



Indian River County, Florida

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

Draft Meeting Minutes Board of County Commissioners

Joseph Flescher, District 2, Chairman

Deryl Loar, District 4, Vice Chairman

Susan Adams, District 1

Joseph H. Earman, District 3

Laura Moss, District 5

John A. Titkanich, Jr., County Administrator

Jennifer W. Shuler, County Attorney

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

Sauna James, Deputy Clerk

Tuesday, June 3, 2025

9:00 AM

Commission Chambers

1. CALL TO ORDER

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

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

2.B. INVOCATION

Commissioner Susan Adams

3. PLEDGE OF ALLEGIANCE

County Administrator John Titkanich

4. ADDITIONS/DELETIONS TO THE AGENDA / EMERGENCY ITEMS

A motion was made by Commissioner Earman, seconded by Commissioner Adams, to approve the Agenda as presented. The motion carried by the following vote:

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

5. PROCLAMATIONS and PRESENTATIONS

6. APPROVAL OF MINUTES

6.A. Regular Meeting Minutes of March 25, 2025

Recommended Action: Approve

A motion was made by Vice Chairman Loar, seconded by Chairman Flescher, to approve the Regular Meeting Minutes of March 25, 2025, as written. The motion carried by the following vote:

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

6.B. Regular Meeting Minutes of April 08, 2025

Recommended Action: Approve

A motion was made by Commissioner Earman, seconded by Vice Chairman Loar, to approve the Regular Meeting Minutes of April 08, 2025, as written. The motion carried by the following vote:

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

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

7.A. Florida Public Service Commission Consummating Order
PSC-2025-0163-PCO-EQ

Recommended Action: Informational Item

No Action Taken or Required

7.B. Florida Public Service Commission Consummating Order
PSC-2025-0164-PCO-EG

Recommended Action: Information Only

No Action Taken or Required

7.C. Local Option Gas Tax Distribution Percentages, Amended to Correct Scrivener's Error, are Reaffirmed in all Other Respects

Recommended Action: Information Only

No Action Taken or Required

8. PUBLIC COMMENT: AGENDA-RELATED MATTERS (EXCEPT FOR PUBLIC HEARINGS)

9. CONSENT AGENDA

A motion was made by Vice Chairman Loar, seconded by Commissioner Adams, to approve the Consent Agenda as presented. The motion carried by the

following vote:

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

9.A. Approval of Checks and Electronic Payments April 19, 2025 to April 25, 2025

Recommended Action: Approve the list of checks and electronic payments for the time period of April 19, 2025 to April 25, 2025

Approved

9.B. Approval of Checks and Electronic Payments April 26, 2025 to May 2, 2025

Recommended Action: Approve the list of checks and electronic payments for the time period of April 26, 2025 to May 2, 2025

Approved

9.C. Approval of Checks and Electronic Payments May 3, 2025 to May 9, 2025

Recommended Action: Approve the list of checks and electronic payments for the time period of May 3, 2025 to May 9, 2025

Approved

9.D. Agreement for 2025-2026 Use of Facilities as an Early Voting Polling Location - Intergenerational Recreation Center

Recommended Action: Staff recommends that the Board of County Commissioners accept the Agreement for 2025-2026 RE: Use of Facilities as Polling Place and authorize the Chairman to execute the agreement after review by the County Attorney for legal sufficiency.

Accepted

9.E. Quarterly OPEB Trust Report for Quarter Ending 03/31/2025

Recommended Action: Accept the report

Accepted

9.F. Quarterly Investment Report for Quarter Ending 3/31/2025

Recommended Action: Accept the report

Accepted

- 9.G.** Dori Slosberg Driver Education Safety Act - Driver Education Program
Trust Fund Report - Cumulative Reporting Through 03/31/25

Recommended Action: Accept the report

Approved staff's recommendation

- 9.H.** Tourist Development Council 2025/2026 Budget Recommendations

Recommended Action: Staff recommends that the Board of County Commissioners approve the funding amounts recommended by the Tourist Development Council as shown in Table 2 for a total allocation of \$2,243,900 and authorize the County Administrator to sign the grant agreements for all funding recipients, subject to review and approval by the County Attorney.

Approved staff's recommendation

- 9.I.** Authorization to Donate Millings to Boy Scouts of America

Recommended Action: Staff recommends the Board authorize the donation of seven loads of millings to Boy Scouts of America for it's Camp Oklawaha facility.

Approved staff's recommendation

- 9.J.** Quarterly Tourist Development Tax Report for Quarter Ending 03/31/2025

Recommended Action: Accept the report

Accepted

- 9.K.** Work Order with Masteller & Moler for Continuing Professional Services for Sandridge Clubhouse

Recommended Action: Staff recommends approval of Work Order No. 7 for Masteller & Moler, Inc, authorizing the above mentioned professional services as outlined in the attached Scope of Services (Exhibit A) and requests the Board authorize the Chairman to execute Work Order No. 7 on their behalf for the total sum amount of \$98,000.00.

Approved staff's recommendation

- 9.L.** Approval for Purchase of Fire Rescue Apparatus

Recommended Action: Staff recommends the Board authorize the Purchasing Division to issue a Purchase Order in the amount of \$1,498,450.

Approved staff's recommendation**9.M. Authorization to Apply for Florida Emergency Communications Board 911 State Grant**

Recommended Action: Staff recommend that the Board authorize staff to apply for the Florida Emergency Communications Board (FECB) 911 State Grant to facilitate improvements to the 911 Call Taking system and application authorize the Chairman to execute and authorize the Director of Emergency Services to sign any documents necessary with the Florida E9-1-1 State Grant to execute the work, after review and approval by the County attorney as to form a legal sufficiency.

Approved staff's recommendation**9.N. Clean Vessel Act Grant Application Request**

Recommended Action: Staff recommends the Board of County Commissioners authorize staff to apply for the Clean Vessel Act Grant for the purchase of a pumpout boat to meet an action listed in the Lagoon Management Plan. If awarded, staff recommends the Board of County Commissioners to authorize the County Administrator to execute the grant upon concurrence by the County Attorney.

Approved staff's recommendation**9.O. Award of Bid No. 2025047 for Indian River Drive Drainage Improvements (IRC-2423)**

Recommended Action: Staff recommends the project be awarded to Sunshine Land Design, Inc. in the amount of \$155,845.04. 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.

Approved staff's recommendation**9.P. Memorandum of Understanding between Indian River County and Sebastian Inlet District for Coordination of Supplemental Downtide Nourishment and Related Coastal Activities**

Recommended Action: Staff recommends approval of the attached Memorandum of Understanding (MOU) for Coordination of Supplemental Downtide Nourishment and Related Coastal Activities between the County and the Sebastian Inlet District. Staff also recommends that the Chair execute the agreement on behalf of the County upon concurrence by the County Attorney.

Approved staff's recommendation**10. CONSTITUTIONAL OFFICERS and GOVERNMENTAL AGENCIES****11. PUBLIC ITEMS****A. PUBLIC HEARINGS**

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

11.A.1. St. Lucie County Housing Finance Authority Bonds Hearing

Recommended Action: The County Attorney recommends that the Board conduct a public hearing, take comments from interested persons, and consider approving the resolution for Vero Beach Leased Housing Associates IV, LLLP to issue Multifamily Housing Revenue Bonds in an amount up to \$28,000,000.

Assistant County Attorney Chris Hicks stated that at the May 06, 2025, BCC meeting, the Board was asked to approve an Area of Operation Agreement with the St. Lucie Housing Finance Authority to move forward with a low-income housing project. He reported that the project had progressed through the St. Lucie County Housing Finance Authority, which had approved the bond. The Board was asked to finalize the process, allowing the issuance of the bonds and enabling the project to proceed.

The Chairman opened the public hearing. There being no speakers, the Chairman closed the hearing.

Vice Chairman Loar noted that he had a detailed discussion with County Administrator John Titkanich. They confirmed that it aligned with the Indian River County Affordable Housing Authority's policies and that Indian River County would have no financial responsibility in this matter.

Approved staff's recommendation and Resolution 2025-023, approving the issuance by the Housing Finance Authority of St. Lucie County, Florida of its not to exceed \$28,000,000 Multifamily Housing Revenue Bonds (Orchard Grove Apartments), series [to be determined] for the benefit of Vero Beach Leased Housing Associates IV, LLLP, or its affiliate, to provide funds to finance or refinance a multifamily residential rental project; and providing an effective date.

11.A.2. Sage Cottage Land Company, LLC.'s Request to Rezone Approximately +/-13.2 Acres from RS-6, Single-Family Residential District to RM-6, Multiple-Family Residential District (200602001-97158)

Recommended Action: Based on the analysis, staff recommends that the Board of County Commissioners approve this request to rezone the subject +/- 13.2 acres from RS-6 to RM-6.

Chairman Flescher introduced the parties to the proceeding as Indian River County and Sage Cottage Land Company, LLC (Applicant). As requested by the Chairman, each Commissioner disclosed ex parte communications, site visits, or independent investigations. The Commissioners also affirmed that they have an open mind and can base their decisions on the evidence presented and the applicable law. The Chairman opened the public hearing, and the Deputy Clerk administered the Oath to all persons who wished to speak at the hearing.

Chief of Long Range Planning Patrick Murphy presented a request to rezone a 23.5-acre parcel in south-central Indian River County from RS-6, Single-Family Residential, to RM-6, Multiple-Family Residential. The property, located on the south side of 9th Street SW, was split-zoned, with the northern 10.3 acres already designated RM-6 and the southern 13.2 acres remaining RS-6. The rezoning aimed to facilitate the development of townhomes in the southern portion, creating consistent zoning throughout the area. The site was undeveloped and bordered by 9th Street SW to the north and the Grace Woods subdivision to the southwest. Designated as L-2 (Low-Density Residential-2), the area allowed for up to 6 units per acre and included both single-family and multi-family uses. The proposed RM-6 zoning was in alignment with the existing Future Land Use (FLU) Designation and did not seek to increase density, ensuring cohesive development under unified zoning. Future development would comply with applicable Land Development Regulations (LDRs). The presentation displayed zoning maps and analyzed the request to ensure that it was consistent with FLU Designations. Staff concluded it was consistent and compatible with the surrounding area and recommended approval. Mr. Murphy noted that he had received calls from nearby residents regarding the property, all of whom expressed satisfaction with their general inquiries, and he reported no objections to the rezoning proposal.

Neither the Board nor the Applicant had questions of staff.

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

A motion was made by Vice Chairman Loar, seconded by Chairman Flescher, to approve staff's recommendation and Ordinance 2025-008, amending the zoning Ordinance and the accompanying Zoning Map for approximately 13.2 acres located on the south side of 9th Street SW, Approximately 0.57 of a mile west of 7th Road SW and approximately 0.35 of a mile east of 20th Avenue SW, from RS-6 Single-Family Residential District, to RM-6, Multiple-Family Residential District; and providing codification, severability, and effective date. The motion carried by the following vote:

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

B. PUBLIC NOTICE ITEMS

12. COUNTY ADMINISTRATOR MATTERS

13. DEPARTMENTAL MATTERS

A. Building and Facilities Services

B. Community Services

C. Emergency Services

D. Human Resources

[Clerk's Note: Item 13.D.1. was heard after Item 14.C.]

13.D.1. Group Insurance Recommendations for Plan Year 2025/2026

Recommended Action: Staff recommends and respectfully requests the Board of County Commissioners approve staff's recommendation for the plan year beginning October 1, 2025 through September 30, 2026 to include amending our ASO services with BCBS providing for increased wellness funds, rate hold for two (2) additional years, reduced access fees, and performance guarantees; transition Pharmacy Benefits to Rightway and remove coverage for GLP-1 weight loss benefits (continue covering for diabetes) mitigating a rate increase; renewing Dental ASO with Ameritas to include modifying coverage for annual cleanings from once every six months to 2 times per year; moving COBRA and FSA services to LivelyMe; ending Kannact Diabetes Management Program effective 9/30/2025 and transitioning care to Marathon Health Center; extending our agreement with Lantern for elective surgery; continuing life, disability, EAP, vision, critical illness, and accident benefits with no increase in premiums; selecting Rightway to provide navigation and advocacy benefits in place of Health Advocate; adding voluntary employee paid group Hospital Indemnity, Identify Theft and Legal coverage as recommended by staff; and authorizing staff to take the necessary actions in support of implementing the approved actions and authorizing the Board Chair to execute necessary documents related to the approved benefits after review and approval by the County Attorney for legal sufficiency.

Human Resources Director Suzanne Boyll referred to staff's memo dated May 24, 2025, and presented the recommendations for employee group insurance for the 2025/2026 plan year, along with representatives from Lockton Companies, Account

Executive Rachael Friedman, and Pharmacy Specialist Tressa Chretien. Key points included an increase in Blue Cross Blue Shield's Administrative Services fee, a transition to Rightway Pharmacy for Pharmacy Benefits Management (PBM) expected to yield significant savings, and no rate increases for Dental, Vision, or Life/Disability insurance.

Significant trends in medical and RX claims were noted, particularly the rising costs associated with GLP-1 medications, which contributed notably to the claims trend. The Board discussed the financial strain these medications placed on the insurance trust, with expenditures reaching \$930,000 over five months. The Board considered the potential exclusion of these medications from coverage, which would affect 241 members relying on them for weight management. Concerns were raised about the long-term implications of removing coverage and the balance between financial costs and health benefits.

Two options were proposed: implementing a higher co-payment for GLP-1 medications or maintaining current benefits while monitoring the situation. The need for effective communication and oversight during the transition was emphasized.

Sebastian resident Nathan McCollum, expressed serious concerns about Blue Cross, particularly regarding their customer service and the difficulty in contacting them. He noted that many others faced similar challenges but hesitate to complain. Mr. McCollum criticized the contract language on performance measures and called for accountability through a performance bond. He highlighted potential HIPAA violations, as the contract allows Blue Cross to share medical information with employers and subcontractors. Sharing his frustrating experience, he described delays in responses and issues with the misclassification of his medical problems, questioning the reliability of Blue Cross's independent reviewers and emphasizing the need for service improvements.

A motion was made by Commissioner Adams, seconded by Commissioner Earman, amending Administrative Services Only (ASO) with BCBS providing for increased wellness funds, rate hold for two (2) additional years, reduced access fees, and performance guarantees. The motion carried by the following vote:

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

A motion was made by Commissioner Adams, seconded by Commissioner Moss, to transition Pharmacy Benefits to Rightway and continue coverage for GLP-1 weight loss benefits for one year with HR providing a monthly report on claims. The motion carried by the following vote:

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

A motion was made by Commissioner Adams, seconded by Chairman Flescher, renewing Dental ASO with Ameritas to include modifying coverage for annual cleanings from once every six months to two (2) times per year. The motion carried by the following vote:

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

A motion was made by Commissioner Adams, seconded by Chairman Flescher, moving COBRA and FSA services to LivelyMe. The motion carried by the following vote:

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

A motion was made by Commissioner Adams, seconded by Vice Chairman Loar, ending Kannact Diabetes Management Program effective 9/30/2025 and transitioning care to Marathon Health Center. The motion carried by the following vote:

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

A motion was made by Commissioner Adams, seconded by Commissioner Earman, extending the agreement with Lantern for elective surgery. The motion carried by the following vote:

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

A motion was made by Commissioner Adams, seconded by Commissioner Earman, continuing Life, Disability, EAP, Vision, Critical Illness, and Accident Benefits with no increase in premiums. The motion carried by the following vote:

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

A motion was made by Commissioner Adams, seconded by Commissioner Earman, selecting Rightway to provide navigation and advocacy benefits in place of Health Advocate. The motion carried by the following vote:

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

A motion was made by Commissioner Adams, seconded by Commissioner Earman, adding voluntary employee paid group Hospital Indemnity, Identify Theft and Legal coverage as recommended by staff. The motion carried by the following vote:

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

A motion was made by Commissioner Adams, seconded by Commissioner Moss, authorizing staff to take the necessary actions in support of implementing the approved actions and authorizing the Board Chair to execute necessary documents related to the approved benefits after review and approval by the County Attorney for legal sufficiency. The motion carried by the following vote:

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

E. Information Technology

F. Natural Resources

G. Office of Management and Budget

H. Parks, Recreation, and Conservation

I. Planning and Development Services

J. Public Works

K. Sandridge Golf Club

L. Utilities Services

14. COUNTY ATTORNEY MATTERS

14.A. Children Services Advisory Committee Appointment

Recommended Action: The County Attorney recommends that the Board review the applicants' applications and determine whether to appoint him/her to fill the unexpired term for the "Member At Large" position to the Children Services Advisory Committee.

County Attorney Jennifer Shuler stated that the Children's Services Advisory Committee (CSAC) had a recent resignation of one of its At-Large Members. The term for this position would expire in January 2029. She noted that the vacancy had been advertised on the County's website and Channel 27 for over 30 days. She

referred to staff's memo dated May 19, 2025, for the list of qualified applicants for this position.

There was no further discussion on the Item.

A motion was made by Chairman Flescher, seconded by Commissioner Moss, to appoint Eric J. Seymour to the Children Services Advisory Committee (CSAC).

The motion carried by the following vote:

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

14.B. Calcutta Docks - Country Club Pointe

Recommended Action: Request that the Board of County Commissioners provide staff with direction regarding the docks.

Deputy County Attorney Susan Prado addressed the property issue regarding the Calcutta Docks at Country Club Pointe, noting that this topic was first raised on November 19, 2024. Her findings indicated that the property provided no public benefit, which was required by Florida law for public property use. She presented several options for the County: 1) Renting dock slips at fair market value to generate revenue; 2) Abandoning the Right-of-Way to a Homeowners' Association (HOA) through public notice and hearings; 3) Abandoning the Right-of-Way to adjacent property owners, requiring similar public processes; 4) Selling the land at fair market value, with responsibilities shifting to new owners; and 5) Keeping existing licenses, despite potential constitutional issues related to public benefit.

Chairman Flescher inquired about the property's leasing timeline, revealing a history of dock licensing since the 1990s, with varying lease rates. It was noted that leaseholders mistakenly believed they owned their docks, though property deeds did not confer such rights.

Commissioner Earman suggested either abandoning the property or selling the slips, emphasizing that the County should not manage a marina. Vice Chairman Loar reminded all that the discussion was public and no decisions would be made, stressing the need to investigate the parcels further as they lacked separate parcel numbers.

Ms. Prado confirmed efforts to assign specific addresses to recognize the properties as taxable parcels, highlighting the situation's complexity. Overall, the discussion focused on navigating legal implications, potential revenue generation, and the importance of public benefit in decision-making.

Attorney Barry Segal represented residents and dock users at Country Club Point, shedding light on the area's unique legal situation concerning the docks. He pointed

out that the area was developed in 1957 and echoed Commissioner Earman's sentiment that current regulations have evolved significantly since then, making County involvement unnecessary. Mr. Segal argued against the County's management of the docks, urging the County to drop any claims since homeowners have invested in them without any support from the County. He highlighted that homes with dock access tend to have higher values, ultimately benefiting the County's property tax revenue. To streamline management, Mr. Segal suggested forming a Dock Owners' Association to take on the responsibility of overseeing the docks.

Attorney Bruce Barkett, speaking as a neighbor rather than in his professional capacity, agreed with Mr. Segal's points and offered to assist in forming a Dock Owners' Association. He believed this was the best solution for managing local dock responsibilities. Mr. Barkett emphasized that turning the area into a public marina would likely create more problems, such as parking issues. He supported having an association composed of local homeowners to address those challenges effectively.

Charles King and Bob Webster, representatives of the Riverboat Club Association, raised concerns about the dock situation in their community, which consisted of 20 homes. Mr. King highlighted the significance of local property taxes for County finances and mentioned the issue of an uncashed lease payment check. Mr. Webster added that their homes were valued at approximately \$800,000 due to their access to docks. He pointed out that the community has fulfilled its lease obligations for 25 years and has managed maintenance independently, without relying on County resources. Both representatives urged the County to consider their community's specific circumstances in any decisions regarding dock leases.

Chairman Flescher acknowledged their concerns but clarified that their community's location was not currently under consideration for discussion. He expressed appreciation for the organization and its effective management.

Ms. Prado stated that she had engaged with the President of the Riverboat Club, recently discovering their presence and noting that their lease terms were similar to those at the Calcutta Docks. She had previously informed the Riverboat Club regarding compliance requirements and planned to follow up with further direction. She noted that the Riverboat Club had paid the dock license fee but had been advised to wait until the outcome of this meeting.

Vice Chairman Loar emphasized that it was a public discussion with no immediate voting or policy decisions. He questioned the timing of the current issues regarding specific parcels, noting they lack separate parcel numbers, which complicates their potential qualification for the tax roll. Ms. Prado confirmed that efforts were underway

to assign specific addresses to these parcels.

County Attorney Jennifer Shuler stated that the Board's guidance was necessary to move forward with lease sign-ups. The Commissioners expressed concerns about potential legal challenges if the docks were sold or transferred without clear documentation of public benefit.

Commissioner Moss raised the issue of securing financial benefits from the property, questioning the adequacy of current rents. Ms. Prado noted past decisions to increase fees for new leases to \$2,000 from \$100 due to insufficient cost coverage.

Attorney Shuler pointed out the complexities around lease agreements, suggesting an annual lease model might be more effective. Commissioner Moss also asked about selling the docks. Ms. Prado explained that Florida law required a competitive bidding process for sales, emphasizing the need to demonstrate public benefit for any minimal or nominal sales. She advised against simply auctioning properties due to existing investments by individuals based on their licenses, recommending that any plans consider these factors carefully.

The Chairman called a recess at 10:49 a.m., and reconvened the meeting at 11:00 a.m., with all members present.

Residents expressed their concerns about the complexities of dock leases and transferring responsibilities to an HOA. A resident and dock lessee highlighted issues regarding lease prioritization related to a home he purchased and sought a permanent resolution. Charlotte Bireley, a resident without a dock, proposed forming a dock association to address waiting list concerns and current leaseholder issues.

Chairman Flescher emphasized the need to reassess the property's legal standing and suggested creating an HOA for better management. Ms. Prado raised uncertainties about the HOA and the concept of gifting land back to residents, referencing a 2004 legal opinion on County funds. She indicated that abandoning the land might be a more straightforward solution to effectively address the situation. Ms. Prado was open to further research if this route was favored.

Commissioner Moss strongly opposed abandoning the parcel, arguing that it would result in lost revenue and highlighted the importance of correcting past mistakes,

particularly regarding the docks. In contrast, Commissioner Earman supported the recommendation to abandon the property, believing that selling it could lead to more complications.

Commissioner Adams addressed community concerns about forming an HOA and emphasized the need for solutions that benefit the entire community while maintaining road access. She cautioned against prioritizing specific groups, such as dock owners, over the broader community's needs and stressed the importance of a fair decision-making process.

Chairman Flescher sought clarification on the County's financial involvement, discovering that the County had not paid any money for the property but had taken over management when the previous HOA could no longer handle the situation. He acknowledged the difficulty in establishing a public price for the property and emphasized the need for careful consideration rather than complete abandonment.

The discussion centered around the operation of an HOA in Florida under State Statute 336.125, emphasizing that HOAs must represent all homes in a platted area, not just dock owners. Ms. Prado highlighted the legal requirements for abandoning a right-of-way involving the entire subdivision. There was also mention of the County's ability to abandon roads and rights-of-way dedicated to residential subdivisions, contingent on specific conditions.

Commissioner Earman suggested a consensus for the County Attorney to explore various options regarding the right-of-way: 1) abandonment to an HOA; 2) outright abandonment; and 3) selling the property while offering current dock holders a first right of refusal. Commissioner Adams requested that this information be prepared in a memo format for the Commissioners, including an outline of how partitioning the right-of-way would work.

Vice Chairman Loar preferred assigning all responsibilities to a qualified entity, ideally an HOA, noting that this would simplify the process. He mentioned that the HOA could pay the County annually and assume liability, which would also benefit the County by adding the association to the ad valorem tax rolls.

The discussion revolved around dock access issues in Country Club Point, sparked by resident John Wright's concerns about dock maintenance and liability. He highlighted the need for residents to take over maintenance responsibilities and proposed selling the small strip of grass to simplify dock issues. William Wood also voiced his concerns, stating that his dock was part of his property according to his warranty deed, and he was unaware of recent changes to agreements that altered his

rights, including a new lease fee and a limited permit term.

Ms. Prado clarified that deed records showed no ownership of the docks for any leaseholders, suggesting previous indications of ownership were incorrect. Jeff Cusson raised concerns about potential property sales to outsiders affecting access, proposing the creation of an HOA to manage the docks. Resident John Fleger emphasized the need for fairness for long-term dock owners and the historical significance of dock access within the community.

Chairman Flescher acknowledged the public's input and stated that the Deputy County Attorney would conduct further research to explore options while ensuring community feedback was considered before making final decisions.

The Board instructed staff to investigate the abandonment of the property and explore the possibility of offering it to a Homeowners Association (HOA).

14.C.

Authorization to proceed with foreclosures on Code enforcement cases 2024040044 (Snyder) and 2024040045 (TGS Innovative Solutions)

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.

Deputy County Attorney Susan Prado brought two properties for foreclosure consideration that had failed to comply with Code Enforcement Regulations. The first property, owned by Thomas Snyder, located at 3225 46th Street, Vero Beach, FL, Case # 2024040044, had accumulated fines of \$31,800 due to overgrown grass and weeds. The second property, owned by TGS Innovative Solutions, located at 3245 46th Street, Vero Beach, FL, Case # 2024040045, faced similar issues and had not complied with Code Enforcement Regulations. Ms. Prado confirmed that proper notice had been given to the property owners, but neither had appeared at the Code Enforcement hearings.

A motion was made by Commissioner Earman, seconded by Commissioner Adams, to approve staff's recommendation on Code Enforcement Case # 2024040044. The motion carried by the following vote:

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

A motion was made by Commissioner Earman, seconded by Commissioner Adams, to approve staff's recommendation on Code Enforcement Case # 2024040045. The motion carried by the following vote:

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

The Chairman called a recess at 12:16 p.m., and reconvened the meeting at 12:25 p.m, with all members present.

15. COMMISSIONERS MATTERS

A. Commissioner Joseph E. Flescher, Chairman

B. Commissioner Deryl Loar, Vice Chairman

C. Commissioner Susan Adams

D. Commissioner Joseph H. Earman

E. Commissioner Laura Moss

16. SPECIAL DISTRICTS AND BOARDS

A. Emergency Services District

B. Solid Waste Disposal District

C. Environmental Control Board

17. PUBLIC COMMENT: NON-AGENDA-RELATED MATTERS

Rockridge resident Anthony Germano raised concerns about ongoing drainage issues, specifically related to the maintenance of the NL4 Canal and the Third Avenue Canal. He highlighted the County's failure to fulfill previous commitments and presented documentation supporting his claims about flooding problems on 12 streets caused by inadequate drainage.

Commissioner Moss responded by stating that the County had no legal obligation regarding these canals, advising Mr. Germano to confirm this with the County Attorney. Mr. Germano shared his frustrations about the difficulty in getting maintenance for the Third Avenue Canal.

County Attorney Jennifer Shuler reported that the canals were originally built during the Rockridge subdivision's establishment and had never been accepted by the County for maintenance or ownership. As a result, the County had no legal responsibility for them. Chairman Flescher and Commissioner Adams confirmed that the canals belonged to the Rockridge subdivision and that any necessary work would need approval from the St. Johns Water River Management District or Indian River Farms Water Control District.

Mr. Germano questioned why residents couldn't directly address issues with their canals, to which County Administrator John Titkanich explained that any changes might affect other water bodies. Mr. Germano was encouraged to contact the County Attorney's office to arrange a meeting for further clarification and to seek a resolution to the drainage issues.

No Action Taken or Required

18. ADJOURNMENT

There being no further business the Chairman adjourned the meeting at 3:01 p.m.