

Indian River County Florida

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



Meeting Minutes - Final

Tuesday, April 9, 2024

9:00 AM

Commission Chambers

Board of County Commissioners

*Susan Adams, District 1, Chairman
Joseph Flescher, District 2, Vice Chairman
Joseph H. Earman, District 3
Deryl Loar, District 4
Laura Moss, District 5*

**John A. Titkanich, Jr., County Administrator
William K. DeBaal, County Attorney
Ryan L. Butler, Clerk of the Circuit Court and Comptroller**

1. CALL TO ORDER

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

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

2.B. INVOCATION

Commissioner Deryl Loar

3. PLEDGE OF ALLEGIANCE

Commissioner Joseph Flescher

4. ADDITIONS/DELETIONS TO THE AGENDA / EMERGENCY ITEMS

Moved: Item 15.B.A to be heard after Item 5.C.

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

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

5. PROCLAMATIONS and PRESENTATIONS

5.A. [24-0104](#) Proclamation for Prevention of Child Abuse Month, April 2024

Recommended Action: Read & Present

Attachments: [Proclamation](#)

Joseph Walsh, Region 9 Vice President of The Exchange Club of the Treasure Coast, expressed his gratitude to the Board for acknowledging April as the Prevention of Child Abuse Month. He mentioned that preventing child abuse had been the national project of the Exchange Club since 1979. Mr. Walsh stated that the organization had established four child abuse prevention centers in Florida, and they were working on a fifth. These centers provided a program called Parenting Matters, which focused on keeping families together, preventing abuse, and ensuring that children do not end up in foster care.

Read and presented by Commissioner Earman

5.B. [24-0180](#) Presentation by the Boys & Girls Club for Junior Youth of the Year and Youth of the

Year

Recommended Action: Recommend & Present

Chief Operating Officer of the Boys and Girls Club of Indian River County Laura Luetzger introduced the 2024 Youth of the Year, Angela Martinez Hernandez. Ms. Luetzger used a PowerPoint presentation to explain the rigorous competition that candidates must undergo. Ms. Hernandez, a first-generation Mexican and the first in her family to be born in the United States, presented her competition speech to the Board. Chairman Adams wished her luck at the national level.

Presented by The Boys and Girls Club

5.C. [24-0341](#) Proclamation Designating April 21-27, 2024 as Crime Victims' Rights Week in Indian River County

Recommended Action: Read & Present.

Attachments: [Proclamation](#)

Paul Zelno, a volunteer with the Indian River County Victims' Rights Coalition (Coalition), was joined by Indian River County Sheriff Eric Flowers, Indian River County Deputies, Director of Victims' Services Barbara Faulkner, and other volunteers from the Coalition. Mr. Zelno stated the 19th Annual Memorial Vigil would be held on April 27, 2024, at 9:00 AM.

Ms. Faulkner thanked the Board for the Proclamation; she also thanked the Sheriff's office, and the Advocates at the State Attorney's office. She stated the Coalition had been the most supportive in helping her office provide the financial needs and support for victims in Indian River County.

Sheriff Flowers thanked the Board for taking the time to recognize the victims.

Vice Chairman Flescher and Mr. Zelno discussed the need for volunteers.

Read and presented by Vice Chairman Flescher

6. APPROVAL OF MINUTES

6.A. [24-0299](#) Regular Meeting of February 6, 2024

Recommended Action: Approve

Attachments: [02062024 BCC Draft](#)

A motion was made by Vice Chairman Flescher, seconded by Commissioner Earman, to approve the Regular Meeting Minutes of February 6, 2024 as written.

The motion carried by the following vote:

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

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

7.A. [24-0302](#) Presentation of Proclamation Designating April 22, 2024, As Earth Day 2024

Recommended Action: For informational purposes only - No action required

Attachments: [Proclamation](#)

Chairman Adams commented on the Proclamation designating April 22, 2024, as Earth Day and encouraged everyone to commit to greater causes such as recycling education, water conservation, and food waste prevention. She highlighted several events happening in the County in recognition of Earth Day.

No Action Taken or Required

7.B. [24-0303](#) Presentation of Proclamation Designating April 2024 as Water Conservation Month in Indian River County

Recommended Action: For informational purposes only - No action required

Attachments: [Proclamation](#)

No Action Taken or Required

7.C. [24-0313](#) Florida Public Service Commission Consummating Order No. PSC-2024-0078-FOF-EI, Petition for rate increase by Florida Power & Light Company, is on file for review in the Office of the Clerk to the Board.

Recommended Action: Informational Item

No Action Taken or Required

7.D. [24-0320](#) Event Calendar

Recommended Action: Informational item; no Board action is required

Attachments: [Staff Report](#)

No Action Taken or Required

7.E. [24-0321](#) Celebration of Earth Week in Indian River County

Recommended Action: This item does not require any action by the Board

Attachments: [Staff Report](#)

No Action Taken or Required

8. CONSENT AGENDA

A motion was made by Vice Chairman Flescher, seconded by Commissioner Loar, to approve the Consent Agenda as amended, pulling Items 8.H., 8.I., and 8.X. for discussion. The motion carried by the following vote:

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

8.A. [24-0231](#) Checks and Electronic Payments February 23, 2024 to February 29, 2024

Recommended Action: Approve the list of checks and electronic payments issued by the Comptroller Division for the time period of February 23, 2024 to February 29, 2024

Attachments: [Comptroller Division Staff Report](#)

Approved

8.B. [24-0245](#) Checks and Electronic Payments March 1, 2024 to March 7, 2024

Recommended Action: Approve the list of checks and electronic payments issued by the Comptroller Division for the time period of March 1, 2024 to March 7, 2024

Attachments: [Comptroller Division Staff Report](#)

Approved

8.C. [24-0290](#) Checks and Electronic Payments March 8, 2024 to March 14, 2024

Recommended Action: Approve the list of checks and electronic payments issued by the Comptroller Division for the time period of March 8, 2024 to March 14, 2024

Attachments: [Comptroller Division Staff Report](#)

Approved

8.D. [24-0310](#) Checks and Electronic Payments March 15, 2024 to March 21, 2024

Recommended Action: Approve the list of checks and electronic payments issued by the Comptroller Division for the time period of March 15, 2024 to March 21, 2024

Attachments: [Comptroller Division Staff Report](#)

Approved

8.E. [24-0324](#) Checks and Electronic Payments March 22, 2024 to March 28, 2024

Recommended Action: Approve the list of checks and electronic payments issued by the Comptroller Division for the time period of March 22, 2024 to March 28, 2024

Attachments: [Comptroller Division Staff Report](#)

Approved

8.F. [24-0309](#) Annual Financial Report

Recommended Action: Approve the report and authorize Chairman to execute any related documents.

Attachments: [Comptroller Division Staff Report](#)
[Annual Financial Report](#)

Approved

8.G. [24-0292](#) Authorization to Increase Blanket Purchase Orders

Recommended Action: Staff recommends the Board of County Commissioners waive the requirement for bids and authorize increases to the listed Purchase Orders, as approved by Budget.

Attachments: [Staff Report](#)

Approved staff's recommendation

8.H. [24-0325](#) Insurance Renewal FY25

Recommended Action: Staff recommends that the Board approve the proposed renewal and authorize staff to bind coverage for May 1, 2024 through April 30, 2025, with a current annual premium of \$4,109,489.04. The renewal premium is based upon the current schedule of values, coverage selections, and includes the annual broker fee of \$125,000.

Attachments: [Staff Report](#)
[Executive Summary](#)

Commissioner Loar stated that the self-insurance fund and property casualty insurance must be renewed annually. He wanted to inform the public that the insurance needs of county buildings were assessed, and as a result, the rates would increase by more than 3%.

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

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

8.I. [24-0223](#) Request for Approval Of Third Amendment to the Amended and Restated Facility

Lease Agreement Jackie Robinson Training Complex

Recommended Action: 1. Staff recommends the Board of County Commissioners approve the proposed Third Amendment to the Amended and Restated Facility Lease Agreement for the Jackie Robinson Training Complex and authorize the Chairman to execute the Third Amendment in substantial form subject to minor changes after review and approval by the County Attorney. 2. Additionally, staff requests the Board of County Commissioners waive the requirement for bids in order to allow MLB Verotown to manage the additional projects under the Third Amendment and to complete facility improvement projects contemplated by the Third Amendment to the Agreement as detailed above in a similar manner to the original approval on December 18, 2018, and February 9, 2021, and July 12, 2022, respectively.

Attachments: [Staff Report](#)
[First Amendment](#)
[Second Amendment](#)
[Proposed Third Amendment](#)

Commissioner Moss stated she was opposed to this Item and had voted against previous amendment requests on February 9, 2021, and on July 12, 2022.

Deputy County Administrator Mike Zito stated that the agreement between the County and Major League Baseball (MLB) was a partnership in which both parties shared the cost of upgrading the facility. As per the amendment to the agreement, the remaining surplus funds of \$250,000, which were allocated for the asbestos remediation project, would be used to cover the plumbing improvements required to complete the Villas renovation project. Mr. Zito confirmed that this was the County's final obligation, except for the roof repair mentioned in the original agreement.

Vice Chairman Flescher stated that this relationship with MLB was established so that MLB would manage the construction of certain improvements and share responsibility for selecting the contractors.

Mr. Zito responded that the County could not take on this process due to the gravity of the current in-house projects. This methodology had worked very well and ensured pricing and quality. No new funding was required for this recommendation.

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

Aye: 4 - Chairman Adams, Vice Chairman Flescher, Commissioner Earman, and Commissioner Loar

Nay: 1 - Commissioner Moss

8.J. [24-0328](#) Acceptance of Donation for Westlaw Legal Research Database at Access to Justice

Recommended Action: Staff respectfully recommend that the Board of County Commissioners approve the donation from the United Way.

Attachments: [Staff Report](#)

Approved staff's recommendation

8.K. [24-0288](#) Restroom Renovations for Main and North County Libraries - Work Order No. 1 Edlund, Dritenbas, Binkley Architects and Associates, P.A. (IRC-2403)

Recommended Action: Staff recommends the Board of County Commissioners approve Work Order No. 1 in the not-to-exceed amount total of \$45,300.00 with Edlund, Dritenbas, Binkley Architects and Associates, P.A and authorize the Chairman to execute the same.

Attachments: [Staff Report](#)
[Work Order No.1](#)

Approved staff's recommendation

8.L. [24-0291](#) Approval of Renewal for a Class "B" Certificate of Public Convenience and Necessity for Indian River Shores Public Safety Department to Provide Inter-facility Ambulance Transportation Services

Recommended Action: Staff respectfully recommends that the Board of County Commissioners approve renewal of the Class "B" Certificate of Public Convenience and Necessity for Indian River Shores Public Safety Department to be effective for a period of two (2) years from April 15, 2024 to April 15, 2026.

Attachments: [Staff Report](#)
[Renewal Application](#)
[Certificate](#)

Approved staff's recommendation

8.M. [24-0293](#) Second Extensions and Amendments to Disaster Debris Management Services Agreements

Recommended Action: Staff recommends the Board approve the Second Extension and Amendment documents and authorize the Chairman to sign them after the County Attorney has approved them as to form and legal sufficiency.

Attachments: [Staff Report](#)
[Second Extension and Amendment - Ceres](#)
[Second Extension and Amendment - Crowder](#)

Approved staff's recommendation

- 8.N. [24-0294](#) Work Order No. 10 - Kimley-Horn and Associates, Inc. - Engineering Design Services - Administration Complex to Sebastian

Recommended Action: Staff recommends approval of Work Order No. 10 to Kimley-Horn and Associates, Inc., authorizing the professional services as outlined in the Scope of Services and requests the Board authorize the Chairman to execute Work Order No. 10 on their behalf for a lump sum amount of \$479,540.00.

Attachments: [Staff Report](#)
[Work Order 10](#)

Approved staff's recommendation

- 8.O. [24-0296](#) Utility Work by Highway Contractor Agreement for Water and Sewer Construction on IRC Project 43rd Avenue Bike & Pedestrian Improvements (12th Street to 18th Street), IRC-1818

Recommended Action: Staff recommends the Board of County Commissioners approve the 'Utility Work by Highway Contractor Agreement' for estimated lump sum amount of \$694,895.04 and requests the Board of County Commissioners authorize the Chairman to execute the 'Utility Work by Highway Contractor Agreement' on their behalf.

Attachments: [Staff Report](#)
[Utility Work by Highway Contractor Agreement](#)

Approved staff's recommendation

- 8.P. [24-0297](#) Request for Release of a Drainage Easement at 5298 Old Dixie Highway

Recommended Action: Staff recommends that the Board, through adoption of the attached Resolution, approve the release of the drainage easement at 5298 Old Dixie Highway.

Attachments: [Staff Report](#)
[Map Depicting Easement Proposed for Release](#)
[Proposed County Resolution Releasing Easement](#)

Approved staff's recommendation and Resolution 2024-013, releasing a drainage easement on Lot 1, 53rd Street / US1 commercial subdivision replat of Lots 2 & 3.

- 8.Q. [24-0308](#) Request for Release of a Portion of the Utility, Drainage, and Golf Course Maintenance Easement at 5805 Clubhouse Drive

Recommended Action: Staff recommends that the Board, through adoption of the attached Resolution, approve the release of a portion of the utility, drainage, and golf course maintenance easement at

5805 Clubhouse Drive

Attachments: [Staff Report](#)
[Portion of Easement Proposed for Release](#)
[Proposed County Resolution](#)

Approved staff's recommendation and Resolution 2024-014, releasing an easement (or portion thereof) on Lot 1, Unit 2 of the Bent Pine subdivision.

8.R. [24-0317](#) Award of Bid 2024040 - Fairgrounds Ag Pavilion Roof Coating

Recommended Action: Staff recommends the Board award Bid 2024040 to Atlantic Roofing II of Vero Beach, Inc. in the amount of \$98,967.00. Staff further recommends the Board approve the sample agreement and authorize the Chairman to execute said agreement after review and approval of both the agreement and required Public Construction Bond by the County Attorney as to form and legal sufficiency, and the receipt and approval of required insurance by the Risk Manager.

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

Approved staff's recommendation

8.S. [24-0326](#) Resolution Cancelling Taxes on a Property Purchased by the City of Fellsmere for Public Purpose

Recommended Action: Authorize the Chairman of the Board of County Commissioners to execute the Resolution to cancel current and future ad valorem taxes upon the publicly owned land, and the Clerk to send a certified copy of the Resolution to the Tax Collector and Property Appraiser so that the current ad valorem taxes and future ad valorem taxes may be cancelled.

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

Approved staff's recommendation and Resolution 2024-015, cancelling certain taxes upon publicly owned lands pursuant to Section 196.28, Florida Statutes.

8.T. [24-0330](#) Easement for Florida City Gas

Recommended Action: Staff recommends that the Board of County Commissioners approve the 0.069 acre permanent easement to Florida City Gas in accordance with the attached legal sketch and description, authorize the County Attorney's office to finalize the legal documents to record the approved easement, and authorize the Chair to execute the final legal

documents to effectuate the granting of the approved easement.

Attachments: [Staff Report](#)
[Legal Sketch and Description](#)

Approved staff's recommendation

- 8.U.** [24-0331](#) Carter Associates, Inc. Work Order Number 1, RFQ 2023015 - South Oslo Riverfront Conservation Area Floodplain Restoration Project Design

Recommended Action: Staff respectfully requests that the Board of County Commissioners approve Carter Associates, Inc. Work Order Number 1 - Continuing Consulting Engineering Services RFQ 2023-015 for the South Oslo Riverfront Conservation Area Floodplain Restoration Project Design in the amount of \$39,445.00 and authorize the Chairman to execute the same after review and approval by the County Attorney for legal sufficiency.

Attachments: [Staff Report](#)
[WO #1 Carter Associates, Inc.](#)

Approved staff's recommendation

- 8.V.** [24-0332](#) Sam's Hobby Barn Developer's Agreement

Recommended Action: Staff recommends that the Board of County Commissioners approve Sam's Hobby Barn Developer's Agreement with the County and authorize the Chairman to execute the agreement to reimburse Samuel F. Gagliano in the amount of \$6,730.80 for the work performed in the agreement.

Attachments: [Staff Report](#)
[Developer's Agreement between Samuel F Gagliano and IRC](#)

Approved staff's recommendation

- 8.W.** [24-0335](#) FDOT Utility Work by Highway Contractor Agreement for Utilities Relocation on CR-510/85th Street from CR-512 to 87th Street

Recommended Action: Staff recommends that the Board approve the Utility Work by Highway Contractor Agreement with the Florida Department of Transportation for construction of CR-510/85th Street from CR-512 to 87th Street utilities relocation and the budget of \$3,919,997.58 with 3,266,664.58 payable to Florida Department of Transportation and \$653,333.00 retained by Indian River County Department of Utility Services for cost escalations and authorize the Chair to execute the same. So long as there are no changes in the dollar amount under the work orders, upon adequate completion of the work set forth in the work orders, staff is directed to make final payments to the

Florida Department of Transportation, after review and approval by the Purchasing Manager and the County Attorney's Office.

Attachments: [Staff Report](#)
[Utility Work by Highway Contractor Agreement \(UWHCA\)](#)

Approved staff's recommendation

8.X. [24-0339](#) Request Approval to Bid Gifford Elevated Storage Tank Rehabilitation IRCDUS Project ID 13.23.538

Recommended Action: Staff recommends that the Indian River County Board of County Commissioners authorize the Department of Utility Services solicit bids to select a contractor for the Gifford Elevated Storage Tank Rehabilitation project.

Attachments: [Staff Report](#)

Director of Utility Services Sean Lieske stated that a report done by Kimley-Horn Associates (KHA) showed structural deficiencies associated with the Gifford Elevated Storage Tank (EST), and the estimate to ensure the tank was stabilized and able to be utilized was \$559,200. He stated the EST had been isolated from the water distribution system and was no longer operational. However, the County continued to lease the EST to cellular carriers to mount antennas and ancillary equipment. Mr. Lieske added that to maintain the tank's structural integrity, the Indian River County Department of Utility Services (IRCDUS) had determined that proceeding with the EST rehabilitation was in their best interest. He stated that after the repairs were finished, the EST would be handed over to either the Public Works Department or the Parks Department for long-term operation and maintenance. The EST would continue to be a cellular tower and serve as a landmark for the Gifford Community.

Commissioner Earman was in agreement with keeping the EST and turning it over to Public Works after repairs were completed. Mr. Lieske confirmed to Commissioner Earman that Information Technology Director Dan Russell had received a commitment from Verizon to utilize the tower and that this commitment would offset some of the repair costs.

Vice Chairman Flescher emphasized the importance of maintaining the iconic structure in Gifford. He noted that other resources were available to ensure ample public water without the use of the EST. Mr. Lieske responded to Commissioner Flescher that the EST would be filled with water or other material to keep it stabilized during high wind events.

Vero Beach resident Tom Sullivan did not agree with keeping the EST, and he felt it was not a wise use of money. He did not view the EST as an iconic landmark and did not feel it was worth the continued maintenance. If declared a Historic Landmark, it would generate even more costs, and he felt the EST had outlived its life.

Anthony Brown, Vero Beach resident, expressed his views on the EST, stating that it was an iconic structure that posed no threat to the community. He further added that the residents of Gifford took pride in the EST as it represented their community. He requested that the Board allow the EST to remain in place.

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

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

9. CONSTITUTIONAL OFFICERS and GOVERNMENTAL AGENCIES

10. PUBLIC ITEMS

A. PUBLIC HEARINGS

B. PUBLIC DISCUSSION ITEMS

- 10.B.1.** [24-0295](#) Request to Speak from Siobhan McGoorty of State Attorney's Office re: Sexual Assault Awareness Month

Attachments: [Request to Speak](#)

Siobhan McGoorty of the 19th Judicial Circuit State Attorney's Office Sexual Assault Assistance Program stated that April was Sexual Assault Awareness Month, aimed at raising awareness and showing support to survivors. On April 12, 2024, a Survivor Empowerment Walk would be held at the Indian River Courthouse from 6:00 p.m. to 8:00 p.m. It would be followed by a message from survivors and supporters, and a candlelight vigil to show support for survivors in Indian River County.

No Action Taken or Required

- 10.B.2.** [24-0315](#) Request to Speak J. Calmbach re: Surene Mobile Home Park Code Enforcement Issues

Recommended Action: No Action Required

Attachments: [Request to Speak J. Calmbach](#)

Vero Beach resident Joe Calmbach stated his issue involved six (6) vacant lots in Su-Rene Mobile Home Park (Su-Rene), which was established in 1971. Since 1971, four (4) of the six (6) vacant lots had never had a house on them. He stated that a year ago, infrastructure for RV campers and motor coaches had begun to be installed. Mr. Calmbach stated he had spoken with Planning and Development Services Director Andy Sobczak and Planner Patrick Murphy, and was told the property was not zoned for this type of infrastructure and would have to be rezoned, and a new site plan would have to be issued, which would require a notice and an opportunity to be heard. Under Indian River County Municode Section 800.05, letters must be sent to the homeowners; notices must be posted on the property, and a hearing before this Board must be held.

He pointed out that on April 5, 2024, an application for Administrative Approval was filed with Indian River County, which does not require all the due process of Section 800.05. This meant that the elderly residents of Su-Rene and the surrounding community would be left in the dark about the impending change in use. According to the Administrative Code, the application for Administrative Approval was designed for small changes, such as changing a restaurant to a retail space, not for a change of use of the property.

Mr. Calmbach stressed that this change would impact the values of the homes, leaving all of the residents without the knowledge that their property rights were about to be altered. He reiterated that the residents and homeowners in Su-Rene deserved due process, and this Board had the authority and responsibility to ensure due process was upheld. He passionately appealed to the Board to make certain that the property received due process and an opportunity to be heard before the change in use of the property occurred.

No Action Taken or Required

C. PUBLIC NOTICE ITEMS

10.C.1. [24-0319](#) Notice of a 2nd Special Call Meeting for the Solid Waste and Recyclables Collection Services (RFP #2024020)

Recommended Action: Staff recommends issuing a Notice of a 2nd Special Call meeting on Wednesday, April 24, 2024, at 4:00 PM in the County Commission Chambers in Administration Building A.

Attachments: [Staff Report](#)

County Attorney Bill DeBraul read the notice into the record.

The Chairman called for a recess at 10:01 a.m. and reconvened at 10:07 a.m. with all

members present.

11. COUNTY ADMINISTRATOR MATTERS

12. DEPARTMENTAL MATTERS

A. Community Services

B. Emergency Services

C. Human Resources

D. Information Technology

E. Natural Resources

F. Office of Management and Budget

12.F.1. [24-0298](#) Children's Services Funding Allocation for Fiscal Year 2024/25

Recommended Action: The County Administrator recommends the Board approve funding for Children's Services agencies at the current 0.1250 millage rate which would generate \$3,149,351 in funding for FY 2024/25. This amount provides a 13.6% increase or \$376,148 additional dollars when compared to the current year's funding.

Attachments: [Staff Report](#)
[Funding history FY97/98 - FY24/25](#)
[Children's Services Update](#)

Senior Budget Analyst Ruth Bommarito stated that the Board of County Commissioners approved funding allocation for Children's Services each year. This amount was then allocated to the applicants based on the Children's Services Advisory Committee (CSAC) recommendations. The County had historically changed the funding allocation based on the previous fiscal year's tax roll, with exceptions during the economic downturn. On May 17, 2022, the Board approved changes to the CSAC Ordinance, which increased the maximum millage cap to 0.2500 mills, up from the previous cap of 0.1250 mills. On March 7, 2023, the Board of County Commissioners elected to keep the millage rate at 0.1250, or 1/8th of a mill, to fund the Children's Services programs for FY 2023/24, which provided \$2,773,383 in current fiscal year funding.

Community Services Director Cindy Emerson expressed her gratitude to the Commissioners for their continuous support towards children and families in the community. To showcase the remarkable progress made by the CSAC, Ms.

Emerson utilized a PowerPoint presentation highlighting their significant achievements. These accomplishments included a successful social media campaign, an updated website, increased fidelity measures, and a considerable increase in the frequency of the CSAC meetings. Ms. Emerson emphasized funding priorities, which included specific focus on areas ranked by priority and associated data indicators. She highlighted prevention, early identification/intervention, and the importance of building parent/guardian capacity in children's services. She concluded that the upcoming staff priorities were strategic planning, a community forum, expanding agency professional development, and increased communication.

CSAC member Hope Woodhouse voiced her concerns to the County Commissioners, expressing her disappointment with the perceived lack of commitment. Despite an Ordinance that was supposed to increase the allocation from 0.125 to 0.2500 gradually, the County had reached 0.0125 only last year. Ms. Woodhouse stressed the importance of honoring commitments and expressed her hope that the Commissioners would prioritize the County's and the children's future, as agreed upon in 2022.

Irene Cauwels, the Director of Operations at the Substance Awareness Center, spoke on behalf of Carrie Lester, the center's Executive Director. Ms. Cauwels highlighted the difficulty of attracting and retaining staff, citing an open position for a counselor since June of last year. The budget for this role was increased from \$50,000 to \$65,000, with a \$3,000 bonus to attract a qualified candidate. Ms. Cauwels compared Indian River County with Martin County's Children's Services, which spends approximately \$9 million yearly, while Children's Services in Indian River County spends approximately \$3 million. She urged the Board to reconsider the funding for youth programs, which had been grossly underfunded.

CSAC Chair and Health Officer for Indian River County Miranda Swanson praised the committee and its sub-committees for their exceptional work over the last year. She stated they had developed infrastructure, trained agencies, and built evaluation and monitoring systems. As they embarked on the strategic plan, much more was to come. Ms. Swanson believed in investing in children's services and the community.

Sebastian City Council and CSAC Board member Bob McPartlan expressed his full support for the 10% increase in funding. He emphasized how this funding would contribute to the development of children, making them the best they could be and moving them forward. Moreover, it would assist families in need, bringing them out of poverty and improving their quality of life.

Vero Beach resident Anthony Brown praised the CSAC's excellent work serving the community. He acknowledged the incredible people on the committee and urged others to recognize the positive impact of the funds spent. He expressed his offense at personal vendettas against the process and emphasized that the committee was doing excellent work funding Children' Services, which could use more funding.

Indian River School Board Vice Chair Peggy Jones, speaking as a resident and not on behalf of the School Board, emphasized the community's deep care for non-profit organizations. She highlighted that everyone on the committees including herself, was there for a specific reason - to help the County's youth and adults. This was what made a community unique in terms of accountability. Ms. Jones further underlined that the members of committees such as the CSAC have very high expectations and were accountable to the students. Ms. Jones urged the Board to prioritize the children's well-being while making decisions regarding CSAC. She stressed that the most critical issue was ensuring that the children were taken care of, which should be the guiding principle in all decision-making processes.

CSAC member Robert (Bob) Schlitt recommended that the Board approve the 10% increase in the millage rate. He believed that Indian River County had an opportunity to become a beacon for children's services in the state. He stated that staff annually reviewed every program funded and provided information to citizens about the services available to children and families.

Sheriff Eric Flowers stated he felt compelled to address the crucial issue of government funding for youth programs. He stated whether we choose to invest in organizations like the Boys and Girls Club, Moonshot, or other charitable causes such as Healthy Start, the fact is that we will be spending money on these children in one way or another. If we neglect to provide them with positive outlets, they may end up on the streets, potentially engaging in criminal activities. Investing in charitable causes that benefit our youth was a better use of our tax dollars than having law enforcement interact with them. Sheriff Flowers stated his support for increasing funding for youth programs and saw it as a step in the right direction.

The following spoke against the 10% increase:

Vero Beach resident Susan Mehiel believed that children's charities were still important, although it was unclear whether their funding and resources had improved the problems that children face. She believed early intervention to

improve literacy was crucial, but maintaining progress in later grades was equally important. Ms. Mehiel suggested that the encouragement to pursue trades instead of college was great. She also stated that, instead of significantly increasing funding, it would be good stewardship of taxpayer dollars to assess whether the new databases and evaluation processes were working and producing concrete results. It was her opinion that simply granting more money without solid evidence of effectiveness was not a wise approach.

Doug Demuth, Vice President of the Taxpayer Association and CSAC member, presented the Taxpayer Association's (TPA) stance. He emphasized that providing additional funding to CSAC before it resolved its duplicate funding issues and accountability problems would be premature. The TPA recommended maintaining the current funding levels for the year. He stated that before considering increasing CSAC funding, the Commissioners should demand program-by-program requests for proposals from CSAC. This would outline CSAC's steps to address each program's mission statement, ensuring complete transparency for Indian River County taxpayers.

The Board engaged in discussion, expressing its appreciation for the transformative changes implemented at CSAC. It commended the unwavering dedication of the CSAC committee, subcommittees, the needs assessment committee, the grant review committee, and staff and affirmed that CSAC had diligently fulfilled all their obligations. The Board underscored the importance of transparency and oversight, ensuring the community's trust and confidence.

The Board agreed on the importance of investing in the children. They recognized that such investments could pave the way for them to become good citizens and active members of our communities in the future. The Board envisioned a future where these children could potentially become entrepreneurs, community leaders, teachers, firefighters, and more. They also acknowledged the long-term affordability of investing in charitable causes versus re-entry programs after release from jail or prison.

Chairman Adams stated that it was the County's primary responsibility to ensure the communities' health, safety, and welfare. This underscored the importance of the Board's decisions and the impact they could have on the lives of residents.

Commissioner Loar moved to approve staff's recommendation to keep funding for the CSAC at the current 0.1250 millage rate.

With a motion on the floor, County Attorney Bill DeBraul sought clarification of

the motion. Chairman Adams stated that the motion was to approve the staff's recommendation to fund CSAC at the current 0.1250 millage rate.

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

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

G. Parks, Recreation, and Conservation

H. Planning and Development Services

I. Public Works

J. Utilities Services

13. COUNTY ATTORNEY MATTERS

- 13.A.1. [24-0316](#)** Authorization to proceed with foreclosures on Code enforcement cases: (2021110002) Frenezy, (2021030024) Richardson, (2022040148) TWLS 2025 LLC, (2022050008) TWLS 2035 LLC, and (2023070051) Mortgage Assets Management, LLC

Recommended Action: Staff recommends the Board authorize staff to move forward with outside counsel in the filing of foreclosure on the above-named code enforcement cases.

Attachments: [Staff Report](#)

[TWLS 2025 LLC Recorded Order Imposing Fine](#)

[TWLS 2025 Deed](#)

[TWLS 2035 Recorded Order Imposing Fine](#)

[TWLS 2035 deed](#)

[Richardson, Mark Recorded Order Imposing Fine](#)

[Richardson, Mark Deed](#)

[Mortgage Assets Mgmt Recorded Order Imposing Fine](#)

[Mortgage Assets Management Deed](#)

[Frenezy Recorded Order Imposing fine](#)

[Frenezy Deed](#)

Deputy County Attorney Susan Prado presented Case Number 2021110002 (Frenezy) as a code enforcement action that began in 2021 regarding vehicle storage, junk vehicles, junk/trash/debris, and weeds taller than 12 inches. The respondent was found guilty of violating the Indian River County Code of Ordinances at an evidentiary hearing held on May 23, 2022. They were given 90 days to correct the violations but failed to do so, resulting in a fine of \$250 per day. The current fine was \$140,000.

Attorney Paul O'Neal, who represented the property owner, stated the property owner unknowingly and unintentionally purchased a vacant lot instead of the house at 4590 32nd Ave, Vero Beach. He stated that Mr. Tucson had saved up to buy a home and enlisted a real estate agent to assist him. The agent showed him the property at 4590, which had a lockbox with the same number. Mr. Tucson paid \$41,000 in cash, received the keys, and began remodeling the house. Mr. O'Neal stated that a few years later, the property owner started to receive notices from the County on the violations regarding junk vehicles on his property. Initially, he ignored them, thinking they referred to the neighboring property. Upon investigation, it was discovered that he had not been deeded the house he had purchased but, instead, the vacant lot next to it. Attorney O'Neal inquired whether the Board or the Attorneys had the authority to waive some or all of the fine if the property came into full compliance.

Ms. Prado advised Mr. O'Neal to resolve the code enforcement issues and plead the case before the Code Enforcement Board (CEB). If compliance was achieved, the CEB would decide whether to reduce the fine, which could be lowered to administrative costs plus 10%.

The Board, staff, and Mr. O'Neal further discussed the foreclosure process and timeline.

A motion was made by Vice Chairman Flescher, seconded by Chairman Adams, to approve staff's recommendation to proceed with foreclosure on Code enforcement case: 2021110002 (Freneyzy). The motion carried by the following vote:

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

Deputy County Attorney Susan Prado reported that Case Number 2021030024 (Richardson) involved a code enforcement action starting in 2021 for property maintenance, site plan noncompliance, and unauthorized use of the property. After an evidentiary hearing, the respondent was found in violation of the IRC Code and given 90 days to correct the violations. At the compliance hearing, the Code Enforcement Board issued a fine of \$100.00 per day as the property was never brought into compliance. The current fine was \$99,000.

A motion was made by Commissioner Loar, seconded by Vice Chairman Flescher, to approve staff's recommendation to proceed with foreclosure on Code enforcement case: 2021030024 (Richardson). The motion carried by the following vote:

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

Deputy County Attorney Susan Prado presented Case Number 2022040148

(TWLS 2025 LLC). This code enforcement action started in 2022 with a complaint regarding zoning district use violation, vehicle parking/storage violation, commercial vehicles at residence, and home occupation violation. After an evidentiary hearing on June 27, 2022, the respondent was found in violation of the IRC Code and given 30-days to correct the violations. At a compliance hearing held on July 25, 2022, the Code Enforcement Board determined that the respondent did not bring the property into compliance and issued an order for a fine in the amount of \$250.00 per day. The order was recorded at O.R. Book 3564 and Page 1099. The property was never brought into compliance. The current fine was \$156,500.

A motion was made by Commissioner Loar, seconded by Vice Chairman Flescher, to approve staff's recommendation to proceed with foreclosure on Code enforcement case: 2022040148 (TWLS 2025 LLC). The motion carried by the following vote:

Deputy County Attorney Susan Prado presented Case Number 2022050008 (TWLS 2035 LLC); this code enforcement action started in 2022 with a complaint regarding zoning district use, vehicle parking/storage, and no building permit violations. After the evidentiary hearing on September 26, 2022, the respondent was found in violation of the IRC Code. The respondent was given 30 days to correct the violations that were found. At a compliance hearing held on October 24, 2022, the Code Enforcement Board determined that the respondent did not bring the property into compliance and issued an order for a fine in the amount of \$250.00 per day. The order was recorded at O.R. Book 3582 and Page 1451. The property was never brought into compliance. The current fine was \$133,700.

A motion was made by Commissioner Earman, seconded by Chairman Adams, to approve staff's recommendation to proceed with foreclosure on Code enforcement case: 202205008 (TWLS 2035 LLC). The motion carried by the following vote:.

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

Deputy County Attorney Susan Prado presented Case Number 2023050051 (Mortgage Assets Management, LLC); this code enforcement action started in 2023 with a complaint regarding property maintenance, swimming pool maintenance, unsecured vacant structure, and overgrown weeds. There was an evidentiary hearing on September 25, 2023, and the respondent was found in violation of the IRC Code. The respondent was given a 60-day time frame to correct the violations that were found. At a compliance hearing held on November 27, 2023, the Code Enforcement Board determined that the respondent did not bring the property into compliance and issued an order for a fine in the amount of \$100.00 per day. The order was recorded at O.R. Book 3667 and Page 1312. The property was never brought into compliance. The current fine was \$13,600

A motion was made by Commissioner Moss, seconded by Commissioner Earman, to approve staff's recommendation to proceed with foreclosure on Code

enforcement case: 2023070051 (Mortgage Assets Management, LLC). The motion carried by the following vote:

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

14. COMMISSIONERS MATTERS

- A. Commissioner Susan Adams, Chairman
- B. Commissioner Joseph E. Flescher, Vice Chairman
- C. Commissioner Joseph H. Earman
- D. Commissioner Deryl Loar
- E. Commissioner Laura Moss

15. SPECIAL DISTRICTS AND BOARDS

- A. Emergency Services District
- 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.

[Clerk's note: Item 15.B.A. was heard after Item 5.C.]

15.B.A. [24-0318](#) Residential Paper Shredding Event on April 27, 2024

Recommended Action: Solid Waste Disposal District staff recommends that the Board approve the Spring Residential Paper Shredding Event to be held on April 27, 2024.

Attachments: [Staff Report](#)
[SWDD MOU with WM 2023](#)

Recycling Specialist Jill Brown announced the residential paper Shredding event would be held on Saturday, April 27, 2024, from 8:00 a.m. to 12:00 p.m. at Southeast Secure Shredding. She stated there was no charge, but participation was limited to one drop off per vehicle, per household, up to 35 lbs. Ms. Brown stated that at the last event, on November 18, 2023, 560 cars came through, which diverted eight tons of paper from the landfill.

No Action Taken or Required

C. Environmental Control Board

16. ADJOURNMENT

There being no further business, the Chairman adjourned the meeting at 12:10 p.m.