



Indian River County, Florida

Indian River County
Administration Complex
1801 27th Street
Vero Beach, Florida 32960
indianriver.gov

Meeting Minutes - Final-revised

Board of County Commissioners

Joseph Flescher, District 2, Chairman

Deryl Loar, District 4, Vice Chairman

Susan Adams, District 1

Joseph H. Earman, District 3

Laura Moss, District 5

John A. Titkanich, Jr., County Administrator

Jennifer W. Shuler, County Attorney

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

Monday, October 20, 2025

5:01 PM

Commission Chambers

Written Notice of Board Action on Fiscal Year 2025-2026 Sheriff's Budget Request

1. CALL TO ORDER

ROLL CALL

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

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

2.B. INVOCATION

Commissioner Deryl Loar, Vice Chairman

3. PLEDGE OF ALLEGIANCE

Commissioner Joseph H. Earman

4. PRESENTATION - BOARD ACTION ON FISCAL YEAR 2025-2026 SHERIFF'S BUDGET REQUEST

Chairman Flescher began by stating that the public hearing pertained to the Board of County Commissioners' Written Notice of Action on the Fiscal Year 2025-2026 Sheriff's Budget request. He pointed out that the hearing was not a special meeting to discuss the Sheriff's Budget or, more specifically, its funding level. He continued that the Board held two Budget workshops, the second of which focused exclusively on the Sheriff's Budget, followed by the Preliminary and Final Budget Hearings. The Board adopted a Budget that reduced the amount requested by the Sheriff and, as required by State Law, provided a Written Notice of Board Action to the Sheriff of these amendments. The amendments presented were consistent with the \$85,773,472 budget approved for the Sheriff's Office. To be clear, any County budget, including the Sheriff's allocation, had been adopted.

Deputy County Attorney Susan Prado provided clarification from a legal standpoint that the purpose of the publicly noticed hearing was to address the Written Notice of Board Action on the Fiscal Year 2025-2026 Budget request issued by the Sheriff on September 22, 2025. She reviewed Section 30.49 (3)(4) of the Florida Statutes (F.S.), which granted the Board of County Commissioners the authority to amend, modify, increase, or reduce any or all items of expenditure proposed by the Sheriff. The Statute required a Written Notice of the Board's action regarding the reduction of the Sheriff's Budget request. The written notice was to specify items amended, modified, or reduced.

County Administrator John Titkanich provided a timeline of events related to the Sheriff's Budget Request, stating that on May 1st, the Sheriff's Office submitted its original request for \$93,547,675, an increase of \$14.6 million, or 18.6%. At the July 9th Budget Workshop, the Board requested the County Administrator to allocate additional funding to the Sheriff without increasing the millage rate. The proposed budget included \$83,646,672 for the Sheriff's Office, an increase of \$4,734,717 or 6%. On July 23rd, a revised request was received from the Sheriff's Office totaling \$91,126,840, an increase of \$12,214,868, or 15.5%. At the August 11th Sheriff's Budget Workshop, the Board of County Commissioners approved an increase of \$6 million, totaling a 7.6% increase over the prior year's budget. He concluded that at the September 10th Preliminary Budget Hearing, the County Board approved an increase of \$6,861,517 or 8.7% to the Sheriff's budget. The total final budget of \$85,773,472 was approved at the Final Budget Meeting.

Administrator Titkanich highlighted that the tax roll increase countywide was 8.8% and 8.7% in the incorporated area. This generated \$8,681,310 in additional revenue for the General Fund, while maintaining the millage rate flat. The Sheriff's funding increased by \$6,861,517, or 8.7%. This was a reduction from the initial request of \$14.6 million to a revised request of \$12.2 million.

Administrator Titkanich stated that there had been extensive discussion about the funds and how the County could cover additional increases to the Sheriff's Budget. He briefly reviewed some aspects and provided an understanding of the budget and funds, noting that the General Fund was identified as the County's main operating fund. The Municipal Service Taxing Unit, or MSTU, covered expenditures related to the unincorporated areas of Indian River County. These two funds were the primary sources for funding the Sheriff's Budget. Additionally, Enterprise Funds operated like businesses, with services funded by user charges or fees rather than taxes. The revenues from these funds were restricted to their respective categories and could be spent only within those categories. He went on to provide examples to illustrate these points, reviewed the budget terms and requirements, and the Sheriff's Budget as a percentage of additional tax revenue and a percentage of the General Fund Budget. Administrator Titkanich mentioned that the Sheriff's budget was 53.1% of the FY 2025/2026 General Fund budget and displayed a diagram of the Sheriff's Office's Historical Budgets over the past 15 years.

Administrator Titkanich recapitulated the Board's action on the FY 2025/2026 budget. The Sheriff requested a budget of \$93,547,675 on May 1st, then revised it to \$91,126,840 on July 23rd, after the Budget Workshop. The Board of County Commissioners approved an \$85,773,472 budget for the Sheriff, representing a \$6.8 million increase, or 8.7% over last year's budget.

The issue at hand concerned the Sheriff's lawsuit, which contended that the County had not provided written notice to the Sheriff of budget amendments. The Board of County Commissioners, pursuant to Section 30.49(3), F.S., may not amend, modify, increase, or reduce any expenditure at the sub-object code level. However, the next paragraph in the statute states that the Board may amend, modify, increase, or reduce any or all items of expenditures in the proposed budget. Furthermore, Section 30.49(4), F.S., stated that the Board must provide written notice of its action to the Sheriff and specify in such notice the specific items amended, modified, increased, or reduced.

Administrator Titkanich explained Object Level Reductions for Board Action, mentioning the Code Level for Personnel Services is Object Code 10. The approved budget for Personnel Services in FY 2024/2025 was \$59,340,581. The requested budget for FY 2025/2026 was \$67,639,193, which represented a 13.98% increase. He added that during both the second Budget Workshop and the Preliminary Budget Hearing, the Board considered several wage and salary scenarios to provide sworn personnel with an average increase of \$9,000 and civilian personnel within the Sheriff's Office with a \$3,500 increase. However, it still resulted in a reduction of \$2,260,087, bringing the revised Personnel budget to \$65,379,106.

Administrator Titkanich referred to Object Code 30, which was Operating Expenses. The past year's approved budget was \$17,323,730, and the requested budget was \$20,645,682, representing a 16.09% increase. The Board of County Commissioners proposed a reduction of \$2,825,283, bringing the revised amount to \$17,250,399. The next Object Level Reduction was Capital Outlay (Object Code 60), with an approved FY 2024/2025 budget of \$2,247,644. The requested FY 2025/2026 budget was \$2,841,963, a 20.91% increase. The Board of County Commissioners recommended a reduction of \$267,999, bringing the revised amount to \$2,573,964. The total budget again in FY 2024/2025 was \$78,911,955. The revised budget requested from the Sheriff's Office was \$91,126,840, which represented a 15.5% increase. The Board of County Commissioners recommended a reduction to the Sheriff's request of \$5,353,369, resulting in a revised budget of \$85,773,471.

Administrator Titkanich referred to Section 30.49(12) F.S., which read that, in order to effectuate, fulfill, and preserve the independence of the Sheriff, they have the statutory authority to transfer money between the fund and functional categories, and at the Object and Sub-Object levels after his or her budget has been approved by the Board of County Commissioners. Sheriffs can determine the priorities for their budgets.

Administrator Titkanich pointed out that the Board was not suggesting, and has not suggested, any cuts to K9 food, car seats, DNA kits, etc. The \$5,353,369 reduction was to the Sheriff's \$12.2 million request. It was staff's recommendation to approve the specific Object Level Reductions to the Sheriff's FY 2025/2026 Budget Request and issue the Sheriff a revised Written Notice of Board Action.

Chairman Flescher pointed out that there seemed to be some ambiguity between Section 30.49 (3) and (4) of the F.S. Administrator Titkanich referred to the statutes, noting the Board cannot reduce the Sheriff's Budget at the Sub-Object Level. However, the Board may modify the overall budget, provided it details the specific items amended, modified, increased, or reduced in a Written Notice of Action.

5. SHERIFF ERIC FLOWERS COMMENTS

Sheriff Eric Flowers came before the Board to address his budget and the reason for the lawsuit, noting that during meetings with Board members, he explained that this year his request would be a big one because the cost of goods had increased, and that his goal was to make their salaries competitive with those of surrounding agencies. He asked the Board to allow members of his dedicated staff and a Mental Health Provider for the Sheriff's Office to make a short presentation to help the Board understand the critical needs funded by the full budget request. He provided a copy of the presentations and asked that they be added to the record.

The Chairman called for a recess at 5:54 p.m., and the Board reconvened at 6:00 p.m., with all members present.

The following members of the Sheriff's Office addressed the Board, urging them to fully fund the Sheriff's Budget request and emphasizing the impact on the Sheriff's Office's critical needs.

Aimee Cooper, CFO, Sheriff's Office

Felicia Stoll, Realtime Crime Center Manager

Mandy Espinal, COO, Emerald Medical

Dr. Angela Rosado-Jones, Captain, Indian River County Sheriff's Office LocalJail

Ross Partee, Indian River County Sheriff's Office

Jodi Olivadoti, Health Service Administrator at the Jail, Nancy Lauraniano, Physician Assistant, and Michelle Brennan, Director of Nursing

Don Robinson, Marine Deputy

Jonathan Lozada and Tommy Byrd, Pilots with the Sheriff's Office Aviation Unit

Ryan Eggers, SWAT

James Vetort, Deputy

Amber Greer, Procurement Unit Director

Sheriff Eric Flowers concluded the adjustments to his budget were insufficient to cover rising operational costs and maintain competitive salaries for his personnel.

The Chairman opened the floor for comments, and the following individuals spoke in support of the Sheriff.

Jo Anne Barnhart

Tony Consalo

Chance Martin Sr.

Michelle Rispoli

Pearl McKenzie

Lalita Janke

Jeff Andos

Thomas Kenny
Lamar Jackamo
Rob MacCallum
Michael Marsh
Doug McKenzie
Kevin Askin

Adam Fetterman, General Counsel for the Sheriff's Office, addressed the Board, stating that, as they had heard from the presentations by the Sheriff and his team, literally every single bit of the budget was critical. He told the Board that the Sheriff had to file a lawsuit to hold this public meeting. Counselor Fetterman mentioned that Administrator Titkanich sent his letter to the Sheriff with the same numbers; however, there were no justifications. He wanted to make a public records request of the Administrator's PowerPoint Presentation and provide the justifications. He told the Board that the County Attorney could advise the standard by which the Board would be judged if and when the Sheriff's Office filed an appeal with the State, stating that it would be Arbitrary and Capricious. He wanted to define those terms: arbitrary meant not supported by fact or logic, and capricious meant made without thought or reason. He hoped that the Board would provide the Sheriff with those justifications.

Counselor Fetterman told the Board that the Sheriff's Office did not want to proceed with the lawsuit or with an appeal to the Governor, but would do what was necessary, permitted, and required under the law. He felt the Board was obligated to inform the Sheriff's Office of the facts and logic supporting the reductions to the Sheriff's budget. He told the Board they could amend the Sheriff's budget at any time.

Attorney Prado asked Counselor Fetterman for clarification on which portion of the statute he was citing that required the Board to provide the specific logic and reasoning for the position it had taken. In response, Counselor Fetterman referred to the Florida Administrative Code that governs the appeals process. He said that the manner in which the Board would be judged in the appeals process was on the standard of arbitrary or capricious, and that it clearly stated that these were the Board's obligations.

Counselor Fetterman, in response to Attorney Prado regarding the lawsuit, stated that the lawsuit was a mandamus action to force the Board to do its job under Section 30.49 F.S., which was to hold a public hearing setting forth the manner in which the Board was amending, modifying, increasing, or decreasing the Sheriff's Budget. He pointed out that there were two separate tracks here. There was a mandamus action track that was occurring to hold the Board accountable for their failures under Section 30.49 F.S., and the appeals process that would also occur, which would seek to have the Administration Commission make a decision as to where the Sheriff's Office should be funded, if the Board could not arrive at the right funding.

Counselor Fetterman continued that an amendment was sent over to the Chairman requesting that some items be placed on the October 1, 2025, Board's Agenda. Administrator Titkanich replied that the item missed the agenda deadline and was placed on the October 21, 2025, meeting agenda.

6. BOARD COMMENTS

Administrator Titkanich felt the Board was chastised in the actual lawsuit for providing details. He stated that staff went back and provided reductions at the Object Level, as required by the statute. Staff thought the information provided to the Sheriff was sufficient, and Administrator Titkanich mentioned that he had personally asked the Sheriff whether there was any additional information the Sheriff would like the County to provide because he felt the lawsuit was unnecessary and a waste of taxpayers' dollars.

Administrator Titkanich concluded that the County had completed everything that was required by statute, and there were no changes to the Sheriff's Budget. He recommended that the Board approve the specific Object Level reductions to the Sheriff's FY 2025/2026 Budget request and that the Board issue the Sheriff a revised Written Notice of Board Action.

A motion was made by Commissioner Adams, seconded by Vice Chairman Loar, to approve the Specific Object Level Reductions to the Sheriff's Fiscal Year 2025/2026 budget request and issue the Sheriff a revised Written Notice of Board Action. The motion carried by the following vote:

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

7. ADJOURNMENT

There being no further business, the meeting adjourned at 7:44 p.m.