



# 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, November 1, 2022

9:00 AM

Commission Chambers

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#### 1. CALL TO ORDER

**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 Jim Gallagher, Calvary Chapel of Vero Beach**

#### 3. PLEDGE OF ALLEGIANCE

**Commissioner Laura Moss**

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

Deleted: Item 10.B.1. Request to speak from Bill Rigby

**A motion was made by Commissioner Flescher, seconded by Commissioner Moss, 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. [22-0804](#) Operation Green Light - Michael Zito and Melissa Arndt, Veterans Services Manager

**Recommended Action:** Presentation

Assistant County Administrator Michael Zito introduced a presentation regarding Operation Green Light in honor of Veterans Service Officers. County Manager of Veterans Services Melissa Arndt utilized a PowerPoint presentation to discuss the assistance she and her staff provide.

Mr. Zito read into the record a statement provided by the National Association of Counties' Veterans Services Officers regarding Operation Green Light, and told of the plan to light up the Indian River County Administration buildings and the iG Center with green lights from November 7th through November 13th.

**Presented by Assistant County Administrator Michael Zito**

## 6. APPROVAL OF MINUTES

**A motion was made by Commissioner Flescher, seconded by Commissioner Adams, to approve the Regular Meeting minutes of August 16, 2022 and September 13, 2022, and the Budget Hearing minutes of July 13, 2022, September 14, 2022, and September 21, 2022. The motion carried by the following vote:**

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

- 6.A. [22-0925](#) Budget Workshop Meeting Minutes of July 13, 2022

**Recommended Action:** Approve

**Attachments:** [07132022 Budget workshop Draft](#)

**Approved**

- 6.B. [22-0895](#) Regular Meeting of August 16, 2022

**Recommended Action:** Approve

**Attachments:** [08162022BCC Granicus](#)

**Approved**

6.C. [22-0920](#) Regular Meeting of September 13, 2022

**Recommended Action:** Approve

**Attachments:** [09132022 BCC Draft](#)

**Approved**

6.D. [22-0928](#) Preliminary Budget Hearing Meeting Minutes of September 14, 2022

**Recommended Action:** Approve

**Attachments:** [09142022 Prelim Bdgt Draft](#)

**Approved**

6.E. [22-0930](#) Final Budget Hearing Minutes of September 21, 2022

**Recommended Action:** Approve

**Attachments:** [09212022 Budget Final Draft](#)

**Approved**

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

7.A. [22-0886](#) Beach and Shore Preservation Advisory Committee Resignation

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

[221017 Email Resignation re BSPAC - David Barney](#)

Vice Chairman Earman announced the resignation of Dave Barney from the Beach and Shore Preservation Advisory Committee.

**No Action Taken or Required**

**7.B.**     [22-0902](#)     Community Champion 2022 Award

**Recommended Action:** For Information Only

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

Chairman O'Bryan announced the Indian River County Board of County Commissioners was awarded the 2022 Community Champion Award from the Senior Collaborative Indian River for ensuring the safety and protection of seniors in the County.

**No Action Taken or Required**

**7.C.**     [22-0903](#)     Indian River County Venue Event Calendar Review

**Recommended Action:** Informational item only; no Board action is required.

**Attachments:** [Event Calendar](#)

Chairman O'Bryan highlighted events including the Coastal Conservation Association dinner, a new adult co-ed kickball league, and the success of Oktoberfest. Commissioner Adams informed of the free FWC Florida Hunter Safety course at the County's shooting range.

Commissioner Adams added a reminder for the Sebastian Clambake Lagoon Festival to be held November 4th through 6th at Riverview Park.

**No Action Taken or Required**

**7.D.**     [22-0910](#)     Florida Public Service Commission Consummating Order PSC-2022-0358-FOF-EI. Final Order implementing FPL's return on equity. A copy is on file in the Office of the Clerk to the Board.

**Recommended Action:** Information Only

**No Action Taken or Required**

**8. CONSENT AGENDA**

**A motion was made by Commissioner Flescher, seconded by Vice Chairman Earman, to approve the Consent Agenda as amended, pulling Items 8.H. and 8.M. 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.**     [22-0835](#)     Checks and Electronic Payments September 16, 2022 to September 22, 2022  
**Recommended Action:** Approve the list of checks and electronic payments issued by the Comptroller's office for the time period of September 16, 2022 to September 22, 2022
- Attachments:**   [Finance Department Staff Report](#)
- Approved**
- 8.B.**     [22-0847](#)     Checks and Electronic Payments September 23, 2022 to September 29, 2022  
**Recommended Action:** Approve the list of checks and electronic payments issued by the Comptroller's office for the time period of September 23, 2022 to September 29, 2022
- Attachments:**   [Finance Department Staff Report](#)
- Approved**
- 8.C.**     [22-0781](#)     First Renewal and Amendment to Professional Services Agreement for Water Plant and Water Resources Engineering Services - RFQ 2019070  
**Recommended Action:** Staff recommends the Board approve the first extension and 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 Amendment](#)
- Approved staff's recommendation**
- 8.D.**     [22-0813](#)     Award of Bid 2022057 Sebastian Harbor Preserve Fence  
**Recommended Action:** Staff recommends the Board award Bid 2022057 to Gomez and Son Fence, approve the sample agreement, and authorize the Chairman to execute the agreement after approval by the County Attorney as to form and legal sufficiency, receipt and approval of the required insurance by the Risk Manager, and the contractor's active registration with the Building Division.
- Attachments:**   [Staff Report](#)  
                          [Sample Agreement](#)
- Approved staff's recommendation**

8.E. [22-0892](#) Authorization to Piggyback Modified Town of Jupiter Bid for Antiscalant

**Recommended Action:** Staff recommends the Board authorize IRCDUS to continue to piggyback the Town of Jupiter contract W2105E for RO Antiscalant with American Water Chemicals, Inc., at the rates as amended by the Town’s Utilities Facilities Manager, for the duration of the agreement.

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

**Approved staff’s recommendation**

8.F. [22-0893](#) Designation of Excess Equipment as Surplus and Disposal Authorization

**Recommended Action:** Staff recommends the Board declare the items on the Excess List for 110122 as surplus, and authorize their disposal.

**Attachments:** [Staff Report](#)  
[Excess List for 110122](#)

**Approved staff’s recommendation**

8.G. [22-0901](#) Final Ranking of Consultants and Authorization to Negotiate for Design Services for Emergency Operations Center Expansion (RFQ 2022062)

**Recommended Action:** Staff recommends the Board approve the Committee’s final ranking and authorize negotiations with the top ranked firm in accordance with FS 287.055, and the subsequently ranked firms, should negotiations with the top ranked firm fail.

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

**Approved staff’s recommendation**

**8.H.**     [22-0888](#)     Oyster Bar Marsh Conservation Area Parking and Other Facilities - Final Completion

**Recommended Action:** Staff respectfully recommends approval of Application for Payment No. 9 - Final, in the amount of \$8,049.74 to XGD Systems, Inc. which will release any further obligations of the County from the Contractor.

**Attachments:**   [Staff Report](#)  
                          [Pay Application No .9](#)

Commissioner Adams recounted her preview tour of the Oyster Bar Marsh Conservation Area, and praised the amenities installed. The Commissioner received confirmation from Conservation Lands Manager Wendy Swindell she would work with partner Indian River Land Trust on a soft opening date in advance of the grand opening. Ms. Swindell discussed the Florida Inland Navigation District (FIND) grant which helped fund the installation of innovative translucent boardwalks which allowed the sea grass to continue growing beneath.

Chairman O'Bryan praised the conservation effort and mentioned the upcoming vote for the conservation land bond referendum.

**A motion was made by Commissioner Adams, 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.I.**     [22-0894](#)     Approval of a Public Transportation Grant Agreement (PTGA) with the Florida Department of Transportation (FDOT) for a Section 5311 CRRSAA Grant

**Recommended Action:** Staff recommends that the Board of County Commissioners approve the Public Transportation Grant Agreement and adopt the resolution authorizing the Chairman to sign the agreement.

**Attachments:**   [Staff Report](#)  
                          [Resolution](#)  
                          [Public Transportation Grant Agreement \(PTGA\)](#)  
                          [Grant Budget Form](#)

**Approved Resolution 2022-080, authorizing the execution of a Public Transportation Grant Agreement with the Florida Department of Transportation.**

- 8.J. [22-0907](#) FDOT Small County Outreach Program (SCOP) Supplemental Agreement No. 1 and Resolution Authorizing the Chairman's Signature for Construction and Engineering Inspection (CEI) Services Resurfacing 69th Street From 66th Avenue to SR5/US1, IRC-1639, FM No. 438073-1-54-01

**Recommended Action:** Staff recommends the Board of County Commissioners approve Supplemental Agreement No. 1 to Small County Outreach Program (SCOP) Agreement and Resolution and authorize the Chairman to execute the same.

**Attachments:** [Staff Report](#)  
[Authorizing Resolution](#)  
[FDOT Supplemental Agreement No. 1](#)

**Approved Resolution 2022-081, authorizing the Chairman's execution of Supplemental Agreement No. 1 to the Small County Outreach Program (SCOP) Agreement FM Number 438073-1-54-01 with the Florida Department of Transportation for Construction and Engineering Inspection (CEI) Services resurfacing 69th Street from 66th Avenue to SR5/US-1.**

- 8.K. [22-0913](#) Work Order No. 2- GFA International, Inc., Indian River Boulevard Resurfacing from 53rd Street to the Merrill Barber Bridge (IRC-1707)

**Recommended Action:** Staff recommends approval of Work Order No. 2 to GFA International, Inc. authorizing the professional services as outlined in the Scope of Services (Exhibit A) and requests the Board to authorize the Chairman to execute Work Order No. 2 on their behalf for a not-to-exceed amount of \$32,712.00.

**Attachments:** [Staff Report](#)  
[GFA International, Inc. Work Order No. 2](#)

**Approved staff's recommendation**

- 8.L. [22-0916](#) Agreement with USDA-APHIS Wildlife Services - 2023 Season

**Recommended Action:** Staff recommends that the Board of County Commissioners (BCC) authorize this Cooperative Services Agreement between Indian River County and the United States Department of Agriculture Animal and Plant Health Inspection Services (APHIS) Wildlife Services (WS) in the total lump sum of \$10,747.00. Additionally, staff recommends that the BCC authorize the Chairman to execute the attached agreement.

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

**Approved staff's recommendation**



- 8.M. [22-0914](#) Acceptance of Utility Easement - Brook's 512 Commercial Development Subdivision (Located Within the Municipal Boundaries of the City of Sebastian)

**Recommended Action:** Staff recommends that the Board of County Commissioners accept the dedication of the utility easement depicted on the proposed plat of Brook's 512 Commercial Development Subdivision, so long as the City of Sebastian agrees that if any additional easements are required by Indian River County when the future site development is proposed, that City staff will mandate that building permits cannot be issued until the additional utility easements are formally established, and coordinated through the Indian River County Department of Utility Services and County Attorney's Office. The County Attorney's Office also recommends that the Board authorize the Chairman of the Board of County Commissioners to execute the County's acceptance of the dedication of the utility easement on said plat.

**Attachments:** [Staff Report](#)  
[Brooks 512 Plat](#)

Chairman O'Bryan informed that County staff was working with the City of Sebastian (City) to expedite approval of a utility easement for the City's Brook's 512 Commercial Development Subdivision project. County Attorney Dylan Reingold noted there were outstanding sufficiency concerns from the County's Department of Utility Services. In an effort to keep the project moving forward, the County agreed to approve the dedication of the utility easement on the condition that the City would agree to any additional needed utility easements before building permits were issued.

City of Sebastian Vice Mayor Fred Jones expressed appreciation for the collaboration and assured that the City would honor its future commitment.

**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

## 9. CONSTITUTIONAL OFFICERS and GOVERNMENTAL AGENCIES

### 10. PUBLIC ITEMS

#### A. PUBLIC HEARINGS

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

**10.A.1. [22-0890](#)**

Consideration of a Request by David L. Cox, Ph.D., to Amend Land Development Regulation (LDR) Section 932.07, Piers, Docks and Boat Slips, by Revising the Size Restrictions on Unwalled Boat Shelters to be Consistent with Florida Department of Environmental Protection (FDEP) and Other Jurisdictional Agency Requirements [LDRA-22-05-01 / 2022020086-91934] (Legislative)

**Recommended Action:** Staff recommends that the Board of County Commissioners adopt the proposed ordinance revising unwalled boat shelter size restrictions.

**Attachments:** [Staff Report](#)  
[Section 258.42 F.S.](#)  
[62-330.427 F.A.C.](#)  
[PZC 5-9-2019 Meeting Minutes](#)  
[BCC 7-2-2019 Meeting Minutes](#)  
[PZC 9-22-2022 Meeting Minutes](#)  
[Chp. 18-21.003 F.A.C.](#)  
[Proposed Ordinance](#)

Community Development Director Phil Matson introduced Steven Hitt, Principal Environmental Planner, who presented details of the proposed Ordinance changes regarding unwalled boat shelter sizes. Mr. Hitt discussed the unintended consequences from the 2019 code amendments, and noted the current revisions would make the County's size limits and calculations more consistent with jurisdictional requirements.

Commissioner Moss received additional information from Mr. Hitt regarding the Planning and Zoning Commission's (PZC) vote at their May 9, 2019 meeting.

The Chairman opened the public hearing. The following people spoke:

Dr. David Cox shed additional light on the state's regulations and the PZC vote.

Chris Pinson, Indian River Docks, relayed his experience navigating current regulations.

Chairman O'Bryan received additional information regarding limitations applicable to neighborhoods with man-made canals such as River Shores and Vero Shores.

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

**A motion was made by Vice Chairman Earman, seconded by Commissioner Flescher, to adopt Ordinance 2022-013, concerning amendments to its Land Development Regulations (LDRs); providing for amendments to Chapter 932, Coastal Management; by amending Subsection 932.07(3)(a), Unwalled**

**Shelters, of Section 932.07, Piers, Docks and Boat Slips; and by providing for repeal of conflicting provisions; codification; severability; and 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.2. [22-0896](#)**

Consideration of Brattain Property of Indian River County LLC's Request for Land Development Regulation (LDR) Amendments to Sections 901.03, 911.10, and 971.13 to Allow Automobile Parking and Storage in the PRO, OCR, MED, CN, and CL Zoning Districts [LDRA-21-09-01 / 2003060269-90131] (Legislative)

**Recommended Action:** Staff recommends that the Board of County Commissioners: 1. Direct staff to make any changes necessary to the proposed ordinance (if applicable); and 2. By a vote of 4 or 5 BCC members set the second, final adoption hearing for the regular BCC meeting of December 6, 2022 which is scheduled to begin at 9:00 AM.

**Attachments:** [Staff Report](#)  
[Excerpt from 9-22-2022 PZC Meeting Minutes](#)  
[Draft Ordinance](#)

Ryan Sweeney, Chief of Current Development, presented the request from Brattain Property to amend the County's Land Development Regulations (LDRs) to allow parking and storage facilities in certain commercial zoning districts. He detailed the proposed zoning changes as Commissioners sought and received clarification on the ramifications. Mr. Sweeney noted the process for amending LDRs required a second adoption hearing to be held after 5 p.m., unless the Board voted otherwise.

Commissioner Moss received information regarding administrative permit use, and expressed her preference for an evening meeting. Additional discussion ensued between the Commissioners and staff regarding the benefits of the code changes.

The Chairman opened the public hearing for comments.

Joseph Paladin, representative for Brattain Property, recommended a raised standard for buffer requirements.

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

**A motion was made by Commissioner Adams, seconded by Commissioner Flescher, to approve the proposed Ordinance as presented. The motion carried by the following vote:**

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

**Nay:** 1 - Commissioner Moss

Chairman O'Bryan requested the Board consider whether to schedule the final adoption hearing for 9 a.m. on December 6, 2022, at the Commissioners' regular Board meeting.

Following the vote, Joseph Paladin requested permission to ask for Commissioner Moss' rationale in voting against the zoning change. The Commissioner commented the code changes were unnecessary, and expressed concern for the possible proliferation of paved parking lots. She then reiterated her opposition to changing the time of the second adoption meeting.

**A motion was made by Commissioner Flescher, seconded by Commissioner Adams, to approve scheduling the final adoption hearing for the regular Board Of County Commissioners' meeting of December 6, 2022, scheduled to begin at 9:00 a.m. 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. [22-0887](#)** Delete 10.B.1. - Request to Speak from Bill Rigby re: Community Development Districts - moved to Nov 8th

**Recommended Action:** No action required

**Attachments:** [Public Discussion Request B. Rigby](#)

**Deleted**

**C. PUBLIC NOTICE ITEMS**

**11. COUNTY ADMINISTRATOR MATTERS**

**11.A.** [22-0915](#) Four County Joint Board Meeting

**Recommended Action:** Staff recommends that the Indian River County Board of County Commissioners adopt the resolution to hold a joint meeting with the Board of County Commissioners for St. Lucie County, the Board of County Commissioners for Martin County, and the Board of County Commissioners for Okeechobee County to discuss joint legislative priorities in anticipation of the State of Florida's 2023 legislative session.

**Attachments:** [Staff Report](#)  
[Resolution for Joint Meeting](#)

Kathy Copeland, Legislative Affairs and Communications Manager, described the four-county meeting, proposed for December 15, 2022, which was designed to coordinate legislative priorities among the Treasure Coast's counties. The Commissioners added their comments on the value of the joint meeting.

**A motion was made by Commissioner Adams, seconded by Vice Chairman Earman, to approve Resolution 2022-082, authorizing the Board of County Commissioners for Indian River County to participate in a joint meeting with the St. Lucie County Commission, the Martin County Commission, and the Okeechobee County Commission, to discuss and plan matters of mutual interest; 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

- 11.B. [22-0912](#) Ratification of Collective Bargaining Agreement between Indian River County Emergency Services District and Indian River County Firefighters/Paramedics Association, Local 2201, IAFF Effective October 1, 2022 through September 30, 2025

**Recommended Action:** Staff respectfully recommends approval of the Agreement and requests that the Board of County Commissioners authorize its Chairman to sign the full Agreement.

**Attachments:** [Staff Report](#)  
[Tentative Agreement IRC and IAFF Local 2201](#)  
[Proposed Pay Plan](#)

County Administrator Jason Brown presented the Firefighters' Collective Bargaining Agreement, and highlighted some of the changes it contained. He thanked staff for their assistance in ensuring the County remained competitive without having to raise taxes.

Chairman O'Bryan noted this agreement was effective October 1, 2022, and appreciated being able to provide staff with input via a shade meeting before negotiations began. Vice Chairman Earman expressed his reasons for supporting the Agreement.

Emergency Services Director Chief David Johnson praised the negotiating teams.

IAFF Local 2201 President John O'Connor thanked the Board for addressing their concerns.

Vice Chairman Earman expressed support for the agreement, and recounted his experiences on both sides of the negotiating table.

**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

The Chairman called for a recess at 10:27 a.m. and reconvened the meeting at 10:40 a.m. with all members present.

**11.C.** [22-0905](#) Transition Planning for New County Administrator

**Recommended Action:** Staff recommends that the Board have a discussion regarding how best to fill the position of County Administrator and provide direction to staff.

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

Chairman O'Bryan opened discussion regarding which methodology the Board preferred in the search for a replacement for County Administrator Jason Brown who resigned from his position effective December 31, 2022. County Administrator Brown reviewed the candidate search options which included management in-house by Human Resources, an open search with assistance from the Florida Association of County Managers, or an open search utilizing an executive recruitment firm.

Under discussion, the Board stated their concerns and opinions regarding utilization of an executive recruitment firm. Caution was expressed that in-house candidates should not be overlooked, with Commissioner Flescher suggesting vetting in-house candidates before starting an outside search.

Chairman O'Bryan received confirmation from Human Resources Director Suzanne Boyll that a national search would not preclude in-house candidates from consideration. The Chairman suggested directing the search firm to include in-house candidates for the Board's review.

The following people spoke in support of considering in-house candidates:

Joseph Paladin  
Deryl Loar  
Wilfred Hart

Bob McPartland, Sebastian City Council, suggested County Attorney Dylan Reingold for the position of Interim County Administrator.

**A motion was made by Commissioner Adams, seconded by Commissioner Moss, to approve utilizing an executive recruitment firm, with the requirement to also submit any internal candidates for the Board's consideration. The motion carried by the following vote:**

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

**Nay:** 1 - Commissioner Flescher

Chairman O'Bryan referred to Suzanne Boyll, Human resources Director, for input on the salary for the County Administrator position; she agreed to provide a range to the Board.

The Chairman turned the conversation to qualifications for the position, with the Commissioners expressing the characteristics they felt were most important. Consideration was given to the learning curve for outside candidates, and the need for a person with experience in budgeting, growth management, and development.

Commissioner Adams received information from Ms. Boyll regarding options to vet a candidate's background. The Board and staff agreed to utilize a search firm which offered a full spectrum of services, and were agreeable to the estimated \$25,000 to \$35,000 cost.

County Attorney Dylan Reingold confirmed that Administrator Brown had the Board's permission to move forward with hiring an executive search firm without returning to the Board.

**A motion was made by Vice Chairman Earman, seconded by Chairman O'Bryan, to approve directing the current County Administrator to hire an executive recruitment firm, utilizing the Administrator's power to approve the estimated cost. The motion carried by the following vote:**

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

Following the vote, conversation turned to consideration of an Interim County Administrator. Chairman O'Bryan stated he was interested in filling the position on a short-term basis, noting his experience and institutional knowledge. He added that having an Interim Administrator who was not interested in the position permanently would be an asset in attracting candidates.

The Commissioners entered into discussion as they considered the Chairman's suggestion that he fill the role of Interim County Administrator. Consensus was reached to allow the Board time to reflect, and to have County Administrator Brown bring the issue back for consideration at the Board's next meeting.

**Consensus was reached by the Board to have the County Administrator place an item on the following week's agenda to discuss choices for the position of Interim County Administrator.**

The Chairman called for a recess at 11:55 a.m. and reconvened the meeting at 12:00 p.m. with all members present.

## 12. DEPARTMENTAL MATTERS



**A. Community Development**

**B. Emergency Services**

**C. General Services**

**D. Human Resources**

12.D.1. [22-0868](#) Final Ranking of Firms and Authorization to Negotiate for Employee Health Clinic (RFP 2022053)

**Recommended Action:** Staff respectfully requests the Board approve the committee final rankings; approve the staff recommendation for the staffing model, hours and eligibility; authorize the County Administrator to sign the Non-Disclosure Agreement after approval by the County Attorney for legal sufficiency; and authorize Lockton Companies to proceed with negotiating an agreement with Everside which will be presented to the Board for approval after Lockton's consultation with the County Administrator and review by the County Attorney for legal sufficiency.

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

Human Resources Director Suzanne Boyll presented the next phase of the planning related to establishing an employee health clinic, ranking and choosing a vendor from those who replied to the County's RFP. She informed that the selection committee chose Everside Health and CareATC as the top two vendors, and described the process of sorting through the best staffing model options. Ms. Boyll requested approval of the ranking, and permission to proceed negotiating with Everside based on the approved staffing model of a nurse practitioner and two medical assistants. Ms. Boyll also mentioned the potential cost savings of opening eligibility to employees' families from the start.

Chairman O'Bryan received confirmation that the medical assistants would handle the administrative functions of the clinic, and the nurse practitioner could prescribe medicine. He requested Ms. Boyll look into the inclusion of a partnering agreement for imaging services.

Discussion ensued with concern expressed for employee utilization and the possible cost savings. Ms. Boyll advised that Lockton, the County's health care partner, would provide reports and analysis on those concerns. Commissioner Adams remarked a clinic would also be an attractive recruitment benefit. Vice Chairman Earman was advised that having the clinic handle worker's comp claims may not be in the County's best interest.

**A motion was made by Commissioner Adams, 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

## E. Information Technology

**F. Office of Management and Budget****G. Public Works****12.G.1. [22-0911](#)** 66th Avenue Phase IB - (IRC-1505B), Acceptance of Relocating FPL Transmission Structures Estimate

**Recommended Action:** Staff recommends the Board of County Commissioners approve the acknowledgement of the Preliminary Estimate of \$1,975,800.00 to FPL that will allow FPL to finalize the design and ability to order material to meet the county's construction schedule of 66th Avenue Widening Phase B from 69th Street to SR-510/85th Street and have the Chairman execute the same.

**Attachments:** [Staff Report](#)  
[FPL letter dated 6/24/2022](#)

Public Works Director Richard Szpyrka advised that Florida Power and Light (FPL) had provided the County with a preliminary estimate to relocate FPL transmission lines related to the widening of 66th Avenue between 77th Street and 81st Street. Director Szpyrka noted that approval of the estimate, and submission of the required deposit, would allow materials to be ordered in time to meet the County's construction schedule.

**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

**12.G.2. [22-0918](#)**

Florida Department of Transportation (FDOT) Maintenance Memorandum of Agreement (MMOA) for Oslo Road and I-95 Interchange Construction Financial Project No. 413048-2

**Recommended Action:** Staff recommends the Board of County Commissioners approve the Authorizing Resolution for acceptance of the MMOA and authorize the Chairman to execute the same

**Attachments:** [Staff Report](#)  
[Authorizing Resolution](#)  
[Maintenance Memorandum of Agreement](#)

Public Works Director Richard Szpyrka presented a Maintenance Memorandum of Agreement for Oslo Road and I-95 Interchange road construction and maintenance. Director Szpyrka summarized that approval of this agreement confirmed the County would assume maintenance for the roadway once the Florida Department of Transportation had completed construction.

**A motion was made by Commissioner Adams, seconded by Chairman O'Bryan, to approve Resolution 2022-083, authorizing the Chairman's execution of a District Four Highway Maintenance Memorandum of Agreement FM Number 413048-2 with the Florida Department of Transportation for maintenance of Oslo Road, 13th Street SW, and relocated 82nd Avenue, upon final acceptance by the County of the improvements constructed by the Florida Department of Transportation. The motion carried by the following vote:**

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

**12.G.3. [22-0919](#)** Florida Department of Transportation (FDOT) Maintenance Memorandum of Agreement (MMOA) for Oslo Road Widening Project Financial Project No. 431521-1

**Recommended Action:** Staff recommends the Board of County Commissioners approve the Authorizing Resolution for acceptance of the MMOA and authorize the Chairman to execute the same.

**Attachments:** [Staff Report](#)  
[Authorizing Resolution](#)  
[Maintenance Memorandum of Agreement](#)

The Commissioners received confirmation that this Maintenance Memorandum of Agreement was the same in nature as Item 12.G.2., and no further discussion was had.

**A motion was made by Commissioner Adams, seconded by Commissioner Flescher, to approve Resolution 2022-084, authorizing the Chairman’s execution of a District Four Highway Maintenance Memorandum of Agreement FM Number 431521-1 with the Florida Department of Transportation for maintenance of Oslo Road between 58th and 82nd Avenues upon final acceptance by the County of the improvements constructed by the Florida Department of Transportation. The motion carried by the following vote:**

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

**H. Utilities Services**

**13. COUNTY ATTORNEY MATTERS**

**14. COMMISSIONERS MATTERS**

**A. Commissioner Peter D. O'Bryan, Chairman**

**B. Commissioner Joseph H. Earman, Vice Chairman**

**14.B.1. [22-0830](#)** Discussion on Traffic Signal Cabinet Wraps

**Recommended Action:** Discuss

**Attachments:** [Commissioner's Memorandum Proposal \(VB Custom Signs\)](#)

Vice Chairman Earman utilized a PowerPoint presentation to discuss a proposal for Traffic Signal Cabinet (TSC) "wraps", which were vinyl graphics that could be used for beautification and to extend the County's branding. The Vice Chairman proposed a plan with budget, time frame, sponsorship opportunities, and consideration for choosing graphics; a promotional video from Port St. Lucie on TSC wraps was shown.

Under discussion, staff confirmed that the County would utilize their procurement process to secure a vendor to create and install the wraps. Commissioner Adams sought to ensure that any messaging would be coordinated with the County's current brand-building efforts. County Administrator Jason Brown confirmed the direction regarding images and messaging, and received approval to direct staff to design and estimate production for an initial 10 TSC wraps, subject to the Board's final approval.

Community Development Director Phil Matson requested latitude on choosing images, and expressed support for the project.

**A motion was made by Vice Chairman Earman, seconded by Commissioner Flescher, to approve production of an initial ten (10) traffic signal cabinet wraps at the County's expense. Staff to return before the Board to get approval for the location and artwork, which was directed to coordinate with the County's branding efforts. The motion carried by the following vote:**

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

**C. Commissioner Susan Adams**

**D. Commissioner Joseph E. Flescher**

**E. Commissioner Laura Moss**

**15. SPECIAL DISTRICTS AND BOARDS**

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.

**A. Emergency Services District****B. Solid Waste Disposal District**

**A motion was made by Commissioner Adams, seconded by Vice Chairman Earman, to approve the SWDD meeting minutes of August 16, 2022 and September 13, 2022, and the SWDD Budget Hearing minutes of July 13, 2022, September 14, 2022, and September 21, 2022. The motion carried by the following vote:**

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

**15.B.1. [22-0926](#)** Approval of the SWDD Budget Workshop Meeting Minutes of July 13, 2022

**Recommended Action:** Approve

**Attachments:** [07132022 Bdgt Workshop SWDD Draft](#)

**Approved**

**15.B.2. [22-0897](#)** Approval of SWDD Meeting Minutes of August 16, 2022

**Recommended Action:** Approve

**Attachments:** [08162022 SWDD Granicus](#)

**Approved**

**15.B.3. [22-0921](#)** Approval of the SWDD Meeting Minutes of September 13, 2022

**Recommended Action:** Approve

**Attachments:** [09132022 SWDD Draft](#)

**Approved**

**15.B.4. [22-0929](#)** Approval of SWDD Preliminary Budget Hearing Meeting Minutes of September 14, 2022

**Recommended Action:** Approve

**Attachments:** [09142022 SWDD Prelim Bdgt Draft](#)

**Approved**

**15.B.5.** [22-0931](#) Approval of the SWDD Final Budget Hearing Minutes of September 21, 2022

**Recommended Action:** Approve

**Attachments:** [09212022 SWDD Budget Final Draft](#)

**Approved**

**15.B.6.** [22-0880](#) Work Order No. 17 to Geosyntec for Segment 3, Cell 1 Top of Waste Grades Evaluation

**Recommended Action:** Solid Waste Disposal District staff recommends that its Board approves and authorizes the Chairman to sign Work Order No. 17 authorizing Geosyntec to provide an engineering evaluation of Segment 3 Cell 1 waste grades for a not to exceed fee of \$26,025

**Attachments:** [Staff Report](#)  
[Geosyntec Work Order No 17](#)

There was no discussion regarding this item.

**A motion was made by Commissioner Flescher, seconded by Commissioner Adams, 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

**C. Environmental Control Board**

**16. ADJOURNMENT**

There being no further business, the Chairman adjourned the meeting at 12:50 p.m.