



# 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, February 8, 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 Terry Pugh, Northside Ministries Church of God

#### 3. PLEDGE OF ALLEGIANCE

Commissioner Joseph E. Flescher

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

**A motion was made by Commissioner Moss, seconded by Commissioner Adams, to approve the Agenda as presented. 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.**     [22-0055](#)     Presentation of Proclamation Honoring Emmett Lane

**Recommended Action:** Read and Present

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

Commissioner Flescher read and presented the Proclamation to Mr. Lane in honor of his pioneering career as a firefighter and advocate for the Gifford community's improvement. Vice Chairman Earman added kudos for Mr. Lane's career as a firefighter.

Mr. Lane, who was joined by his wife, expressed appreciation for the honor.

**Read and Presented**

**5.B.**     [22-0062](#)     Presentation of Proclamation Celebrating the 50th Anniversary of Literacy Services of Indian River County

**Recommended Action:** Recommend Read and Present

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

Commissioner Adams read and presented the Proclamation to a group of representatives from Literacy Services to honor their fifty years of service to the betterment of the community.

Executive Director Jessica Schmitt thanked the Board, and relayed success stories from those helped by the organization's staff and volunteers.

**Read and Presented**

**5.C.**     [22-0067](#)     Presentation from Florida Power & Light Company's Bart Gaetjens, External Affairs Manager and Chris Fries, FPL Developer, re: Clean Energy Milestone

Bart Gaetjens, External Affairs Manager, and Melanie Roger, Digital Transformation Manager, presented a video to mark FPL's milestone of one million solar panels installed in Indian River County. Mr. Gaetjens was also joined by members of the FPL team as he thanked the Board and staff. The presentation concluded with the bestowal of a plaque from FPL to the Board in commemoration of the milestone.

**Presented**

**6. APPROVAL OF MINUTES**

**6.A.**     [22-0112](#)     Regular Meeting of November 16, 2021

**Recommended Action:** Approve

**Attachments:**   [11162021 BCC Draft](#)

**A motion was made by Commissioner Flescher, seconded by Vice Chairman Earman, to approve the Regular Meeting Minutes of November 16, 2021 as written. The motion carried by the following vote:**

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

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

**8. CONSENT AGENDA**

**A motion was made by Commissioner Flescher, seconded by Commissioner Adams, to approve the Consent Agenda as amended, pulling Item 8.E. 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.**     [22-0101](#)     Award of Bid 2022022 - Custodial Services for County Administration Complex

**Recommended Action:** Staff recommends the Board award bid 2022022 to ACP Facility Services, Inc., approve the sample agreement, and authorize the Chairman to execute it after review and approval by the County Attorney as to form and legal sufficiency and after the required certificates of insurance have been received and approved by the Risk Manager.

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

**Approved staff's recommendation**

**8.B.**     [22-0102](#)     Award of Bid 2022029 - Annual Right-of-Way Mowing

**Recommended Action:** Staff recommends the Board award Bid 2022029 to Juniper Landscaping of Florida, LLC (Sections 1 and 6), Brightview Landscape Services, Inc. (Section 2), Jeffery Hogues Lawncare (Section 3), and Kerner Environmental (Sections 4 and 5), and authorize the Purchasing Division to issue blanket purchase orders with the selected contractors. 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.C.**     [22-0104](#)     Mediated Settlement, Johnny Thomas

**Recommended Action:** In keeping with administrative policy, staff now requests Board approval of this settlement in the amount of \$65,000. Payments will be made from the Self Insurance Fund.

**Attachments:**   [Staff Report](#)

**Approved staff's recommendation**

**8.D.**     [22-0103](#)     Final Payment, Release of Retainage and Change Order No. 1, 4th Street Culvert Replacement at 90th Avenue (IRC-2022)

**Recommended Action:** Staff recommends approval of Change Order No. 1 and payment of Contractor's Application for Payment No. 4 to Florida Site Contracting in the amount of \$29,595.50 for final payment and release of retainage.

**Attachments:**   [Staff Report](#)  
                      [Change Order No. 1](#)  
                      [Settlement Agreement & Pay App 4](#)

**Approved staff's recommendation**

- 8.E. [22-0109](#) American Rescue Plan Act of 2021 - Small Business & Non-Profit Grant Program Update

**Recommended Action:** Staff recommends that the Board approves no further processing of either Small Business Grant or Non-Profit Grant applications.

**Attachments:** [Staff Report](#)  
[Non-Profit & Small Business Grantees](#)

Commissioner Moss appealed to the Board to extend the deadline for the County's Non-Profit Grant Program to the end of February in light of four (4) organizations whose approvals were awaiting additional information.

Commissioner Adams was in agreement with the extension for existing applicants, but noted that the program was closed to new applicants.

County Administrator Jason Brown agreed the request was reasonable for those entities who began the application process prior to the cutoff deadline in 2021.

**A motion was made by Commissioner Moss, seconded by Commissioner Adams, to approve an extension of the deadline to February 28, 2022 for four (4) grant applications which were pending completion. The motion carried by the following vote:**

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

- 8.F. [22-0105](#) Permission to Advertise for Public Hearing for Amendment to Section 100.03(4) of the Indian River County Code, Codifying and Publishing the Ordinances to Readopt the Code as Published by the Municipal Code Corporation

**Recommended Action:** Authorize staff to advertise for a public hearing on March 1, 2022 to amend Section 100.03(4) of the Indian River County Code

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

**Approved staff's recommendation**

**8.G.**     [22-0110](#)     Final Pay to TLC Diversified, Inc for Bid #2019067, Roseland Elevated Storage Tank Water Transmission Main

**Recommended Action:** Staff recommends that the Board of County Commissioners approve the final pay and release of retainage to TLC Diversified, Inc., for a total of \$19,401.30

**Attachments:**   [Staff Report](#)  
                          [Final Pay Application #6](#)

**Approved staff's recommendation**

**9. CONSTITUTIONAL OFFICERS and GOVERNMENTAL AGENCIES**

**10. PUBLIC ITEMS**

**A. PUBLIC HEARINGS**

**B. PUBLIC DISCUSSION ITEMS**

**C. PUBLIC NOTICE ITEMS**

**10.C.1.**   [22-0084](#)     Public Notice of Public Hearing for February 15, 2022, to Consider a Resolution Electing to Use the Uniform Method for the Levy, Collection and Enforcement of Non Ad Valorem Assessments for Street Paving in the Oslo Park Area

**Attachments:**   [Staff Report](#)

County Attorney Dylan Reingold read the notice into the record.

**No Action Taken or Required**

**11. COUNTY ADMINISTRATOR MATTERS**

**12. DEPARTMENTAL MATTERS**

**A. Community Development**

**B. Emergency Services**

**C. General Services**

**D. Human Resources**

**E. Information Technology**

**F. Office of Management and Budget****G. Public Works****H. Utilities Services****13. COUNTY ATTORNEY MATTERS****14. COMMISSIONERS MATTERS****A. Commissioner Peter D. O'Bryan, Chairman****14.A.1. [22-0117](#)** Proposed Resolution in Support of Florida Forever

**Recommended Action:** Discussion

**Attachments:** [Commissioner's Memorandum](#)  
[Attachment - Proposed Resolution](#)

Chairman O'Bryan presented his request to issue a Resolution in support of the Florida Legislature fully funding the Forever Florida program, as the Board has done annually. The Chairman acknowledged local Environmental Law Attorney George Glenn for bringing the issue to his attention.

**A motion was made by Vice Chairman Earman, seconded by Commissioner Flescher, to approve Resolution 2020-010, expressing support for restoring funding for Florida Forever to its historical levels. The motion carried by the following vote:**

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

**B. Commissioner Joseph H. Earman, Vice Chairman****C. Commissioner Susan Adams****D. Commissioner Joseph E. Flescher****E. Commissioner Laura Moss****15. SPECIAL DISTRICTS AND BOARDS****A. Emergency Services District****B. Solid Waste Disposal District****C. Environmental Control Board**

**16. ADJOURNMENT**

There being no further business, the Chairman adjourned the meeting at 9:40 a.m.