



# Indian River County Florida

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

## Meeting Minutes - Final

### Board of County Commissioners

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

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

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Tuesday, January 12, 2021

9:00 AM

Commission Chambers

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#### 1. CALL TO ORDER

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

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

#### 2.B. INVOCATION

**Jeff Smith, Clerk of the Circuit Court and Comptroller**

#### 3. PLEDGE OF ALLEGIANCE

**Commissioner Laura Moss**

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

Added: Presentation of Proclamation Honoring David C. Morgan, County Judge,  
19th Judicial Circuit

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

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

#### 5. PROCLAMATIONS and PRESENTATIONS

- 5.1.A. [21-0161](#) Presentation of Proclamation Honoring David C. Morgan, County Judge, 19th Judicial Circuit

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

Judge Morgan was joined by his family as he accepted the Proclamation from Commissioner Adams. Clerk of the Circuit Court and Comptroller Jeff Smith, along with the Commissioners, recounted highlights from the Judge's 40-year career.

**Read and Presented**

- 5.A. [21-0117](#) Presentation of Proclamation Honoring "For The Love Of Paws" Senior Pet Sanctuary

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

Chairman Flescher read and presented the Proclamation to Ted Pankiewicz, Jr., who founded For the Love of Paws in memory of his late wife, Jessica. Mr. Pankiewicz was joined by his family and volunteers as he thanked the Board for recognizing the organization's efforts on behalf of the County's elderly pet owners.

**Read and Presented**

- 5.B. [21-0142](#) Florida Half Century (FHC) Softball Tournament, Indian River County, Florida, January 16-17, 2021--presented by Mr. Mike Knowles, Chairman of the Florida Half Century Amateur Softball Association

Kevin Kirwin, Director, Parks and Conservation Resources, presented his department's "Return to Play" initiative which outlined steps to reopen youth activities, sports and leagues.

Rick Hatcher, Executive Director, Treasure Coast Sports Commission, discussed plans to safely resume sports tourism in Indian River County. A recap of events and their economic impact was presented.

Mike Knowles, Chairman, Half Century Amateur Softball Association, encouraged spectators to attend the Florida Half Century Softball tournament on January 16-17, 2021. He added that this was the first time the event would be held in Indian River County.

**Presented**

**5.C.**     [21-0141](#)     2020 Conservation Lands Program Update

**Attachments:**   [Staff Report](#)

Beth Powell, Assistant Director, Parks and Conservation Resources, provided an update of the conservation lands projects under construction or recently completed. Ms. Powell encouraged the public to virtually attend the Conservation Lands Webinar Series at IRCrec.com.

**Presented**

**6. APPROVAL OF MINUTES****7. INFORMATION ITEMS FROM STAFF OR COMMISSIONERS NOT REQUIRING BOARD ACTION****7.A.**     [21-0116](#)     Proclamation Honoring Sandra Wright on Her Retirement From Indian River County Board of County Commissioners Office of County Attorney with Thirty-Two Years of Service

**Attachments:**   [Proclamation](#)

County Attorney Dylan Reingold highlighted Ms. Wright's contributions to the County during her 32-year career.

**No Action Taken or Required**

**8. CONSENT AGENDA**

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

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

**8.A.**     [21-0134](#)     Checks and Electronic Payments December 18, 2020 to December 24, 2020

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

**Approved**

**8.B.**     [21-0146](#)     Public Official Bond for Carole Jean Jordan, as Tax Collector

**Attachments:**   [Public Official Bond - Carole Jean Jordan](#)

[Public Official Bond - Carole Jean Jordan](#)

**Approved**

- 8.C. [21-0126](#) Approval of Extension of Memorandum of Understanding between Humane Society Vero Beach & Indian River County Florida Inc., and the Indian River County Board of County Commissioners

**Attachments:** [Staff Report](#)  
[Extension of MOU for Animal Shelter Services](#)

**Approved staff's recommendation**

- 8.D. [21-0131](#) Approval of a Memorandum of Agreement between Indian River County and the Florida Division of Emergency Management for use of a WeatherSTEM Station

**Attachments:** [Staff Report](#)  
[MOA FDEM-Agency for WeatherSTEM Weather Station](#)

**Approved staff's recommendation**

- 8.E. [21-0133](#) FDOT Small County Outreach Program (SCOP) Agreement and Resolution Authorizing the Chairman's Signature for Construction and Engineering Inspection (CEI) Services Resurfacing 69th Street from 66th Avenue to SR5/US-1, Project No. IRC-1639, FM No. 438073-1-54-01

**Attachments:** [Staff Report](#)  
[Indian River County Grant Form](#)  
[Authorizing Resolution](#)  
[FDOT SCOP Agreement](#)

**Approved Resolution 2021-005, authorizing the Chairman's execution of Small County Outreach Program (SCOP) agreement with the Florida Department of Transportation for construction and CEI (resurfacing) of 69th Street from 66th Avenue to SR5/US-1.**

- 8.F. [21-0144](#) Renewal of Agreement with John Brown & Sons, Inc. for Natural Areas and Exotic Vegetation Management/Mowing - Bid Number 2019007

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

**Approved staff's recommendation**

- 8.G. [21-0145](#) Resolution Cancelling Taxes on Property Purchased for Public Purpose: Right-Of-Way for 58th Avenue Improvements from Manzul Rahim, an unmarried man

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

**Approved Resolution 2021-006, cancelling certain taxes upon publicly owned lands, pursuant to Section 196.28, Florida Statutes. (Rahim)**

**9. CONSTITUTIONAL OFFICERS and GOVERNMENTAL AGENCIES**

**10. PUBLIC ITEMS**

**A. PUBLIC HEARINGS**

**B. PUBLIC DISCUSSION ITEMS**

**C. PUBLIC NOTICE ITEMS**

County Attorney Dylan Reingold read the Public Notices into the record.

- 10.C.1.** [20-2222](#) Public Notice of Public Hearing Scheduled for January 19, 2021 to Consider Adoption of an Ordinance re Face Covering Requirements and Exceptions - LEGISLATIVE

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

**No Action Taken or Required**

- 10.C.2.** [21-0120](#) Notice of Scheduled Public Hearing for January 19, 2021 Board Meeting to Consider a Proposed Land Development Regulation Amendment to Chapter 904 (Nonconformities) - Legislative

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

**No Action Taken or Required**

- 10.C.3.** [21-0137](#) Notice of Scheduled Public Hearing for January 19, 2021 Board Meeting to Consider Miscellaneous Budget Amendment 005

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

**No Action Taken or Required**

The Chairman called for a recess at 10:12 a.m., and reconvened the meeting at 10:21 a.m., with all members present.

**11. COUNTY ADMINISTRATOR MATTERS**

**11.A. [21-0155](#)** Provide Update Regarding COVID-19 Vaccinations

County Administrator Jason Brown reported on the COVID vaccination efforts in Indian River County. In his report, he reviewed Governor Ron DeSantis' Executive Order (EO 20-315) regarding who was able to receive the vaccine, and noted that the County's biggest challenge was the limited number of vaccines available. Administrator Brown told of staff's efforts to make improvements to the registration process with new software that would include a wait list option and appointments via lottery or first-come, first-served basis.

Public Health Officer Miranda Hawker provided information regarding vaccinations for healthcare workers, the plan to administer second doses, and the difficulty of establishing a schedule with so few vaccines to provide.

Discussion ensued among Commissioners regarding the public's requests for a more effective registration system, and the need for patience from the community.

Following discussion, the Board reached consensus to direct the County Administrator to continue researching a system that would allow residents to register on a wait list for a vaccination appointment. Staff was directed to consider operating the appointment wait list either on a first-come, first-served basis or as a lottery system, as the vaccines become available.

**Board Reached Consensus****12. DEPARTMENTAL MATTERS****A. Community Development****B. Emergency Services****C. General Services****D. Human Resources****E. Information Technology**

- 12.E.1. [21-0148](#) End Point Protection (EPP) / End Point Detection & Response (EDR) and Managed Detection & Response Procurement Recommendation

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

Information Technology Director Dan Russell indicated the October 22, 2020 cyber-attack on the County's network exposed the need for upgraded software to assist with detection and response to future cyber-attacks. He presented a comparison of the software options and costs, and concluded with staff's recommendation.

Under discussion, the Board and staff received additional information regarding the strength of the new software, and expressed support for the IT Department's crisis response and their recommended solution.

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

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

#### F. Office of Management and Budget

#### G. Public Works

#### H. Utilities Services

### 13. COUNTY ATTORNEY MATTERS

- 13.A. [21-0147](#) 2021 Committees Vacancies

**Attachments:** [Staff Report](#)  
[Vacancies List - Info Only](#)

County Attorney Dylan Reingold requested the Board's consideration of applicants to fill the 2021 Committee Vacancies. The Commissioners discussed and decided to vote on each committee's nominees separately.

Regarding the Affordable Housing Advisory Committee (AHAC), Attorney Reingold noted that there were no qualified applicants for the vacancies. The Board noted that the Planning and Zoning Commission members may have suggestions for a suitable candidate. Following this discussion, the Board reached a consensus to allow members of the Planning and Zoning Commission to choose the most qualified candidate to serve as their representative on the Affordable Housing Advisory Committee.

**Board Reached Consensus**

Walter Thomas Jerkins, Jr. was brought forth as the only applicant for the position of "Citrus Representative" on the Agriculture Advisory Committee (AAC). Vice Chairman O'Bryan expressed concern with the nominee based on his performance in past negotiations, and possible conflict of interest with ongoing development projects.

As Commissioner Liaison to the AAC, Commissioner Adams suggested postponing the vote in consideration of a reevaluation of the structure of the AAC to reflect the changes in the County's agriculture business. The Commissioners and County Attorney Dylan Reingold agreed to collaborate on the revisions, and return to the Board with their recommendations.

**A motion was made by Commissioner Adams, seconded by Vice Chairman O'Bryan, to waive recommendations for the open "Citrus Representative" position, and directed the County Attorney to work with Commissioner Adams on recommendations for a revised Agriculture Advisory Committee structure. The motion carried by the following vote:**

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

Two candidates for the position of "BCC Appointee" to the Beach and Shore Preservation Advisory Committee (BSPAC), Bob Auwaerter and David L. Cox, appeared before the Board to discuss their qualifications.

The Board received additional information from the candidates on their experience and education.

**A motion was made by Commissioner Moss, seconded by Vice Chairman O'Bryan, to appoint David L. Cox as the "BCC Appointee" to the Beach and Shore Preservation Advisory Committee. The motion carried by the following vote:**

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

**Nay:** 1 - Commissioner Earman

The Commissioners each in turn discussed and advocated for their choice to fill the position of "Member-at-Large" on the Children's Services Advisory Committee (CSAC) before agreeing on a candidate.

**A motion was made by Commissioner Adams, seconded by Vice Chairman O'Bryan, to appoint Susan Blaxill-Deal as the "Member-At-Large" to the Children's Services Advisory Committee. The motion carried by the following vote:**



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

**Nay:** 1 - Commissioner Earman

Board discussion turned to the unfilled seats on the County's Committees which required candidates with specific qualifications: Code Enforcement Board (CEB) - Architect; Construction Board of Adjustment and Appeals (CBAA) - Mechanical Contractor, Plumbing Contractor, and Architect; and Economic Development Council (EDC) - Representative from Local Tourist Industry.

County Attorney Dylan Reingold offered clarification on the regulations regarding these positions, and noted that there was some flexibility in the Committee's structure should a qualified candidate not be available. The Board reached consensus to direct Attorney Reingold to return with information regarding loosening, clarifying, and possibly modifying the way Committees were set up.

Vice Chairman O'Bryan then sought and received clarification on the role of Committee alternates. Following discussion with Attorney Reingold, the Board reached consensus to direct staff to have alternate Committee members attend meetings in place of any unfilled position, regardless of qualifications.

**Board Reached Consensus**

**14. COMMISSIONERS MATTERS**

- A. Commissioner Joseph E. Flescher, Chairman**
- B. Commissioner Peter D. O'Bryan, Vice Chairman**
- C. Commissioner Susan Adams**
- D. Commissioner Joseph H. Earman**
- 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.

**15.B.1. [21-0129](#)** Approval of Minutes Final Budget Hearing of September 23, 2020

**Attachments:** [09232020 SWDD Final Budget Hearing Draft](#)

**A motion was made by Vice Chairman O'Bryan, seconded by Commissioner Adams, to approve the Final Budget Hearing Minutes of September 23, 2020 as written. The motion carried by the following vote:**

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

**15.B.2. [21-0138](#)** Final Pay for Bid 2020027 - Old Dixie Highway-Landfill Wetland Mitigation Site Perimeter Fencing

**Attachments:** [Staff Report](#)  
[Change Order #1](#)  
[Final Pay Invoice](#)

Vice Chairman O'Bryan received clarification from Director of Utility Services Vincent Burke regarding the property's prior use for wetland mitigation, and the possibility of converting the lot into conservation land.

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

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

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

There being no further business, the Chairman adjourned the meeting at 12:20 p.m.