.A.** Indian River County Venue Event Calendar Review

Chairman Earman highlighted events from the calendar and made mention he would be competing in the annual Dancing with Vero's Stars fundraiser to benefit the Indian River County Healthy Start Coalition.

No Action Taken or Required

7.B. Notice of Extension to Contract for Construction of Required Roadway Improvements (Re: Right-Of-Way Permit No. 2022031447) - Old Dixie Highway Roadway Improvements

No Action Taken or Required

8. CONSENT AGENDA

A motion was made by Commissioner Flescher, seconded by Vice Chairman Adams, to approve the Consent Agenda as amended, pulling Items 8.M., 8.P., and 8.Q. for discussion. The motion carried by the following vote:

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

8.A. Checks and Electronic Payments August 18, 2023 to August 24, 2023

Approved

8.B. Checks and Electronic Payments August 25, 2023 to August 31, 2023

Approved

8.C. Subrecipient Award Contracts

Approved staff's recommendation

8.D. Extension of Tax Roll

Approved request to order the Tax Roll to be extended prior to the completion of the Value Adjustment Board hearings.

8.E. Blanket Travel Authorization for Commissioners, County Officers, and Staff for Fiscal Year 2023-2024 (October 1, 2023, through September 30, 2024)

Approved staff's recommendation

8.F. Amendment to Lost Tree Village Conservation Easement

Approved staff's recommendation

8.G. Water and Sewer Easement to City of Vero Beach for Jackie Robinson Training Complex

Approved staff's recommendation

8.H. Miscellaneous Budget Amendment 08

Approved staff's recommendation and Resolution 2023-049, delegating authority to the County Administrator, the Deputy County Administrator or the Director of the Office of Management & Budget or their designee to execute all documents necessary to amend the fiscal year 2022-2023 budget during the period commencing November 15, 2023, through and including November 29, 2023.

8.I. Award of Bid 2024002 - Annual Bid to Furnish and Deliver Polymer

Approved staff's recommendation

8.J. Award of Bid 2024001 - Annual Bid for Hydrofluosilicic Acid

Approved staff's recommendation

8.K. Award of Bid 2023056 - Annual Bid for Fiber Optic Engineering, Design, Material, Supplies, and Installation

Approved staff's recommendation

8.L. Designation of Excess Equipment as Surplus and Authorization for Disposition

Approved staff's recommendation

8.M. Veteran Services Legal Agreement - City of Sebastian Historical School Building Lease Agreement

Commissioner Flescher expressed excitement regarding the lease agreement and thanked staff and community leaders who came together to provide space for Veteran's services. Deputy County Administrator Michael Zito thanked the Board and City of Sebastian leaders for their swift action and cooperation.

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

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

8.N. Children's Services Advisory Program FY 23/24 Agency Grant Contract

Approved staff's recommendation

8.O. North County Library Expansion, IRC-2009 Final Payment, Release of Retainage and Change Order No. 1

Approved staff's recommendation

8.P. Award of Bid No. 2023041 Jackie Robinson Training Complex Walking Trail, IRC-1908

Commissioner Flescher was pleased that this four-years-in-the-making plan to convert the old par-3 golf course at the Jackie Robinson Training Complex (formerly Dodgertown) into walking trails was moving forward.

County Administrator John Titkanich estimated completion of the trails in early 2024. Public Works Director Richard Szyrka provided additional details of the timeline, estimating the start of construction in late November. He advised to temper expectations in light of procurement delays and the time-consuming construction of a pedestrian bridge. At the request of Chairman Earman, Director Szyrka displayed construction plans and discussed details of the area.

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

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

8.Q. Providence Pointe PD Waiver Request to Eliminate 15-foot Stormwater Maintenance Area

County resident Tom Sullivan questioned whether the County's Land Development Regulations would be changed to accommodate Providence Point PD's requested waiver regarding their stormwater maintenance area, and if denied, would the area be redistributed among the homes.

Public Works Director Richard Szyrka described the developer's proposal to build a seawall around the lake with overhanging porches or decks, and noted it was a one-time instance. The Planning and Zoning Commission had approved the conceptual plans with a contingency that if the plans were changed, the waiver would be rescinded.

Mr. Sullivan and Director Szyrka discussed safety issues, maintenance around the area, and the developer's responsibility regarding upkeep. Mr. Sullivan expressed reservations regarding usage of planned developments instead of land development regulations.

County Administrator John Titkanich informed there would be a series of workshops in October where the County would consider issues regarding its Comprehensive Plan. and encouraged all to attend.

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

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

8.R. North Sebastian Phase II Water and Sewer Project IRLNEP (IRL2020-04) Time Extension

Approved staff's recommendation

9. CONSTITUTIONAL OFFICERS and GOVERNMENTAL AGENCIES

9.A. Supervisor of Elections Leslie R. Swan re: Request to Roll Back Revenue Into 22/23 Budget

Supervisor of Elections Leslie R. Swan appeared before the Board to request revenue received from the verification of petitions and data list preparations be rolled back into her department's fiscal year 2022-2023 budget. She noted the \$3,579.20 in funds would be used to pay for unfunded mandates contained in State Senate Bill 7050.

A motion was made by Commissioner Flescher, seconded by Commissioner Loar, to approve request to have the revenue received from petition verification fees and data list preparation be rolled back in to the Supervisor of Elections FY 2022-2023 budget. The motion carried by the following vote:

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

10. PUBLIC ITEMS

A. PUBLIC HEARINGS

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

10.A.1.

Local Provider Participation Fund Approval

County Attorney Bill DeBraul briefly described the Local Provider Participation Fund (LPPF) which helped hospitals recoup unreimbursed costs from Medicare.

Attorney Michael Poche, with Adelanto Healthcare Ventures, appeared before the Board to discuss the LPPF which helped close the gap between hospitals' expenses and the less-than-full amount they received from Medicare.

The Chairman opened the public hearing.

Ron Bierman, Sebastian River Medical Center, thanked the Board for their support and provided statistics regarding costs and losses sustained by acute care hospitals around the Country.

Warren Fuller, Cleveland Clinic, noted the LPPF helped the hospital maintain and expand their services, and thanked the Board for supporting it.

There being no further comments, the Chairman closed the public hearing.

Commissioner Moss commented on the importance of keeping local hospitals healthy financially.

A motion was made by Commissioner Moss, seconded by Vice Chairman Adams, to approve staff's recommendation and Resolution 2023-050, authorizing and adopting a non-ad valorem special assessment within the County limits for the purpose of benefiting assessed properties through enhanced Medicaid payments for local services; finding and determining that certain real property is specially benefited by the assessment; collecting the assessment against the real property; establishing a public hearing to consider imposition of the proposed assessment and the method of its collection; authorizing and directing the publication of notices in connection therewith; providing for certain other authorizations and delegations of authority as necessary; and providing an effective date. The motion carried by the following vote:

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

B. PUBLIC DISCUSSION ITEMS**10.B.1.**

Request for Public Discussion from J. Andros re: County Administrator Accountability

Deleted

10.B.2.

Public Discussion Request from Vero Lake Estates Property Owners, Mary Lou Ciambriello re: Fire Station 15 - Traffic Control

Mary Lou Ciambriello appeared before the Board to advocate for the needs of the Vero Lake Estates (VLE) community, and provided the Board with packets of information. She noted the top concerns of her community included speeding and the need for more stop signs and road signs; increased funding for road paving; and a request to name a road in honor of Trevor Bishop. Ms. Ciambriello also discussed the planned Fire Rescue Station 15, land available for its location, and the need for a fire station to service the North County area.

Vice Chairman Adams discussed a study in the works to look at traffic on 79th Avenue in VLE, and suggested reaching out to law enforcement regarding speeders. She also provided an update on the challenge of securing land for a new fire station. Commissioner Flecher acknowledged the growth of the neighborhood over the last decade.

No Action Taken or Required

The Chairman called for a recess at 10:30 a.m., and reconvened the meeting at 10:40 a.m. with all members present.

C. PUBLIC NOTICE ITEMS**11 COUNTY ADMINISTRATOR MATTERS**

11.A. Joint Meeting - City of Sebastian and Indian River County

Chairman Earman opened the item noting City of Sebastian Mayor Fred Jones was not present due to a prior commitment. County Administrator John Titkanich referred to staff's memo dated September 7, 2023, as he read a list of possible agenda topics that the Board was asked to choose from for the meeting with Sebastian's City Council scheduled for September 21, 2023. He noted the joint meeting would last two hours, and would be moderated by a member of the Treasure Coast Regional Planning Council.

Chairman Earman opened discussion with support of three topics to include on the agenda: Septic to sewer conversion, joint use planning for adjacent areas, and regional park partnership opportunities. Discussion among the Commissioners ensued with unanimous agreement that septic to sewer conversion planning was of utmost importance. Commissioner Loar suggested keeping an eye on upcoming grants from the State and obtaining agreement on project priorities for the Lagoon and affordable housing. Given the meeting's time constraint, the Board agreed that joint use planning and recreational opportunities would round out the agenda.

Consensus was reached to discuss the following topics: Septic to Sewer, Joint Use Planning for unincorporated areas, and Regional Park opportunities

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**

12.G.1.

Stormwater Pipeline Easement Request, Gifford Dock Park

Public Works Director Richard Szpyrka introduced the item with an overview of the City of Vero Beach's (City) planned pipeline which would provide treated stormwater to Johns Island Water Management, Inc. (JIWM) for irrigation use. Mr. Szpyrka noted the pipeline was planned to run through Gifford Dock Park, which was owned by the County, and required approval of the needed utility and construction easements. Upon completion of the pipeline, the City would construct a covered picnic shelter at the park.

Rob Bolton, City of Vero Beach Water and Sewer Director, utilized a slide presentation to discuss the multi-phase plan which evolved to create a reclaimed water source for irrigation on Johns Island, and eventually other City properties, as well as to construct a pipeline and exfiltration trench along 43rd Avenue to protect and supplement the water supply. The presentation went on to discuss benefits of the plan, project stakeholders, project status, funding, public outreach plans, and a detailed look at the easement needed at Gifford Dock Park.

Under discussion with Mr. Bolton, the Board received information regarding contamination monitoring, the estimated 90-day park closure, grant funding, and the benefits for the County as a whole.

The following people spoke before the Board:

Tom Sullivan, County resident, received an explanation of the pipeline route
Monte Falls, Vero Beach City Manager, supported the collaboration
Joe Idlette, County resident, expressed disappointment with the lack of opportunity for input from the Gifford community

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

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

12.G.2.

Indigo Vero, LLC. Developers Agreement, 46th Place at Tracking Station Park

Public Works Director Richard Szpyrka discussed the proposed Developer's Agreement (DA) for Indigo Vero Beach at Tracking Station Park and 46th Place. He explained that while the development was in the city, the DA concerned improvements to 46th Place which served as the entrance to the County's beach park.

Mr. Szpyrka displayed the engineer's plan and discussed improvements such as sidewalks, curbs, drainage, and enhanced park access. The County was asked for a 20 percent cost participation, with the balance paid by the developer. He also informed that the Parks and Recreation Department reviewed the planning and supported the enhanced access to the beach park.

Vice Chairman Adams sought assurance that the public park's entrance would not be encroached upon by development and that public access to the beach would not be impeded, especially considering this was a handicap accessible beach park. Director Szpyrka confirmed all parties were aware 46th Place was a public road, and the public would be using it to access the beach.

Tom Sullivan, County resident, suggested adding signage noting Tracking Station Park was a public beach.

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

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

H. Utilities Services

12.H.1.

Developer's Agreement with Go Life Holding LLC for 12-inch Water Main Extension from 90th Avenue to 98th Avenue

Utility Services Director Sean Lieske presented the Board with a Developer's Agreement (DA) to install a water main extension for the Venetian Grove area west of I-95 and south of SR60 in order to secure water and sewer availability for the planned development of 900 single family homes. Mr. Lieske explained this water main had already been targeted for expansion to accommodate future development and provide redundancy to the area which suffered a water outage when there was a break in the main line. He informed that the agreement specified a 60/40 percent split between the County and the developer, though the cost was still unknown and would be dependent upon when construction was ready to begin.

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

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

13. COUNTY ATTORNEY MATTERS**13.A.1.**

Joint meeting Resolution

County Attorney Bill DeBraal informed that State Statute 125, which dealt with joint meetings between the County and municipalities, specified the meetings were required to be advertised and have a Resolution of approval. He requested the Board's approval of the Resolution which included separately planned meetings between the County, the City of Sebastian, the City of Vero Beach, and the Indian River County School Board.

A motion was made by Commissioner Flescher, seconded by Commissioner Loar, to approve Resolution 2023-051, authorizing the Board of County Commissioners for Indian River County to participate in a joint meeting with the City of Sebastian City Council, the City of Vero Beach City Council and the School District of Indian River County to discuss and plan matters of mutual interest; and providing for an effective date. The motion carried by the following vote:

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

14. COMMISSIONERS MATTERS

A. Commissioner Joseph H. Earman, Chairman

B. Commissioner Susan Adams, Vice Chairman

C. Commissioner Joseph E. Flescher

14.C.1. Public Record Clarification

Commissioner Flescher sought to clarify statements made at the August 29, 2023 Board meeting surrounding emails regarding a removed Agenda item. The Commissioner wanted to ensure communication remained open between the Board and the public. Commissioner Moss responded to Commissioner Flescher's comments, and a back-and-forth exchange ensued regarding emails received and their content. Vice Chairman Adams noted not all Commissioners received the same email communication, and Chairman Earman declared the issue had been clarified and settled.

No Action Taken or Required

D. Commissioner Deryl Loar

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 11:45 a.m.