



# Indian River County Florida

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

## Meeting Minutes - Final

### Board of County Commissioners

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

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

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Tuesday, July 13, 2021

9:00 AM

Commission Chambers

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#### 1. CALL TO ORDER

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

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

#### 2.B. INVOCATION

**Pastor Randy Fullerton, Glendale Baptist Church**

#### 3. PLEDGE OF ALLEGIANCE

**Commissioner Laura Moss**

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

Added: Item 7.B. Notification of Job Fair  
Item 10.B.5. Request to Speak from Sheriff Eric Flowers

Moved: Item 14.A.1. to follow Item 10.B.5.

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

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

#### 5. PROCLAMATIONS and PRESENTATIONS

- 5.A.**     [21-0658](#)     Presentation of Proclamation Designating the Month of July, 2021 as Parks and Recreation Month and Designating July 16, 2021 as Parks and Recreation Professionals Day

**Recommended Action:** Read and present

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

Commissioner Earman read and presented the Proclamation to Parks and Recreation Director Kevin Kirwin, who was joined by members of his staff. Director Kirwin responded with sincere appreciation for his coworkers, the Board, County Administrator Jason Brown and Assistant County Administrator Mike Zito.

**Read and Presented**

- 5.B.**     [21-0565](#)     Presentation of Proclamation Designating the Week of July 18, 2021 Through July 24, 2021, As Treasure Coast Waterway Cleanup Week

**Recommended Action:** Recommend Read and Present

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

Vice Chairman O'Bryan read and presented the Proclamation to Ms. April Price, Events Coordinator, Marine Industries Association of the Treasure Coast, Inc. Ms. Price discussed the events planned for the Treasure Coast Waterway Cleanup Week, which included the 14th Annual Treasure Coast Waterway Cleanup, to be held on Saturday, July 24, 2021.

**Read and Presented**

- 5.C.**     [21-0664](#)     Presentation of Indian River Indicators by Jeffrey R. Pickering, President and CEO, Indian River Community Foundation

Mr. Jeffrey R. Pickering, President and CEO, Indian River County Community Foundation, utilized a PowerPoint presentation to highlight the work being done by his staff. He introduced Indian River Indicators, a program developed to be a resource for key information about the community for the purpose of supporting and sustaining proven programs, and for offering assistance to donors who were researching the needs of local charities. Mr. Pickering noted that the extensive data could be found at [www.ircommunityfoundation.org](http://www.ircommunityfoundation.org), and would be updated annually.

The Board thanked Mr. Pickering for putting together the useful program, and for having an informative website that was easy to navigate.

**Presented**

- 5.D.**     [21-0653](#)     Presentation of Fetal and Infant Mortality Report by Andrea Berry, CEO, IRC Healthy Start Coalition

**Attachments:**   [Indian River FIMR Report 2020](#)

Ms. Andrea Berry, CEO, Indian River County Healthy Start Coalition, Inc. (Healthy Start), used a PowerPoint presentation to discuss the Fetal and Infant Mortality Review (FIMR), which was led by Healthy Start and funded by the Hospital District, to pinpoint local programs that could assist with lowering the number of infant deaths. She highlighted the progress that had been made since 2011, and she also informed the Board of the Healthy Start programs that had been added in the 10-year time period. Ms. Berry applauded the work being done by Cleveland Clinic Indian River Hospital and the 26 agency representatives who met quarterly with a common goal of lowering the County's fetal and infant mortality rate.

Commissioner Earman inquired and received clarification regarding babies who were born to opioid users.

**Presented**

## **6. APPROVAL OF MINUTES**

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

**7.A.**     [21-0662](#)     Planning and Zoning Commission Vacancy

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

Chairman Flescher announced a recent vacancy to the Planning and Zoning Commission, BCC Appointee, District No. 5.

Commissioner Moss stated her appreciation for the past year of service by Mr. Harry Howle, and she hoped to have a replacement by the next regular meeting.

**No Action Taken or Required**

**7.B.** Notification of Job Fair

*(Clerk's Note: This item was an addition to the Agenda.)*

Vice Chairman O'Bryan made mention that Career Source Research Coast would be conducting a job fair on Thursday, July 15, 2021, at United Against Poverty, 1400 27th Street, from 3:00 P.M. to 6:00 P.M. He pointed out that veterans would receive early entry at 2:30 P.M.

**No Action Taken or Required**

**8. CONSENT AGENDA**

**A motion was made by Vice Chairman O'Bryan, seconded by Commissioner Adams, to approve the Consent Agenda as amended, pulling Items 8.N., 8.P., and 8.R. for discussion. The motion carried by the following vote:**

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

**8.A.**     [21-0595](#)     Checks and Electronic Payments May 28, 2021 to June 3, 2021

**Recommended Action:** Approve the list of checks and electronic payments issued by the Comptroller's office for the time period of May 28, 2021 to June 3, 2021

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

**Approved**

8.B. [21-0610](#) Checks and Electronic Payments June 4, 2021 to June 10, 2021

**Recommended Action:** Approve the list of checks and electronic payments issued by the Comptroller's office for the time period of June 4, 2021 to June 10, 2021

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

**Approved**

8.C. [21-0630](#) Checks and Electronic Payments June 11, 2021 to June 17, 2021

**Recommended Action:** Approve the list of checks and electronic payments issued by the Comptroller's office for the time period of June 11, 2021 to June 17, 2021

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

**Approved**

8.D. [21-0635](#) Checks and Electronic Payments June 18, 2021 to June 24, 2021

**Recommended Action:** Approve the list of checks and electronic payments issued by the Comptroller's office for the time period of June 18, 2021 to June 24, 2021

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

**Approved**

8.E. [21-0691](#) Indian River County Tax Roll Recapitulation Report

**Recommended Action:** Accept the Report

**Attachments:** [2020 Roll Recap](#)

**Accepted**

- 8.F. [21-0650](#) Change Order 3 and additional funding to Hedrick Brothers Agreement for Building Division Renovation

**Recommended Action:** Staff recommends the Board approve Change Order No 3 and additional funding to Hedrick Brothers Agreement for Building Division Renovation and authorize the Chairman to execute the amendment, after the County Attorney has approved it as to form and legal sufficiency.

**Attachments:** [Staff report](#)  
[Change Order No. 3](#)  
[Contingency Log](#)

**Approved staff's recommendation**

- 8.G. [21-0652](#) Chris Heine and Norman Thomas' Request for Affidavit of Exemption Approval with Dedications to the County [AOE-20-11-04 / 2019040158-87843] (Heine AOE)

**Recommended Action:** Staff recommends that the Board of County Commissioners accept the dedication of the limited access easement and ROW 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.H. [21-0651](#) BuyBoard National Purchasing Cooperative Interlocal Participation Agreement

**Recommended Action:** Staff recommends the Board approve registration in the National Purchasing Cooperative and authorize the Purchasing Manager to electronically approve the participation agreement after the County Attorney has approved it as to form and legal sufficiency.

**Attachments:** [Staff Report](#)  
[Electronic Interlocal Participation Agreement Text](#)  
[Organizational Interlocal Agreement](#)

**Approved staff's recommendation**

**8.I.**     [21-0656](#)     Award of Bid 2021047 - Annual Bid for Utility Operations Warehouse Stock

**Recommended Action:** Staff recommends the Board award Bid 2021047 to Core & Main, LP and Ferguson Waterworks and authorize the Purchasing Division to issue blanket purchase orders for the period of July 13, 2021 through July 12, 2022 with the recommended bidders. Staff also recommends the Board authorize the Purchasing Manager to renew this bid at the same rates for two (2) additional one (1) year periods subject to satisfactory performance, vendor acceptance, and the determination that renewal of this annual bid is in the best interest of Indian River County.

**Attachments:**   [Staff Report](#)

**Approved staff's recommendation**

**8.J.**     [21-0657](#)     Declaration of Excess Equipment as Surplus and Disposal Authorization

**Recommended Action:** Staff recommends the Board declare the items on the Excess Equipment List for 071321 Agenda as surplus, and authorize their sale and/or disposal, as indicated.

**Attachments:**   [Excess List for 071321](#)  
                          [Agenda - Surplus List for 071321](#)

**Approved staff's recommendation**

**8.K.**     [21-0649](#)     Sally Beauty Supply LLC - Second Amendment to Lease

**Recommended Action:** Staff recommends the Board approve the Second Amendment to the Lease as proposed for Sally Beauty LLC and authorize the Chairman to execute the Second Amendment to the Lease on behalf of the Board.

**Attachments:**   [Staff Report](#)  
                          [Second Amendment to Lease](#)

**Approved staff's recommendation**

- 8.L. [21-0654](#) Approval of State Sovereignty Submerged Lands Fee Waived Lease 5-Year Renewal for the Archie Smith Fish House

**Recommended Action:** Staff recommends that the Board of County Commissioners approve the attached sovereignty submerged lands fee waived lease renewal for the Archie Smith Fish House, and authorize the Board Chairman to sign the lease on behalf of the County.

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

**Approved staff's recommendation**

- 8.M. [21-0655](#) Jones' Pier Conservation Area Public Use Improvements - Amendment Number 2 to Work Order Number 3 Continued Construction Administration Services

**Recommended Action:** Staff recommends the Board accepts Amendment 2 to Work Order Number 3 with Carter Associates, Inc. authorizing the professional services as outlined in the Scope of Services and requests the Board to authorize the Chairman to execute the Work Order on their behalf for a lump sum amount of \$11,365.00 upon approval by the County Attorney as to form and legal sufficiency.

**Attachments:** [Staff Report](#)  
[Attachment A](#)  
[Exhibit 1](#)

**Approved staff's recommendation**



**8.N.**     [21-0661](#)     Approval of Kannact Diabetes Management Program effective October 1, 2021

**Recommended Action:** Staff respectfully requests the Board of County Commissioners approve initiating a 2-year agreement with Kannact for Option 1 Diabetes Management Program effective October 1, 2021, and authorizing the Chairman of the Board to sign the agreement as reviewed and approved by the County Attorney.

**Attachments:**   [Staff Report](#)  
                          [Kannact Diabetes Management Agreement](#)

At the request of Vice Chairman O'Bryan, Human Resources Director Suzanne Boyll provided clarification regarding the new Kannact Diabetes Management Program, effective October 1, 2021, to replace the existing program that would no longer be offered. She pointed out the additional services the new program would provide.

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

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

**8.O.**     [21-0693](#)     Fourth Addendum to Agreement between Indian River County and REDEVGROUP, Inc. for Lot 5, Plat of Indian River Mall

**Recommended Action:** Staff recommends the Board of County Commissioners approve the Fourth Addendum to Agreement between Indian River County and REDEVGROUP, Inc., and authorize the Chairman to execute the Fourth Addendum on behalf of the Board.

**Attachments:**   [Staff Report](#)  
                          [Fourth Addendum](#)  
                          [Third Amendment](#)

**Approved staff's recommendation**

- 8.P.**     [21-0699](#)     Approval of Transfer of Veterans Affairs Supportive Housing Voucher and Accompanying Resolution

**Recommended Action:** Staff recommends the Board approve the resolution transferring the Veterans Affairs Supportive Housing Voucher and authorize the Chairman to execute the resolution behalf of the Board.

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

Vice Chairman O'Bryan offered clarification regarding the Housing Choice Voucher (HCV) program, noting that a Veterans Affairs Supportive Housing (VASH) Voucher had been transferred to Indian River County from another Public Housing Agency, to allow the County to help an additional local Veteran.

**A motion was made by Vice Chairman O'Bryan, seconded by Chairman Flescher, to approve Resolution 2021-046, approving one (1) HUD-Veterans Affairs Supportive Housing (HCV-VASH) voucher to be transferred to Indian River County. The motion carried by the following vote:**

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

- 8.Q.**     [21-0700](#)     Approval of Memorandum of Understanding between Treasure Coast Homeless Services Council, Inc. and Indian River County, Rental Assistance for Acceptance of 34 new Emergency Housing Vouchers

**Recommended Action:** Staff recommends the Board approve the Memorandum of Understanding with the Treasure Coast Homeless Services Council, Inc. and authorize the Chairman to execute the MOU on behalf of the Board.

**Attachments:**   [Staff Report](#)  
                          [Memorandum of Understanding](#)

**Approved staff's recommendation**

**8.R.**     [21-0672](#)     Update to Well Field Feasibility Expansion Study Agreement with All Webbs Enterprises, Inc.

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

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

Commissioner Moss announced that she maintained her stance from the June 8, 2021 meeting, and would again be voting against staff's recommendation.

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

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

**Nay:** 1 - Commissioner Moss

**8.S.**     [21-0701](#)     Release of Environmental Lien - 756 41st Avenue

**Recommended Action:** The County Attorney's Office recommends that the Indian River County Board of County Commissioners authorize the release of the lien for the property located at 756 41st Avenue and authorize the County Attorney's Office to draft and the Chair to sign any and all documents necessary to effectuate this release.

**Attachments:**   [Staff Report](#)

**Approved staff's recommendation**

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

### **10. PUBLIC ITEMS**

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

#### **B. PUBLIC DISCUSSION ITEMS**

- 10.B.1. [21-0694](#) Request to Speak from Doug Demuth, South Beach Area Residents Group re: Water and Sewer Service and Rates Affecting Residents of the South Beach Area

**Recommended Action:** No Action Required

**Attachments:** [Request to Speak South Beach](#)

Mr. Doug Demuth introduced Ms. Laurie Barkhorn, representing the Seagrove Property Owners Association, who spoke on behalf of the South Beach Area Residents Group to request long-term, simple, transparent, and competitive water and sewer rates; long-term agreements that were clear and provided for accountability, and were binding; the County's support for the unincorporated South Beach area; assistance from the County for potential agreements and legislation; and a future-oriented focus that would be shared with residents of the South Beach area.

County Administrator Jason Brown responded that staff would be keeping in mind the residents of the South Barrier Island and Indian River Shores as the County moved through the process of resolving utility issues with the City of Vero Beach (the City). Administrator Brown stated his appreciation for Mr. Demuth and Ms. Barkhorn's involvement, and he advised that the County's next meeting with the City was scheduled for July 22, 2021.

Vice Chairman O'Bryan pointed out that recently passed legislation has led to the necessity to hire additional County employees to comply with the new requirements. He added that water and sewer rates were going to go up, but that the County was doing their best to protect the residents.

**No Action Taken or Required**

Chairman Flescher called for a recess at 10:19 a.m., and he reconvened the meeting at 10:38 a.m., with all members present.

- 10.B.2. [21-0695](#)** Request to Speak from Lamarre Notargiacomo re: Request for Support of 2nd Amendment Resolution from Indian River County Commissioners

**Recommended Action:** No action required

**Attachments:** [Request to Speak Notargiacomo](#)

Ms. Lamarre Notargiacomo addressed the Board to thank them for supporting Second Amendment rights. She possessed a folder with approximately 1,600 signed petitions from County residents who were supportive of the Resolution to designate the County a Second Amendment Sanctuary.

**No Action Taken or Required**

- 10.B.3. [21-0697](#)** Request to Speak from Paul Westcott re: Second Amendment Resolution

**Recommended Action:** No Action Required

**Attachments:** [Request to Speak Westcott](#)

Mr. Paul Westcott spoke about the United States Constitution and his support of the Second Amendment Sanctuary Resolution.

**No Action Taken or Required**

- 10.B.4. [21-0698](#)** Request to Speak from Jeff Mosesso re: Second Amendment Resolution

**Recommended Action:** No Action Required

**Attachments:** [Request to Speak Mosesso](#)

Mr. Jeff Mosesso utilized a PowerPoint presentation to provide statistics to the Board regarding residents who supported the Second Amendment Sanctuary Resolution, the right of the people to keep and bear arms. He also displayed maps indicating the number of County and State governments that have approved similar resolutions.

**No Action Taken or Required**

**10.B.5. 21-0709** Request to Speak from Sheriff Eric Flowers re: Second Amendment Enforcement

*(Clerk's Note: This item was moved to be heard following Item 10.B.1., and is placed here for continuity.)*

Indian River County Sheriff Eric Flowers addressed the Commissioners regarding the Second Amendment to the United States Constitution, and he made it clear that the law enforcement officers at the Sheriff's Office had no intention of taking guns from people. He was in support of the approval of a Resolution designating the County a Second Amendment Sanctuary, to be proposed under Item 14.A.1.

**No Action Taken or Required**

**C. PUBLIC NOTICE ITEMS****11. COUNTY ADMINISTRATOR MATTERS****12. DEPARTMENTAL MATTERS**

Chairman Flescher called for a recess at 11:22 a.m., and he reconvened the meeting at 11:26 a.m., with all members present.

**A. Community Development**

**12.A.1. [21-0634](#)**

Review of Proposed Request for Proposals for a Developer to Redevelop the Former Gifford Gardens Apartments Site with Housing that is Affordable

**Recommended Action:** Staff and the AHAC recommend that the BCC review the proposed final Draft RFP and: 1. Provide any proposed changes to the RFP; 2. Allow any potential final edits to the RFP as may be recommended by various County review departments; 3. Direct staff to advertise the RFP (as may be modified).

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

Long Range Planning Chief Bill Schutt referred to staff's memorandum dated June 24, 2021, and a PowerPoint presentation to discuss the prior action by the Board with regard to redeveloping the former Gifford Gardens Apartments site, located at 4730 40th Avenue, to an affordable housing neighborhood. He highlighted the proposed Request For Proposal (RFP) guidelines, and reminded the Board that 22 Single-Family water and sewer ERUs had been preserved with the liens and charges removed to make the property marketable to a potential developer; American Rescue Plan (ARP) funds of \$350,000 would be available as a financial incentive for design and infrastructure expenses. Chief Schutt pointed out the proposed stipulations that would apply to future homeowners, the qualifications and requirements of the developer, and the Evaluation Criteria and point system that would be used when the proposals were received.

Discussion ensued among Community Development Director Phil Matson, Chief Schutt, and members of the Board, which included the allowance of additional time for the developers to submit their RFP; setting a specified equity mechanism for homeowners who wished to sell to ensure that the housing would remain affordable and the seller would receive equity for their time of ownership; the Homeowner Association costs; and native plants, which may be donated by the Pelican Island Audubon.

County Attorney Dylan Reingold requested clarification on incorporating guidelines for purchasing a home and equity specifics for selling a home into the proposed Evaluation Criteria. Director Matson felt it would be best for staff to change the category "Community Compatibility" to read "Community Interest and Compatibility."

**A motion was made by Vice Chairman O'Bryan, seconded by Commissioner Earman, to approve staff's recommendation with the following changes to be made by staff: 1) to adjust the deadline to mid-September for all Request for Proposals (RFPs) to be received; and 2) to change the Evaluation Criteria category from "Community Compatibility" to read "Community Interest & Compatibility." The motion carried by the following vote:**

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

**B. Emergency Services****C. General Services****12.C.1. [21-0692](#)** Irrigation System Pump Station Replacement at Sandridge Golf Club, Dunes Course

**Recommended Action:** Staff recommends the Board waive the requirement for bids for replacement of the pump station and authorize the Purchasing Division to issue a Purchase Order to Watertronics in the amount of \$290,983.00. Staff also recommends the Board authorize the Purchasing Manager to sign the Watertronics quotation after review and approval by the County Attorney as to form and legal sufficiency.

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

Assistant County Administrator Mike Zito was present to answer any questions from the Board; however, there was no discussion on the item.

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

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

**D. Human Resources****E. Information Technology****F. Office of Management and Budget****G. Public Works****H. Utilities Services****13. COUNTY ATTORNEY MATTERS**



**13.A.** [21-0690](#) County Commissioner Districts - Redistricting Based on the 2020 Decennial Census

**Recommended Action:** The County Attorney recommends that the Board generally discuss the redistricting objectives and process, raise any issues of concern, consider the proposed schedule and, if it is acceptable, adopt the schedule.

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

County Attorney Dylan Reingold addressed the Board to discuss the topic of redistricting and to review a proposed schedule for moving forward. He made mention that he did not expect the 2020 Decennial Census data to be completed until September 2021, and per Florida Statutes, changes in County Commissioner Districts were required to be made in odd-numbered years. Attorney Reingold stated that he had reached out to various community leaders to make them aware of the condensed time frame involved with making the required changes.

Commissioner Adams added that she was not expecting the preliminary census information until October 2021, and Attorney Reingold was aware that the proposed schedule may need to be adjusted.

**A motion was made by Vice Chairman O'Bryan, seconded by Chairman Flescher, to adopt the County Attorney's proposed schedule for redistricting, with the caveat that the schedule was subject to change. The motion carried by the following vote:**

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

**14. COMMISSIONERS MATTERS****A. Commissioner Joseph E. Flescher, Chairman**

- 14.A.1. [21-0696](#) Request Board Consideration of a Resolution Designating Indian River County a Second Amendment Sanctuary

**Recommended Action:** Discussion

**Attachments:** [Commissioner's Memo](#)  
[Proposed Resolution](#)

*(Clerk's Note: Although this item was moved to be heard following Item 10.B.5., at the request of Chairman Flescher it was heard prior to Item 10.B.2., and will remain here for continuity.)*

Chairman Flescher was appreciative of the discussion, insight and input he had received from the public regarding the County being designated a Second Amendment Sanctuary.

In response to an inquiry from Mr. Paul Westcott, County Attorney Dylan Reingold referred to the Florida Statutes to offer an explanation for proposing the item as a Resolution, rather than as an Ordinance. Chairman Flescher pointed out that the State's 44 Counties that have been designated a Second Amendment Sanctuary were enacted by approval of a Resolution.

**A motion was made by Vice Chairman O'Bryan, seconded by Chairman Flescher, to approve Resolution 2021-047, designating Indian River County a Second Amendment Sanctuary, with a correction to wording in the 10th WHEREAS to replace the word "fast" with the word "first," and to forward the Resolution to Governor Ron DeSantis, Senator Debbie Mayfield, Representative Erin Grall and Congressman Bill Posey. The motion carried by the following vote:**

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

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

**C. Commissioner Susan Adams**

**D. Commissioner Joseph H. Earman**

**14.D.1. [21-0669](#)** A Proposal to “Move Water West”

**Recommended Action:** Discuss

**Attachments:** [Commissioner's Memo](#)  
[Supporting maps and overlays](#)

Commissioner Earman addressed his fellow Commissioners to discuss a mission to improve the health of the Indian River Lagoon. He referred to a PowerPoint presentation and his memorandum dated July 8, 2021, to present the advantages of moving the County's stored and excess stormwater west to the Upper St. John's River Basin. He requested the assistance of County Administrator Jason Brown to initiate discussions of a study with representatives from the St. John's River Water Management District (SJRWMD), St. John's Improvement District (SJID) and Indian River Farms Water Control District (IRFWCD), and to any other entity that should be involved.

Comments from Vice Chairman O'Bryan, Commissioner Adams, and Commissioner Moss included appreciation for Commissioner Earman's presentation with agreement that it was an idea worth exploring. Their concerns involved discharges and the water treatment that would be required, and also the difficulty of getting the regulatory agencies and special districts on board to address water issues. Commissioner Adams suggested storing the stormwater in an area north of the area suggested by Commissioner Earman, and she also pointed out that there were grant dollars available that could be used for resiliency.

Mr. Lex Kromhout addressed the Board with support for Commissioner Earman's request. He suggested an area south of Fellsmere Farms for stormwater storage, and he voiced concerns that he felt should be considered.

**A motion was made by Commissioner Earman, seconded by Chairman Flescher, to direct staff to enter into discussions about the relocation of stored and excess stormwater with representatives from the St. John's River Water Management District (SJRWMD), St. John's Improvement District (SJID) and the Indian River Farms Water Control District (IRFWCD). The motion carried by the following vote:**

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

**E. Commissioner Laura Moss****15. SPECIAL DISTRICTS AND BOARDS**

**A. Emergency Services District**

*(Clerk's Note: The Solid Waste Disposal District items were moved to be heard prior to Item 12.A.1., and they were presented in reverse order.)*

**B. Solid Waste Disposal District**

The Board of County Commissioners reconvened as the Board of Commissioners of the Solid Waste Disposal District. The minutes will be approved at an upcoming Solid Waste Disposal District meeting.

**15.B.1. [21-0687](#)**

Approval of Leachate Treatment Agreement with Indian River Sustainability Center

**Recommended Action:** Solid Waste Disposal District (SWDD) staff recommends that its Board: a) Approve the Wastewater Treatment Services Agreement between Indian River County SWDD and Indian River Sustainability Center, LLC; b) Authorize the Chairman to sign upon approval of legal sufficiency by the County Attorney and receipt of insurance; and, c) Authorize the Budget Director to bring a budget amendment to the Board for approval at a future meeting to cover the funds for this project

**Attachments:** [Staff Report](#)  
[Wastewater Treatment Services Agreement](#)

Managing Director Himanshu Mehta referred to staff's memorandum dated July 1, 2021, while announcing that a successful leachate treatment agreement had been negotiated with the Indian River Eco District, LLC, dba Indian River Sustainability Center, LLC, Heartland Waste Technology, Inc., and Proximo Energy. He requested that the Board approve the proposed Wastewater Treatment Agreement.

Vice Chairman O'Bryan inquired and received confirmation from County Administrator Jason Brown and County Attorney Dylan Reingold that they were satisfied with the terms and conditions of the contract. Director Mehta provided clarification to the Vice Chairman that the landfill gas would be used for the leachate treatment project until the renewable natural gas facility was up and running. He made mention that the long-term goal would be to use the landfill gas for both projects.

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

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

**15.B.2. [21-0688](#)** Work Order No. 13 to Geosyntec for Title V Air Operations Permit Renewal

**Recommended Action:** Solid Waste Disposal District (SWDD) staff recommends that its Board approve the following: a) Approve Work Order No. 13 with Geosyntec for \$71,198 to provide engineering services for preparation and submittal to the Florida Department of Environmental Protection an application for renewal of the Title V air operation permit; and, b) Authorize the Chairman to execute the same, as presented

**Attachments:** [Staff Report](#)  
[Work Order No 13 - Geosyntec](#)

There was no discussion regarding this item.

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

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

**15.B.3. [21-0689](#)** Beach Basket Pilot Campaign - One-Year Update

**Recommended Action:** For informational purposes only - no action required

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

Recycling Education and Marketing Coordinator Sue Flak utilized a PowerPoint presentation to introduce the one (1) year update of the Beach Basket Pilot Campaign (the Campaign), which began with beach clean-up basket stations placed at three (3) County beaches in February 2020. She informed the Board that the Campaign had generated a great amount of media coverage, and that basket stations would be installed at five (5) additional County beaches in July 2021.

Kendra Cope, representing Coastal Connections, Inc., a collaborative partner with a like-minded vision, pointed out her organization's responsibility for tracking, monitoring, cleaning and sanitizing the baskets. She added that beach basket stations were placed at five (5) City access points in July 2020, and that all baskets had been marked for the purpose of tracking them between where they were originally placed and where they ended up. Ms. Cope went over the rate of loss, noting that the cost per basket was \$8.98. She stated that other counties, municipalities and groups had voiced interest in applying the beach basket concept to their local area.

**No Action Taken or Required**

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

There being no further business, Chairman Flescher adjourned the meeting at 12:51 p.m.