



Indian River County, Florida

Draft Meeting Minutes

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

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, April 22, 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

Chaplain Lou Tropf, Indian River County Jail

3. PLEDGE OF ALLEGIANCE

Commissioner Susan Adams

4. ADDITIONS/DELETIONS TO THE AGENDA / EMERGENCY ITEMS

Deleted: Items 14.A.1. Request for Closed Litigation Session and 14.B.1. Calcutta Docks Agreement

Noticed: Items 12.B.1. and 12.C.1. will be closed sessions following Item 15.B.1. The Board will return to adjourn the meeting following these items.

Commissioner Moss stated she was not in favor of deleting Item 14.B.1. Calcutta Docks Agreement

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

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

Nay: 1 - Commissioner Moss

5. PROCLAMATIONS and PRESENTATIONS

5.A. Presentation of Proclamation Dedicating May 6th-12th As Nurse Week

Maritess Quinto, Southeast Region Director, Florida Nurses Association, thanked the Board for supporting nurses in the community. Ms. Quinto was joined by local nurses as she discussed their service as patient advocates, and suggested everyone thank a nurse.

Read and Presented by Vice Chairman Loar

5.B. Recognition of UF/IFAS Extension Indian River County Volunteers

Andrea Lazzari, UF/IFAS Extension Director, praised their volunteers who contributed more than 5,600 hours extending knowledge and improving residents' lives. Ms. Lazzari described the community contributions of the 4-H and Master Gardener programs. She thanked the Board for their support and presented a symbolic check for \$178,849, which was the monetary value of the volunteers' time.

Presented

5.C. Proclamation Recognizing April as Child Abuse Prevention Month

Matt Markley, CEO of Hibiscus Children's Center, discussed its founding 40 years ago as a safe place for children removed from their homes because of abuse or neglect. He also described the Vero campus which provides for older kids aged 12 to 18.

Joseph Walsh, Exchange Club of Vero Beach, along with members of the Indian River Exchange Club, appeared before the Board with updates on their new center and "Parenting Matters" program, designed to help break the cycle of child abuse.

Read and Presented by Chairman Flescher

6. APPROVAL OF MINUTES

6.A. Regular Meeting Minutes of January 28, 2025

A motion was made by Commissioner Adams, seconded by Chairman Flescher, to approve the Regular Meeting Minutes of January 28, 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 February 11, 2025

A motion was made by Commissioner Earman, seconded by Vice Chairman Loar, to approve the Regular Meeting Minutes of February 11, 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**8. PUBLIC COMMENT: AGENDA-RELATED MATTERS (EXCEPT FOR PUBLIC HEARINGS)**

[Clerk Note: This Item was heard following the Consent Agenda]

County resident Brent Wohlenberg offered safety tips for delivery drivers who encounter dogs, and also discussed chemical reactions in septic tanks.

9. CONSENT AGENDA

Items 9.K. and 9.L. were pulled for discussion

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

Approved staff's recommendation

9.B. Self Insurance Funds and Property & Casualty Insurance Program

Approved staff's recommendation

9.C. Ditch 5 Sand Mine - (SP-MA-95-02-12 (94060171) Replacement Cash Deposit and Escrow Agreements for Compliance and Restoration Security by Babcock Coquina Mine, LLC

Approved staff's recommendation

9.D. Resolution Cancelling Taxes on Property Purchased for Public Purpose - Cleghorn Shoe Corporation - Fire Station 15

Approved staff's recommendation and Resolution 2025-015, cancelling certain taxes upon publicly owned lands, pursuant to Section 196.28, Florida Statutes.

9.E. Information Technology Acceptable Use Policy Revision

Approved staff's recommendation

- 9.F.** Work Order No. 2018006-20 - APTIM, Sector 3 Hurricanes Ian and Nicole Dune Renourishment Year 1 Physical Monitoring Report

Approved staff's recommendation

- 9.G.** Final Ranking of Firms and Authorization to Negotiate – RFQ 2025023 for Design & Engineering for the Wabasso Causeway Park

Approved staff's recommendation

- 9.H.** Carter & Associates, Inc. Work Order Number 3, Amendment 1 for the South Prong Preserve Design & Engineering Services

Approved staff's recommendation

- 9.I.** Water & Air Research, Inc. Work Order Number 1, Amendment 2 for Ecological Services in Support of the Environmental Land Acquisition Board

Approved staff's recommendation

- 9.J.** Pulte Home Company, LLC's Request for Final Plat Approval for Costa Pointe PD Phase 2 [PD-21-06-07 / 99040218-96821]

Approved staff's recommendation

- 9.K.** VB 40 Development Group, LLC's Request for Final Plat Approval for a subdivision called Riviera Lake [SD-21-06-07 / 99040218-96821]

Commissioner Moss pulled the item to discuss whether the required project improvements had changed since 2017, and which ones still had not been completed at this time. Assistant Planning and Development Services Director Ryan Sweeney provided that the required improvements did not change as the developer began construction within the 5-year window following plat approval. He added that the infrastructure was complete, and only onsite landscaping and clean-up remained.

A motion was made by Commissioner Moss, 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

9.L.

Pulte Home Company, LLC's Request for Final Plat Approval for Harbor Isle Phase 2 [SD-20-11-04 / 99070005-96349]

Commissioner Moss noted the developer had received a temporary suspension of compliance for certificate of completion, per the County's Land Development Regulations. She requested more information on which project improvements remained uncompleted, and discussed community concern for traffic in the area of CR 510, east of US1. Assistant Planning and Development Services Director Ryan Sweeney referred to staff's memo dated April 8, 2025, for details of the three roadway projects still open. He noted some delays were due to FDOT and there was a 90-day time limit to complete the required intersection improvements. Mr. Sweeney added that the developer of this project was not responsible for signalizing the intersection.

A motion was made by Commissioner Moss, seconded by Chairman Flescher, 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

9.M.

Release of Retainage and Change Order No. 2
CR512 & N. Broadway Street Drainage Restoration (IRC-2006)

Approved staff's recommendation

9.N.

Confirmation of Financial Participation in Florida Department of Transportation (FDOT) CR510 Remediation Effort/FM 4056063

Approved staff's recommendation

9.O.

Award of Bid No. 2025024 for the West Regional Wastewater Treatment Facility (WWFT) Effluent Reject Improvements, [PID 23.23.539]

Approved staff's recommendation

9.P.

Final Pay to TLC Diversified, Inc. for Construction Services for Oslo Water Treatment PLC System Upgrades Part A [IRCDUS PID 12.19.536]

Approved staff's recommendation

9.Q.

Final Pay to TLC Diversified, Inc. for Construction Services for Oslo Water Treatment Plant (WTP) Improvements Project [PID 12.19.503]

Approved staff's recommendation

9.R.

Award of Bid No. 2025018 to Lawrence Lee Construction Services, Inc. for Phase 2 of Upper Floridan Aquifer S1R Well Head & Raw Water Main, IRCDUS Project ID 11.22.503

Approved staff's recommendation

9.S. 243.57-Acre Cattle Lease Agreement

Approved staff's recommendation

9.T. Lawrence Lee Construction Services, Inc. Final Payment and Release of Retainage for Bid No. 2024003 Central Wastewater Treatment Facility Generator & ATS Replacement & Consolidation, IRCDUS Project ID 22.20.525

Approved staff's recommendation

10. CONSTITUTIONAL OFFICERS and GOVERNMENTAL AGENCIES

11. PUBLIC ITEMS

A. PUBLIC HEARINGS

PROOF OF PUBLICATION FOR THIS HEARING IS ON FILE IN THE OFFICE OF THE CLERK TO THE BOARD.

11.A.1.

7750 Oslo Road, LLC's Request to Rezone Approximately +/- 3.73 Acres from A-1, Agricultural District to CH, Heavy Commercial District (2001080114-97736) [Quasi-Judicial]

Chairman Flescher introduced the parties for the proceeding as being Oslo Road, LLC (Applicant) and Indian River County. Each Commissioner, as requested by the Chairman, disclosed ex parte communications, site visits, or independent investigations. The Commissioners also affirmed that they have an open mind and could 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.

Planning and Services Director Chris Balter took a moment to congratulate Senior Planner Cindy Thurman on her retirement after more than 30 years in public service.

Senior Planner Cindy Thurman, Long Range Planning, presented the Board with an analysis of the request to rezone a portion of the Applicant's land located on the north side of Oslo Road between 74th Avenue SW and I-95, from A-1, Agricultural District to CH, Heavy Commercial District. The presentation displayed zoning maps and analyzed the request to ensure it was consistent with Future Land Use Designations and met criteria under Section 902.12(3). Ms. Thurman noted that while the location did not align with the Comprehensive Plan as it was not near railroad tracks, it was near an industrial use such as the landfill along Oslo Road. Staff concluded that the request was consistent and compatible with the surrounding area and recommended approval; the Planning Zoning Commission (PZC) approved the request at its March 27, 2025 meeting.

Neither the Board nor the Applicant had questions of staff. Mr. Blaine Bergstresser of KMA Engineering & Surveying, LLC, the engineer on record, was present on behalf of the Applicant.

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 2025-007, amending the Zoning Ordinance and the accompanying Zoning Map for approximately 3.73 acres located on the north side of 9th Street SW (Oslo Rd), approximately .37 of a mile west of 74th Avenue SW, from A-1, Agricultural District, to CH, Heavy Commercial 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

12.A.1. Interlocal Agreement with City of Sebastian Community Redevelopment Agency concerning Sebastian CRA Septic to Sewer Project.

County Administrator John Titkanich introduced the Interlocal Agreement (ILA) with the City of Sebastian (City) Community Development Agency for the septic to sewer conversion project within the Sebastian Community Redevelopment Area (CRA). During a previous joint meeting, the City emphasized septic to sewer projects as a high priority. County and City staff collaborated for more than a year and issued a report identifying 188 parcels, with 96 developed but not connected to sewer systems, and 92 vacant.

Administrator Titkanich outlined the Utility Department's plan which included installing 13 sewer mains, with seven in existing rights-of-way and six requiring easements. The ILA detailed a partnership for installing these sewer mains, with the City covering material costs up to \$100,000 and the County managing the project using its own staff to help reduce costs. The County would waive certain connection and extension fees, potentially amounting to \$200,000 to \$250,000, but property owners would still need to pay the necessary sewer impact fee.

The project was to start within 60 days after the agreement became effective. The ILA also included sharing BMAP credits, based on project costs, to reduce nitrogen pollution in the Indian River Lagoon. The Administrator thanked all who collaborated in developing the project.

Chairman Flescher described the meetings as a positive intergovernmental experience, and praised the mutually beneficial project.

Utilities Director Sean Lieske stated his commitment to helping with the project which needed close coordination to obtain certain easements to install and maintain the lines. His department believed the project would greatly benefit the area and help the lagoon.

A motion was made by Vice Chairman Loar, seconded by Chairman Flescher, 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

12.B.1. Executive Session to Discuss IAFF Negotiations for the Battalion Chief Unit

The Chairman announced the Executive Session would follow Item 15.B.1.

No Action Taken or Required

12.C.1 Executive Session to Discuss IAFF Negotiations for the Rank and File Unit

The Chairman announced the Executive Session would follow Item 15.B.1.

No Action Taken or Required

The Chairman called for a recess at 10:05 a.m. and reconvened the meeting at 10:14 a.m. with all members present.

13. DEPARTMENTAL MATTERS

A. Building and Facilities Services

B. Community Services

C. Emergency Services

D. Human Resources

E. Information Technology

F. Natural Resources

G. Office of Management and Budget

H. Parks, Recreation, and Conservation

H.A.1.**Indian River County Parks and Recreation Master Plan 2025-2035**

Parks, Recreation and Conservation Director Beth Powell presented the Indian River County Parks and Recreation Master Plan 2025-2035 (Plan) which would serve as a strategic framework to guide the County for the next 10 years in addressing the needs of its residents and visitors. She added that the draft Plan was online for public review.

Brian Trusty, Principal with PROS Consulting, presented highlights of the Plan which included input gathered from forums, stakeholder interviews, municipal partners, and a community survey. Working with a team of consultants, the County's parks and conservation lands were evaluated for geography, connectivity, and integration with other recreation providers. Improvement strategies for the short term included the need for park revitalization, enhancement of amenities, and more trails. Key recommendations to expand the system called for more neighborhood parks, building the fairgrounds into a regional park, and adding an aquatic facility in the south. Future visionary suggestions included a recreation/multi-purpose space in north county, and development of a regional park in the west.

Discussion with the Board ensued with expanded discussion on turning the Fairground/Hobart Park into a regional park, relocating the Fairgrounds closer to the Interstate, working with developers to create neighborhood parks, and managing amenities for the County's growth. The Commissioners provided input on their District's needs, and expressed support for the Master Plan.

Deputy County Administrator Mike Zito wrapped up the presentation with assorted important mentions: requests for funding from different agencies and partnerships, the public's desire to incorporate spaces for dogs, the need for flexibility in planning, and naming rights for the North County Aquatic Center; Mr. Zito kicked off the last item with a suggestion of "Olympic Splash Park".

A motion was made by Commissioner Adams, seconded by Chairman Flescher, 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

I. Planning and Development Services

I.A.1.**Approve a Resolution adopting a Fee for Reviewing and Approving Developer's Agreements**

Chris Balter, Planning and Development Services Director, discussed Developer's Agreements' role in contributing to the County's parks and infrastructure. He proposed a \$2,500 fee for reviewing Agreements, noting the comprehensive legal scrutiny needed. After analyzing costs, he suggested the County adopt a \$2,500 fee.

Deputy County Attorney Susan Prado reported spending 20 hours or more analyzing each fee agreement, noting the fee was in alignment with State Statutes requiring developers to pay for costs incurred without burdening taxpayers. Chairman Flescher expressed concern about costs impacting future homeowners and requested an exception to promote affordable housing development. Attorney Prado agreed as long as the statutory definition of affordable was used. Mr. Balter informed the Board that the Resolution provided a waiver for developments that met affordable housing standards.

A motion was made by Commissioner Adams, seconded by Commissioner Moss, to approve staff's recommendation and Resolution 2025-016, establishing a revised development review fee schedule for planning and development services for Developer's Agreements. The motion carried by the following vote:

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

J. Public Works

J.A.1.**Follow up: Options for Paving of 32nd Avenue in Gifford Neighborhood**

Public Works Director Addie Javed provided a follow-up report to the request for additional information regarding paving options for 32nd Avenue in Gifford, as last discussed at the March 25, 2025, BCC meeting. The presentation began by noting staff's discovery that 43rd Place was not a County right-of-way (ROW), but instead was a 30-foot ingress/egress easement, and that 32nd Avenue had been previously identified as being a private street. As a side-note, Mr. Javed suggested using blue street signs to identify private streets, and agreed to bring the matter back to the Board in the future.

The presentation continued with answers to the Board's outstanding concerns, and findings from the detailed survey. Mr. Javed noted the impact of elevations, stormwater swales, and the staked-out roadway plan; it was estimated 18 mailboxes may need to be relocated. Following up on paving options, Mr. Javed showed examples of chip-sealed roads. Costs for engineering/design, permitting, ROW, and construction options ranged from \$400,000 to \$1.2 million, plus ROW dedication/perpetual easement costs which were based on market value; timing was estimated between one and 2.5 years from design to final construction.

Board discussion ensued with details of chip-sealing and its ability to offset existing drainage concerns, and details of the various production stages. Mr. Javed posited permitting and obtaining ROW were the biggest obstacles for this project; he reiterated these were private streets. In discussion with the Board, Mr. Javed offered possible scenarios to speed-up the process, ROW negotiations, and origins of the Gifford Neighborhood Plan. Staff recommended the 14ft or 15ft wide paved section using the chip seal method (Option 2). Board members spoke in favor of staff's recommendation.

The following members of the public addressed the Board:

Tony Brown spoke favorably of staff's recommendation. He advocated for conferring with the residents, possibly by conducting a walk-through, to raise awareness and allow input on the County's plan.

Myra Ferguson suggested discussions with residents affected by the needed right-of-way, and advocated for compensation similar to other roadway paving projects in the County.

Joe Idelette added his support for paving using the chip-seal method.

A motion was made by Commissioner Earman, seconded by Chairman Flescher, to approve Option 2 of staff's recommendation, paving of 32nd Avenue from north of 43rd Street to 44th Street, connecting to 31st Avenue, along with paving 43rd Place between 33rd Avenue and 32nd Avenue using

the chip-seal method. The motion carried by the following vote:

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

K. Sandridge Golf Club

L. Utilities Services

L.A.1 Review of America's Water Infrastructure Act Risk and Resilience Assessment Updates, IRCDUS Project ID 00.24.518

Sean Lieske, the Utility Services Director, updated the Board on America's Water Infrastructure Act and the risk and resilience assessment completed with Arcadis. The assessment addressed system risks and mitigation steps; updates to the emergency response plan were in the works. He noted staff would discuss the evaluation process, but the results remained confidential. Director Lieske mentioned key Arcadis team members involved then handed the presentation over to Howard Richards, Capital Projects Manager.

Mr. Richards discussed the required risk assessment and emergency response plan under America's Water Infrastructure Act (AWIA). Corie Sapp, Principal Management Consultant with Arcadis, presented the J100 Methodology for assessing risks, showing how data helped measure risk events and the County's resilience. The presentation ended with mitigation strategies and a summary of key projects.

Chairman Flescher recounted a past incident affecting a number of fire hydrants as an example of a system concern that could affect public safety. Director Lieske shared that his department had several mitigation strategies on their radar.

Tom Sullivan received information from staff regarding redundancies in the undeveloped Urban Service Boundary.

No Action Taken or Required

14. COUNTY ATTORNEY MATTERS

14.A.1. Time Certain 10:00 am - Second Request for Closed Litigation Session - Sole

Deleted

14.B.1 Calcutta Docks License Agreements

Deleted from Agenda

15. COMMISSIONERS MATTERS

A. Commissioner Joseph E. Flescher, Chairman

B. Commissioner Deryl Loar, Vice Chairman

15.B.1.**Quarterly Updates From County Administrator & County Attorney**

Vice Chairman Loar opened discussion of quarterly updates from the County Attorney and County Administrator who had been asked to present their achievements, obstacles, and future vision.

The Vice Chairman praised County Attorney Jennifer Shuler's communication, and stating he was satisfied with her work. Attorney Shuler praised her department for closing out eminent domain cases, obtaining new fire station locations, and a developer's agreement template; challenges included changing legislation, and the workload. She hoped to add another staff member, and improve purchasing and special assessment codes. The Board appreciated Attorney Shuler's availability and communication.

Vice Chairman Loar began discussion with County Administrator John Titkanich's hire and prior reviews before mentioning a newspaper article which speculated the direction of this performance review. The Vice Chairman then recounted his disappointing interactions with Administrator Titkanich over the last two years, and wondered at what point the Board should decide to take the County in another direction.

Administrator Titkanich provided an exhaustive list of his recent activities which spanned hurricane recovery, capital improvement and economic development plans, customer service and permitting improvements, community outreach, capital improvements, and his efforts to modernize the County's structure and culture. He offered status reports of projects including customer service satisfaction, the Utilities Master Plan, and the Oslo Corridor Study. Future plans included financial studies, new software for community development, and an updated employee handbook and policies. He concluded with the need to plan conservatively considering the economic uncertainty.

Discussion ensued revealing varying opinions on the effectiveness of current leadership styles and the need for proactive communication with the community and Commissioners.

Vice Chairman Loar expressed his disappointment in the Administrator's communication and accomplishment, and asked Administrator Titkanich to rate his own performance. The Administrator defended his progress in the face of resistance to changes, and took responsibility for communication shortfalls, noting his commitment to service excellence.

Commissioner Moss raised questions regarding the timing of the newspaper article, and the Chairman's comments in it which she felt were close to violating

Sunshine laws. The Commissioner advocated for routine status updates, and better one-on-one communication with the Administrator. The Chairman defended his comments to the newspaper, while the County Attorney advised the Board to be mindful of perception when speaking to the media.

Commissioner Earman objected to the tone of the performance review, and suggested direct communication of the Board's expectations for the Administrator. He acknowledged the overall difficulty the Administrator faced, and rated his performance as a B-, reiterating his desire to see faster action.

Commissioner Adams described the public nature of this performance review as distasteful and unprofessional, suggesting updates should be brought by the Administrator as to not undermine his authority. The Commissioner reported receiving fewer complaints and more input from the community over the past two years; she was overall pleased at the progress made in changing the County's culture.

Chairman Flescher closed discussion with a call to better implement the future-focused planning, and desired changes to employee culture. He stated his expectation for further progress at the two-year mark than had been achieved, though noted difficulties in the system. Administrator Titkanich offered his viewpoint on the Chairman's statements.

Tom Sullivan, County resident, spoke in support of Administrator Titkanich.

No Action Taken or Required

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

18. ADJOURNMENT

The Board returned from their closed sessions to end the meeting. There being no further business, the Chairman adjourned the meeting at 4:06 p.m.