



Indian River County, Florida

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

Meeting Minutes - Final

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

Tuesday, November 19, 2024

9:00 AM

Commission Chambers

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

Minister Jack White, Gifford Church of Christ

3. PLEDGE OF ALLEGIANCE

Commissioner Deryl Loar

3.A. OATH OF OFFICE BOARD OF COUNTY COMMISSIONERS

The Honorable Nicole Menz, County Judge, Nineteenth Judicial Circuit Court of Florida, swore in each of the re-elected County Commissioners: Susan Adams, Joseph H. Earman, and Laura Moss.

3.B. ELECTION OF BOARD OF COUNTY COMMISSION CHAIRMAN

County Attorney Jennifer Shuler opened the floor for nominations for Chairman.

Commissioner Moss nominated Commissioner Adams in the interest of continuity as the County planned its Centennial celebration.

Motion failed for lack of a second.

Commissioner Earman nominated Commissioner Flescher, and was seconded by Commissioner Loar.

The County Attorney called the vote to close the floor for further nominations.

A motion was made by Commissioner Earman, seconded by Commissioner Loar, to close the floor for further nominations. The motion carried by the following vote:

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

Nay: 1 - Commissioner Moss

A motion was made by Commissioner Earman, seconded by Commissioner Loar, to elect Commissioner Flescher as the Board of County Commission Chairman. The motion carried by the following vote:

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

Nay: 1 - Commissioner Moss

3.C. ELECTION OF BOARD OF COUNTY COMMISSION VICE CHAIRMAN

County Attorney Jennifer Shuler opened the floor for nominations for Vice Chairman.

Commissioner Adams nominated Commissioner Moss, and was seconded by Commissioner Moss.

Commissioner Flescher nominated Commissioner Loar, and was seconded by Commissioner Loar.

The County Attorney called the vote to close the floor for further nominations.

A motion was made by Commissioner Adams, seconded by Commissioner Flescher, to close the floor for further nominations. The motion carried by the following vote:

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

County Attorney Shuler called for a vote on the nomination of Commissioner Moss for the position of Vice Chairman.

A motion was made by Commissioner Adams, seconded by Commissioner Moss, to elect Commissioner Moss to the position of Vice Chairman. The motion failed by the following vote:

Aye: 2 - Commissioner Adams, and Commissioner Moss

Nay: 3 - Chairman Flescher, Vice Chairman Loar, and Commissioner Earman

County Attorney Shuler called for a vote on the nomination of Commissioner Loar for the position of Vice Chairman.

A motion was made by Commissioner Flescher, seconded by Commissioner Loar, to elect Commissioner Loar as the Board of County Commission Vice Chairman. The motion carried by the following vote:

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

Nay: 1 - Commissioner Moss

4. ADDITIONS/DELETIONS TO THE AGENDA / EMERGENCY ITEMS

MOVED: Items 9.A., 9.B., 9.C., and 9.D. to be heard following Item 4.

Item 4.A. to be moved and renumbered as Item 10.A.3., Schwerin rezoning request

ADDED:

Item 15.B.1. Hurricane Milton debris collection

A motion was made by Vice Chairman Loar, seconded by Commissioner Adams, to approve the Agenda as amended. 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

- 5.A. [24-0944](#) Presentation Update by Major League Baseball on Events Coming to the Jackie Robinson Training Center

Recommended Action: Present.

Assistant County Administrator Mike Zito introduced the presentation of ongoing initiatives at the Jackie Robinson Training Complex (JRTC), which saw renovations and improvements to enhance its role as a sports tourism destination.

Vice President of the JRTC Rachelle Madrigal used a PowerPoint presentation to inform of the Complex's improvements and future plans. Facility improvements included: an indoor training structure (Building 42); renovations to Holman Stadium; lighting improvements; the opening of Building 5, a multi-purpose structure with batting cages, concessions, and meetings spaces; installation of artificial turf on upgraded training fields; villa renovations; upgraded batting cages; and renovations to the Administration Building. Ms. Madrigal also previewed upgrades planned for the coming year. Events on the calendar included an expanded Andre Dawson Classic, Big 10 Baseball, a return of the Jackie Robinson Celebration Game, and a variety of youth-focused community events.

Administrator Zito closed by thanking the Board for their support of the partnership with Major League Baseball to revive the JRTC.

Presented

6. APPROVAL OF MINUTES

- 6.A. [24-0914](#) Regular Meeting of September 10, 2024

Recommended Action: Approve

Attachments: [09-10-2024 BCC Draft](#)

A motion was made by Commissioner Adams, seconded by Vice Chairman Loar, to approve the minutes of the BCC regular meeting of September 10, 2024 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. [24-0913](#) Purchase Order Authorization

Recommended Action: No action is requested.

Attachments: [Staff Report](#)

No Action Taken or Required

7.B. [24-0932](#) Event Calendar

Recommended Action: No Action Required

Attachments: [Staff Report](#)

Chairman Flescher made mention of the number of events and holiday experiences available this season.

No Action Taken or Required

7.C. [24-0936](#) Pelican Island Audubon Society Tree and Plant Recovery Workshop with Panel Presentations

Recommended Action: Informational Only.

Attachments: [Tree and Plant Recovery Workshop with Panel Presentations](#)

Chairman Flescher noted this workshop also offered free trees, and was an opportunity to replace lost vegetation from the recent hurricanes. Commissioner Moss added the panel was open to everyone in the County, and expressed concern for the trees.

No Action Taken or Required

8. CONSENT AGENDA

A motion was made by Commissioner Adams, seconded by Commissioner Earman, to approve the Consent Agenda as amended, pulling Item 8.A. for discussion. The motion carried by the following vote:

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

- 8.A. [24-0899](#) Award of RFP 2024059 for an Economic Development Strategic Action Plan (EDSAP)

Recommended Action: Staff recommends the Board approve the final ranking of firms, award the RFP to TIP Strategies, Inc., approve the agreement, and authorize the Chairman to execute it, after review and approval by the County Attorney as to form and legal sufficiency, after the receipt of the required Anti-Human Trafficking Affidavit, and after approval of the required insurance by the Risk Manager.

Attachments: [Staff Report](#)
[Sample Agreement](#)
[Exhibit 1 - TIP Pricing](#)
[Exhibit 2 - TIP Schedule](#)

Vice Chairman Loar opened discussion by requesting County Administrator John Titkanich to discuss the relationship of the Economic Development Strategic Action Plan (EDSAP) with the recently studied Urban Service Boundary (USB).

Mr. Titkanich noted that the last study done was outdated and a new study was recommended to streamline the County's economic development goals. He explained that the study would evaluate the County's economy to narrow which industries the County should focus on attracting, as well as the workforce and infrastructure needed to realize that targeted growth. This tied into the USB as the County had an interest in growing its industrial base while also maintaining control of future growth. Discussion continued with details of hiring an in-house staffer to coordinate the economic study results with the Chamber of Commerce's efforts, and coordinate incentives such as jobs grant programs.

Commissioner Adams weighed in with support for the study expressed by the Economic Development Committee (EDC). She also received clarification that the study would take nine (9) months from the time the contract was signed. The Commissioner added that the 2014 EDSAP study failed to bring items before the Board for implementation, and stated she would like to see the EDC to do so going forward.

Vice Chairman Loar requested regular updates on the EDSAP's progress over the nine (9) months, and expressed excitement over including the results with the other planning the County was undertaking.

Chairman Flescher received confirmation from Chris Balter, Planning and Development Services Director, that the cost of the study was capped at \$150,000. Vice Chairman Loar expressed a desire to have these and similar studies conducted in-house once additional staffing was hired.

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

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

- 8.B.** [24-0912](#) Review of the Affordable Housing Advisory Committee 2024 Incentives Review and Recommendation Report

Recommended Action: Staff and the Affordable Housing Advisory Committee recommend that the Board of County Commissioners approve the 2024 AHAC Incentives Review Report and direct staff to submit a copy of the report to the FHFC for review by December 31, 2024.

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

Approved staff's recommendation and Resolution 2024-068, approving the Indian River County Affordable Housing Advisory Committee (AHAC) 2024 report and directing staff to submit the AHAC report to Florida Housing Finance Corporation (FHFC).

- 8.C.** [24-0916](#) Final Payment, Release of Retainage and Change Order No. 1, Trans-Florida Railway Trail from Fellsmere to West of I-95 (IRC-2115)

Recommended Action: Staff recommends approval of Change Order No. 1 and payment of Contractor's Application Payment No. 2115-9 to Timothy Rose Contracting, Inc. in the amount of \$63,772.36 for final payment and release of retainage.

Attachments: [Staff Report](#)
 [Contractor's Application for Payment 2115-9](#)
 [Change Order No. 1](#)

Approved staff's recommendation

- 8.D. [24-0918](#) FDOT Small County Outreach Program (SCOP) Agreement and Resolution Authorizing the Chairman's Signature for Construction of Indian River Boulevard from SR-5/US-1/Federal Highway to 17th Street IRC-1817, FM No. 444269-1-54-01

Recommended Action: Staff recommends the Board of County Commissioners approve the Small County Outreach Program (SCOP) Agreement and Resolution and authorize the Chairman to execute the same.

Attachments: [Staff Report](#)
[Indian River County Grant Form](#)
[Authorizing Resolution](#)
[FDOT Small County Outreach Program \(SCOP\) Agreement](#)

Approved staff's recommendation and Resolution 2024-069, authorizing the Chairman's execution of Small County Outreach Program (SCOP) Agreement with the Florida Department of Transportation for Construction of Indian River Boulevard from SR-5/US-1/Federal Highway to 17th Street.

- 8.E. [24-0923](#) Award of Bid No. 2025008 43rd Avenue Bicycle and Pedestrian Improvements 14th Lane and 15th Place Resurfacing

Recommended Action: Staff recommends the project be awarded to Timothy Rose Contracting, Inc. in the amount of \$388,803.64. 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](#)
[Sample Agreement](#)

Approved staff's recommendation

- 8.F. [24-0927](#) 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 \$937,890.

Attachments: [Staff Report](#)
[Sutphen Quote](#)

Approved staff's recommendation

8.G. [24-0930](#) Septic Tank Encroachment Agreement Approval for 425 11th Court

Recommended Action: Staff recommends the Board of County Commissioners approve the Septic Tank Encroachment Agreement for 425 11th Court and authorize the Chair to execute the agreement after review and approval as to form and legal sufficiency by the County Attorney.

Attachments: [Staff Report](#)
 [Septic Tank Encroachment Agreement](#)
 [Exhibit A](#)

Approved staff's recommendation

8.H. [24-0931](#) Florida Communities Trust Guaranty for Indian River Land Trust - Tony Robinson Extension Property

Recommended Action: Staff respectfully requests that the Board of County Commissioners consider the request made by the Land Trust and, if approved, authorize the Chairman to execute the Management Guaranty letter after review and approval by the County Attorney.

Attachments: [Staff Report](#)
 [11-5-24 IRLT Management Guaranty Letter](#)
 [Toni Robinson Ext Map](#)

Approved staff's recommendation

The Chairman called for a recess at 10:28 a.m., and reconvened the meeting at 10:42 a.m. with all members present.

9. CONSTITUTIONAL OFFICERS and GOVERNMENTAL AGENCIES

[Clerk Note: Items under this section were heard following Item 4, and the meeting resumed with Item 5.A.]

9.A. [24-0907](#) Supervisor of Elections Annual Fiscal Report

Attachments: [BOCC End of Year Budget Report](#)

Supervisor of Elections Leslie Swan recounted the additional number of elections her office faced this past fiscal year which included a presidential election. She thanked Commissioners Flescher and Loar for their service on the Canvassing Board before detailing the new tools her office implemented for an efficient voting process. Ms. Swan returned \$31,880 to the County.

Lalita Janke, who volunteered as a poll worker, praised Ms. Swan, her staff, and the Commissioners who worked together for a problem-free election season.

A motion was made by Vice Chairman Loar, seconded by Commissioner Adams, to accept the report. The motion carried by the following vote:

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

9.B. [24-0908](#) Clerk of Circuit Court & Comptroller Ryan L. Butler: Annual Fiscal Report

Attachments: [Clerk of Court Annual Fiscal Report](#)

Clerk of the Circuit Court and Comptroller Ryan Butler thanked the Board for their support and presented a check in the amount of \$508,709.30, which represented the excess revenue in fees from the Recording and Passport offices. Mr. Butler explained that his office did not receive taxpayer funds for passport and official records operations, and relied on fees generated from these departments. He also credited a 13 percent reduction in expenses for the larger-than-normal refund.

A motion was made by Vice Chairman Loar, seconded by Commissioner Adams, to accept the report. The motion carried by the following vote:

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

9.C. [24-0909](#) Sheriff Eric Flowers Annual Fiscal Report

Attachments: [BOCC End of Year Budget Report](#)

Sheriff Eric Flowers gave thanks for the Board's support of the Sheriff's Office and presented a check in the amount of \$149,833.05.

A motion was made by Vice Chairman Loar, seconded by Commissioner Adams, to accept the report. The motion carried by the following vote:

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

9.D. [24-0935](#) Sheriff Eric Flowers: Present Altumint Presentation

Recommended Action: Discuss and Approve.

Attachments: [Altumint Presentation](#)

Sheriff Eric Flowers introduced a proposal from Altumint, a private company that would install automated camera systems in school zones to discourage speeding; the initiative followed recently approved legislation. The Sheriff stated his goal was to free-up deputies in light of a manpower crunch, and stated there was no cost to the County.

A representative from Altumint made a presentation to the Board explaining their system which would issue civil citations to speeders in school zones. They described Altumint's responsibility to install cameras, collect and distribute fines, and coordinate with the Sheriff and School District for oversight. It was noted that an Ordinance would need to be passed allowing the issuance of citations. The representative then presented results of traffic studies done in local school zones to show the problem of speeders in school zones.

The Board entered into discussion with the vendor and Sheriff Flowers regarding how Altumint got paid, the distribution of the fines collected, the conversion of civil citations to tickets for the Clerk to process, and the possible need for the County to provide a hearing officer to administer appeals. Sheriff Flowers provided statistics on the reductions in speeders that would be achieved, the benefits to community safety, and the flexibility in staffing the system afforded.

The Board expressed skepticism regarding the hidden costs to the County, the reduction of officers in school zones, and the backlash from the community regarding the camera surveillance.

No Action Taken or Required

10. PUBLIC ITEMS

A. PUBLIC HEARINGS

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

- 10.A.1. [24-0917](#)** Public Hearing for Ordinance Amending Code Indian River County Code Sections 102.01(1), and 102.04

Recommended Action: The County Attorney recommends that the Board conduct a public hearing on the proposed ordinance, take comment from interested persons, and approve the Ordinance amending Indian River County Code Sections 102.01(1), and 102.04.

Attachments: [Staff report](#)
[IRC Business Impact Estimate IRC rev Chap 102](#)
[Ordinance Amending IRC Code 102.01](#)

County Attorney Jennifer Shuler opened discussion noting this item was a follow-up to the decision made at the Board's November 5, 2024 meeting to allow an amendment to the County Code regarding Meetings and Procedures, and Order of Business. The changes would allow additional opportunities for the public to address the Commissioners at the Board meetings.

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

A motion was made by Vice Chairman Loar, seconded by Commissioner Moss, to approve staff's recommendation and adopt Ordinance 2024-010, amending Indian River County Code Chapter 102, Section 102.01 "Board of County Commissioners Meetings and Procedures" to modify the Board meeting times and amending Section 102.04 "Order of Business", to add new "Departmental Matters" and to modify public comment procedures. The motion carried by the following vote:

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

10.A.2. [24-0922](#)

Public Hearing - Amended and Restated Developers Agreement Between Providence Point Vero Beach, LLC and Indian River County

Recommended Action: Staff recommends the Board instruct staff to advertise and bring this back for the second public hearing as is required by Florida Statute at the next Board meeting in December.

Attachments: [Staff Report](#)
[Aerial Photo](#)
[Proposed Amended and Restated Developers Agreement with Providence Point Vero Beach, LLC](#)
[Copy of Original Developers Agreement with Providence Point Vero Beach, LLC](#)
[Affidavit of Publication - Amending Developers Agreement - Providence Pointe](#)

Deputy County Attorney Susan Prado referred to staff's memo dated November 6, 2024, for details of the amended Developer's Agreement between the County and Providence Point. Ms. Prado made mention the original agreement had been approved by the Board on November 18, 2014, and needed to be updated to reflect changes which have taken place since then, and to have the agreement brought into compliance with current statutory requirements. She added that this was the first of two (2) required public hearings, and a vote would be called at the second public hearing in December of 2024.

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

Attorney Prado requested the Board approve the recommended return of the item for the second public hearing on December 3, 2024.

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

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

10.A.3. [24-0830](#)

Ordinance of Indian River County, Florida Amending the Zoning Ordinance, and the Accompanying Zoning Map for Approximately ±7.97 Acres from CG, General Commercial District to MED, Medical District (99070136-96957)
[Quasi-Judicial]

Recommended Action: Based on the analysis, staff and the Planning and Zoning Commission recommend that the Board of County Commissioners approve this request to rezone the subject property from CG to MED.

Attachments: [Staff Report](#)
[Zoning Map](#)
[Future Land Use Map](#)
[Rezoning Application](#)
[Draft Ordinance](#)
[11-13-24 Request for Continuance](#)
[2025-01-08 Request for Continuance](#)

Chairman Flescher introduced the Item into the record, and noted that the Applicant requested a continuance to the January 14, 2025 Board meeting due to unforeseen circumstances.

A motion was made by Vice Chairman Loar, seconded by Commissioner Adams, to continue the public hearing at the January 14, 2025 BCC meeting. The motion carried by the following vote:

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

B. PUBLIC DISCUSSION ITEMS**10.B.1. [24-0942](#)**

Request to Speak from President Lance Lunceford, Taxpayers Association President regarding Fiscal Responsibility by County

Recommended Action: No action required.

Attachments: [Public Discussion Request - Lance Lunceford](#)

Speaker not present

10.B.2. [24-0946](#)

Request to Speak from Bill Rigby on Federal and State Funding Procurement Laws

Recommended Action:

Attachments: [Nov 19 Request-to-Speak Rigby](#)

Mr. Rigby began his discussion by asserting his right to speak before the Board without interruption or retaliation. Before speaking, he requested clarification of the rules regarding speaking before the Board, specifically the allotment of three (3) minutes to state his concerns. Mr. Rigby stated he still had not received all the information he requested in order to pursue his questions regarding bids from minority-owned companies for Solid Waste Disposal District (SWDD) contracts. He said he would be pursuing a different issue going forward.

Chairman Flescher asked whether Mr. Rigby had made formal or informal requests for information which had not been satisfied. Mr. Rigby clarified he had received documents from SWDD, but they did not contain the information he sought. Chairman Flescher advised Mr. Rigby to return to the County Attorney's office to clarify his requests.

County Attorney Jennifer Shuler confirmed Mr. Rigby had made another request for information that morning, and that her office would be happy to work together to get him the information he sought. Mr. Rigby then asked the Chairman what to do if the County did not have the information he was looking for. The Chairman noted that the County had a legal requirement to provide information upon request. Mr. Rigby expressed his opinion his rights had been violated by the procedures which he felt were being used to deny him the information he sought. The Chairman reiterated that the County was following the letter of the law to provide any information it had in a timely fashion.

No Action Taken or Required

C. PUBLIC NOTICE ITEMS**10.C.1. [24-0925](#)**

Public Notice of Public Hearing for December 3, 2024, to Consider Ordinance Imposing An Additional Cost of Tourist Development Taxes

Attachments: [Staff Report](#)

County Attorney Jennifer Shuler read the notice into the record.

Read into the record

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**
- G. Parks, Recreation, and Conservation**
- H. Planning and Development Services**

12.H.1. [24-0879](#)**Gifford Neighborhood Plan (GNP) Status Update**

Recommended Action: Staff recommends that the Board of County Commissioners consider the provided Gifford Neighborhood Plan status update and direct staff to proceed with the following initiatives: 1. Each department and responsible party shall review all recurring and ongoing action items, evaluate the necessity of each item, determine the appropriate frequency for their occurrence (monthly, quarterly, or annually), and promptly resume them as appropriate. 2. Staff shall continue to work on completing the large-scale action items that have not yet been completed. 3. Staff shall initiate the process for an updated GNP to ensure alignment with current community needs and priorities. The update will include: A. All remaining large-scale projects and recurring/ongoing action items that require attention. B. New issues and goals identified through community engagement, ensuring that the updated plan is comprehensive and future-oriented. C. Collaborating closely with the Progressive Civic League of Gifford (PCLG), residents, and other stakeholders to identify emerging needs and opportunities in the Gifford area.

Attachments: [Staff Report](#)
[GNP Main 2024 Imp. Matrix sorted by date-2024](#)

Chris Balter, Planning and Development Services Director, utilized a PowerPoint presentation to deliver a status update of the Gifford Neighborhood Plan (GNP), which was originally approved in 2002 and updated in 2014. Mr. Balter provided background information before providing updates and future plans for recurring/ongoing actions and large-scale action items; a detailed proposal for a new GNP update was also presented.

The Board entered into discussion with staff regarding the unfinished large-scale action items: Action 7.3, 45th Street Sidewalk Extension, was scheduled to begin in 2025/26 by the Florida Department of Transportation (FDOT); Action 7.4, Sidewalks on 41st and 49th Streets, was scheduled for funding application through the MPO's Transportation Alternatives Program (TRIP); Actions 8.5 and 8.6, 32nd and 35th Avenue Improvements, had not moved forward due to lack of right-of-way (ROW) agreements.

Chairman Flescher suggested staff should take responsibility for obtaining ROW agreements rather than the Gifford Progressive League (League), to overcome past hurdles. The Board noted that infrastructure projects were notoriously slow, and mentioned enhancements realized through FDOT funding. County Administrator John Titkanich added that the revised GNP would need to identify funding plans in advance to avoid delays.

The following people addressed the Board:

Joe Idlette expressed disappointment on the County's lack of follow-through and delays. He agreed the League should not be tasked with obtaining right-of-way, and closed with a call for effort on the County's part to complete the existing plan before creating a new one.

Freddie Woolfork suggested the County should offer compensation for right-of-way acquisition, as had been done with the widening of 66th Avenue. He stated the widening of 45th Street and installation of sidewalks was of utmost importance to the community.

Anthony Brown spoke of the community's disillusionment that the GNP's actions were not completed after 22 years. He questioned whether the current Board was obligated to complete plans approved by previous administrations. Mr. Brown also took issue with infrastructure improvements made in Gifford to serve the County, but stopped short of Gifford's residential streets.

Ervin Cartwright expressed frustration for the lack of accountability to follow-through with promises made, and prioritization of improvements to neighboring communities over Gifford and Wabasso.

Barbara Lipton revisited the question of the current Board's obligation to honor agreements made by prior Boards. County Attorney Jennifer Shuler advised that technically one Board could not bind a future Board to appropriate money. However the GNP had been adopted and never revoked, so it would be treated as policy.

Chairman Flescher vowed to ensure action would be taken, and the Board agreed that the original GNP needed to be completed rather than incorporated into a new plan. Mr. Balter stated there were two (2) outstanding action items: 8.5 and 8.6, 32nd and 35th Avenue Improvements. Lengthy discussion ensued regarding paying to obtain ROW, funding sources, and the details of road construction.

Administrator Titkanich noted there were no designs or cost estimates to build the roads being discussed. Public Works Director Addie Javed advised his department could put together a rough design to obtain ballpark construction estimates, and advised his department would need a month to produce that report.

In response to Commissioner Earman, Mr. Brown stated the need to create a road on 32nd Avenue was the priority. MPO Director Brian Freeman also addressed the Board with details of Action 7.4, Sidewalks on 41st and 49th Streets.

A motion was made by Vice Chairman Loar, seconded by Commissioner Earman, to direct staff to return in January 2025 with an estimated cost and timing on Items 8.5 and 8.6 from the Gifford Neighborhood Plan, as well as an update on needed right-of-way acquisition. The motion carried by the following vote:

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

I. Public Works

The Chairman called for a recess at 12:34 p.m., and reconvened the meeting at 12:44 p.m. with all members present.

J. Utilities Services

- 12.J.1. [24-0924](#)** Adoption of Indian River County Department of Utility Services Water, Wastewater & Reuse Water Utility Construction Standards, December 2024, IRCDUS Project ID 00.23.543

Recommended Action: Staff recommends that the Indian River County Board of County Commissioners approve the adoption of the Indian River County Department of Utility Services Water, Wastewater, and Reuse Water Utility Construction Standards - December 2024, as presented.

Attachments: [Staff Report](#)
[Attachment A – List of Revisions](#)
[Utility Construction Standards](#)

Manager of Capital Projects Howard Richards presented the updated Department of Utility Services Water, Wastewater, and Reuse Water Utility Construction Standards (Standards) update to the Board. He noted the Standards were important to stay in conformance with regulatory agencies, as well as conforming to industry guidelines; Bowman consultants assisted with the updates.

Mr. Richards summarized the hundreds of changes made to standards for above-ground lift stations with electrical ground-in, CAD templates, editorial changes, consistencies, and clarifications. He referred to an attachment to staff's memo dated November 4, 2025 for additional details. As required, a draft of the Standards was posted online for 30 days, during which time no comments had been received from the public.

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

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

13. COUNTY ATTORNEY MATTERS

13.A.1. [24-0921](#) Calcutta Drive Docks Guidance on Potential Changes

Recommended Action: The County Attorney's Office seeks instruction from the Indian River County Board of County Commissioners on how to move forward with each of the above questions.

Attachments: [Staff Report](#)
[Form License Agreements](#)

Deputy County Attorney Susan Prado referred to staff's memo dated November 6, 2024, which provided history of the docks along Calcutta Drive in the Country Club Pointe neighborhood. Ms. Prado informed that the dock agreements had been updated in 2022, but several issues had arisen which staff sought guidance on. The main questions related to dock inspections (whether annual or in response to complaints), how to assess fees for inspections, which department would be responsible for them, procedures to obtain permits for electrical or irrigation services, and how to handle docks in disrepair. The issues were complicated by the lack of addresses for individual docks, and docks which were grandfathered-in under previous rules and fees. Any changes would apply to revised-lease holders and upon the sale of a dock.

Discussion ensued between the Board and Ms. Prado regarding solutions to staff's questions: should the docks be assigned individual addresses; which department should be in charge of performing the required inspections; which department would need to sign off on the installation of electricity and/or water service; which department would review the required 5-year inspection report submitted by dock owners; should homeowners be allowed to own more than one dock.

Ms. Prado agreed to research options in the code to provide due process to condemn docks in disrepair. She advised that the old licenses had no term limits, which complicated the Attorney's Office ability to make global changes for all the docks. Commissioner Earman made a motion which addressed staff's questions. County Administrator John Titkanich agreed to discuss the assignment with the head of the Building Department.

A motion was made by Commissioner Earman, seconded by Commissioner Adams, directing staff to: 1. Assign a unique address to each boat slip using geocodes and numbers; 2. Direct the Building Department to handle inspections that arise from complaints about a dock; 3. Direct the Building Department to see and sign off on the installation of electric and water service to a dock; 4. Direct the Building Department to review the inspection report required every five (5) years from dock owners; and 5. Disallow ownership of more than one dock by any homeowner. Staff was directed to return before the Board with the revised lease agreement. The motion carried by the following vote:

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

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.

15.B.1. 24-0959**Debris Removal - Hurricane Milton**

Solid Waste Disposal District (SWDD) Managing Director Himanshu Mehta requested the Board's direction in resolving a situation which arose regarding debris collection in the aftermath of Hurricane Milton. He informed that the County's debris contractor, Ceres Environmental (Ceres), had completed half of the debris removal but faced delays as subcontractors left to work for higher Florida Department of Transportation (FDOT) rates; the County paid \$9.81 per cubic yard versus FDOT's \$14.98 per cubic yard.

Mr. Mehta advised that Ceres could finish the job at the contracted rate, but it would extend the timeline to late December. He offered three options for the Board's consideration: 1. Continue at the current rates and accept the revised timing; 2. Increase the rate to match FDOT's at a cost of \$131,591 with the same October completion date. The Board was advised that FEMA may not reimburse the County for this expense.; 3. Issue a separate emergency purchase order to Ceres in the amount of \$131,591 using emergency general funds to incentivize on-time debris collection; this option was not eligible for reimbursement.

Mr. Mehta stated neighboring counties faced similar dilemmas, and most paid additional incentives to get the debris cleared in a timely fashion. The Board was wary of setting precedent by changing contracted rates midway through the job, and expressed they felt they were being placed in a difficult situation. Ultimately, the Board preferred not to delay debris removal in the public's interest, and supported staff's recommendation of Option 3.

A motion was made by Commissioner Earman, seconded by Chairman Flescher, to approve Option 3 of staff's recommendation and issue an emergency purchase order in the amount of \$131,591 to Ceres Environmental. The motion carried by the following vote:

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

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

There being no further business, the Chairman adjourned the meeting at 1:35 p.m.