



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

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

John A. Titkanich, Jr., County Administrator
Jennifer W. Shuler, County Attorney
Ryan L. Butler, Clerk of the Circuit Court and Comptroller
Shauna James, Deputy Clerk

Tuesday, December 9, 2025

9:00 AM

Commission Chambers

1. CALL TO ORDER

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

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

2.B. INVOCATION

Chaplain Lou Tropf, IRC Jail

3. PLEDGE OF ALLEGIANCE

John A. Titkanich, County Administrator

4. ADDITIONS/DELETIONS TO THE AGENDA / EMERGENCY ITEMS

Tabled Item 9.N.

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

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

5. PROCLAMATIONS and PRESENTATIONS

5.A. Presentation - Update on Maintained Right of Ways

Assistant Public Works Director Danny Ooley shared details and cost estimates to improve unmaintained road Rights-of-Way (ROWs) throughout the County, ensuring

the streets met current maintenance standards. His presentation delineated the specific areas in need of work along with their associated costs. Mr. Ooley pointed out that Indian River County's existing infrastructure comprised 405 miles of paved roads, 246 miles of graded dirt roads, 129 miles of maintained sidewalks, and 1,383 drainage structures and catch basins. He also noted the presence of other stormwater assets in the inventory. He stated that the 246 miles of unpaved roads would cost \$3,624,084.90 in annual maintenance.

Commissioner Adams called for a follow-up discussion on road conditions, which were found to be unexpectedly poor. She emphasized the importance of maintaining roads for community use and integrating improvements into the infrastructure plan. While not advocating for immediate paving, she suggested developing a maintenance plan for future budgets that included both quick solutions and long-term projects. She encouraged staff to develop an implementation plan for further discussion of the proposed strategies.

Chairman Loar agreed with Commissioner Adams, expressing hope that staff could organize and prioritize the issues at hand. He suggested developing a funding plan for this effort. Mr. Ooley stated that with additional time, staff could put together a detailed proposal that outlined the complaints by area and identified the various issues.

Presented

6. APPROVAL OF MINUTES

6.A. Regular Meeting of September 23, 2025

Recommended Action: Approve

A motion was made by Commissioner Flescher, seconded by Commissioner Adams, to approve the regular meeting minutes of September 23, 2025, as written. The motion carried by the following vote:

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

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

7.A. Indian River County Venue Event Calendar: December-January 2025/2026

No Action Taken or Required

7.B. SWDD Closures and Collection Service Changes for Christmas and New Year's Day

Recommended Action: Announce SWDD Closures and Collection Service Changes for Christmas and New Year's Day

No Action Taken or Required**8. PUBLIC COMMENT: AGENDA-RELATED MATTERS (EXCEPT FOR PUBLIC HEARINGS)****9. CONSENT AGENDA**

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

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

9.A. Approval of Checks and Electronic Payments October 18, 2025 to October 24, 2025

Recommended Action: Approve the list of checks and electronic payments for the time period of October 18, 2025 to October 24, 2025

Approved

9.B. Approval of Checks and Electronic Payments October 25, 2025 to October 31, 2025

Recommended Action: Approve the list of checks and electronic payments for the time period of October 25, 2025 to October 31, 2025

Approved

9.C. Approval of Checks and Electronic Payments November 1, 2025 to November 7, 2025

Recommended Action: Approve the list of checks and electronic payments issued for the time period of November 1, 2025 to November 7, 2025

Approved

9.D. Approval of Checks and Electronic Payments November 8, 2025 to November 14, 2025

Recommended Action: Approve the list of checks and electronic payments for the time period of November 8, 2025 to November 14, 2025

Approved

9.E. Approval of Checks and Electronic Payments November 15, 2025 to November 21, 2025

Recommended Action: Approve the list of checks and electronic payments issued for the time period of

November 15, 2025 to November 21, 2025

Approved

9.F. Designation of Excess Equipment as Surplus and Authorization for Disposal

Recommended Action: Staff recommends the Board declare the items on the Excess List for 120925 as surplus, and authorize their disposition, as indicated.

Approved staff's recommendation

9.G. Interest Rate Change on All County Financing (Petition Paving, Utility Assessment Projects, Utility Impact Fees, etc.)

Recommended Action: Staff recommends that the Board of County Commissioners approve the fixed interest rate of 4.3%. Staff further recommends that this rate remain in effect for calendar year 2026 for all County financing except for: 1) projects directly affiliated with a bond issue for which the bond covenants dictate a different interest rate; or 2) in the event the monies used for financing are accruing a higher interest rate for the issuance of debt in which case the rate shall be set at the higher amount.

Approved staff's recommendation

9.H. Annual Resolution Delegating Authority to Declare Local Emergencies to the County Administrator

Recommended Action: Adopt the resolution delegating authority to the County Administrator, or his designee, to declare a state of emergency and to act in a state declared emergency affecting Indian River County effective from December 9, 2025 through December 31, 2026.

To approve staff's recommendation and Resolution 2025-075, delegating authority to the County Administrator to declare States of Local Emergencies and to act in a State of Florida declared emergency affecting Indian River County; rescinding Resolution No. 2024-071 effective December 09, 2025; and providing for an effective date.

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

9.I. Annual Resolution Delegating Authority to Call Letters of Credit in Local Emergencies to the County Administrator

Recommended Action: Adopt the resolution delegating authority to the County Administrator, or his designee, to Call Letters of Credit in local emergencies affecting Indian River County effective from December 9, 2025 through December 31, 2026.

To approve staff's recommendation and Resolution 2025-076 delegating the authority to the County Administrator or his designee, to execute Resolutions calling letters of credit as necessary during a declared State of Local Emergency or declared State of Florida emergency affecting Indian River County; rescinding Resolution No. 2024-070, effective December 09, 2025; and providing for an effective date.

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

9.J. Resolution Cancelling Taxes on Property Purchased for Public Purpose – Sebastian River Improvement District

Recommended Action: Authorize the Chairman of the Board of County Commissioners to execute the Resolution to cancel certain taxes upon the property purchased by Indian River County for a public purpose, and the Clerk to send a certified copy of the Resolution to the Tax Collector and the Property Appraiser so that any delinquent or current taxes can be cancelled.

To approve staff's recommendation and Resolution 2025-077, cancelling certain taxes upon publicly owned lands, pursuant to Section 196.28, Florida Statutes.

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

9.K. Consideration of the Indian River County SHIP Program 2025 Annual Report

Recommended Action: Staff recommends that the Board of County Commissioners:

1. approve the attached SHIP 2025 annual report and authorize its formal submission to the Florida Housing Finance Corporation after any necessary changes are made; and
2. authorize the Chairman to sign the attached Certification form; and
3. authorize staff to make any minor reporting changes to the annual report and Certification form that may be requested by the Florida Housing Finance Corporation.

Approved staff's recommendation

9.L. Approval of Extension to Memorandum of Understanding between Humane Society of Vero Beach & Indian River County Florida Inc., and the Indian River County Board of County Commissioners

Recommended Action: Staff is recommending the Board approve and execute the Extension to the Memorandum of Understanding for Animal Shelter Services between the Humane Society of Vero Beach & Indian River County Florida., and Indian River County Board of County Commissioners.

Approved staff's recommendation

- 9.M.** Acceptance and Approval of Expenditures of Emergency Management Program Grant (EMPG) Federally-Funded Subgrant - Agreement Number: G0624

Recommended Action: Staff recommends approval of the EMPG Federally-Funded Subgrant Agreement (G0624), associated expenditures, and authorization of the Chairman to execute this agreement between Indian River County Emergency Management and the State of Florida, Division of Emergency Management.

Approved staff's recommendation

- 9.N.** Approval of SimpliGov Enterprise Workflow Automation Platform

Recommended Action: Staff recommends the Board approve the purchase of SimpliGov LLC enterprise workflow automation software, professional services, and support in an amount not to exceed \$2,963,275 pursuant to NASPO ValuePoint Contract AR2472 / Florida Addendum 43230000-NASPO-16-ACS, and authorize the Procurement Division to issue annual purchase orders in accordance with the provided quote.

Tabled

- 9.O.** 2026 Special Olympics Fall Classic License Agreement – November 7, 2026

Recommended Action: Staff respectfully requests that the Board of County Commissioners approve the License Agreement with Special Olympics Inc. and authorize the Chairman to execute the agreement after review and approval by the County Attorney for legal sufficiency.

Approved staff's recommendation

- 9.P.** Latitude-88, Inc. Recurring License Agreements; Oktoberfest, Bluesfest, January Home Show, April Home Show, Arts & Craft Expo 2026-2029

Recommended Action: Staff respectfully requests that the Board of County Commissioners approve the License Agreements with Latitude-88, Inc. and authorize the Chairman to execute the Agreements after review and approval by the County Attorney for legal sufficiency. Staff further request that the Board authorize the Deputy County Administrator or his designee to make minor, non-substantive amendments to the Agreements as needed over the next two years should they be necessary.

Approved staff's recommendation

- 9.Q.** Southeastern Fastpitch Inc. License Agreement - 2026 Tournament Season

Recommended Action: Staff respectfully requests that the Board of County Commissioners approve the Parks Recreation & Conservation License Agreement with Southeastern Fast Pitch Inc. and authorize the Chairman to execute the agreement after review and approval

by the County Attorney.

Approved staff's recommendation

- 9.R.** Approval of an Agreement with the Florida Department of Transportation and Florida East Coast Railroad for the Closure of the Old Dixie Highway Railroad Crossing

Recommended Action: Staff recommends that the Board of County Commissioners approve the Stipulation of Parties for the Closure of the Old Dixie Highway Crossing.

Approved staff's recommendation

- 9.S.** Request for Release of the 10-foot wide Conservation Easement on Private Property located at 5380 95th Street (Durrance Road)

Recommended Action: Staff recommends that the Board of County Commissioners, through adoption of the attached resolution, approve the release of the 10-foot wide conservation easement upon Lot 9 of the River Boat Club

To approve staff's recommendation and Resolution 2025-078, releasing an easement on 5380 95th Street.

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

- 9.T.** Request for Release of the 25-foot Drainage Easement on 4520, 4540, and 4560 77th Street

Recommended Action: Staff recommends that the Board of County Commissioners, through adoption of the attached resolution, approve the release of the 25-foot wide drainage easement upon Lots 6, 7, and 8 of the Hobart Estates, Unit No.1 subdivision.

To approve staff's recommendation and Resolution 2025-079 releasing the surface drainage easement on 4520, 4540, and 4560 77th Street.

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

- 9.U.** Resolution Accepting Final Plat Dedications for Vero West Business Park

To approve staff's recommendation and Resolution 2025-080, accepting dedications from Vero West Business Park by plat pursuant to Florida Statute Section 177.081.

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

- 9.V.** Release of Retainage and Approval of Change Order No. 1 - 43rd Avenue

Bicycle and Pedestrian Improvements
14th Lane and 15th Place Resurfacing (IRC-1818A)

Approved staff's recommendation

- 9.W.** Construction Services: Flooding of Mixon Property, 1605 98th Ave.
(Riverside Drenching Inc.)

Recommended Action: Approve the quote from Timothy Rose Contracting Inc. in the amount of \$55,000.00, inclusive of contingency, to complete the drainage improvements and authorize the Purchasing Division to issue a purchase order for the work.

Approved staff's recommendation

- 9.X.** Approval of Work Order No. 25 - Kimley-Horn and Associates, Inc. 43rd Avenue Pedestrian and Bicycle Access Improvements from 6th Street to 12th Street (IRC-1904)

Recommended Action: Staff recommends approval of Work Order No. 25 to Kimley-Horn and Associates, Inc., authorizing the professional services as outlined in the Scope of Services and requests the Board authorize the Chairman to execute Work Order No. 25 on their behalf for a lump sum amount of \$278,568.

Approved staff's recommendation

- 9.Y.** Approval of Work Order No. 26 - Kimley-Horn & Associates, Inc. Aviation Boulevard Extension (33rd Street to 36th Street) (IRC-1761)

Recommended Action: Staff recommends approval of Work Order No. 26 to Kimley-Horn and Associates, Inc., authorizing the professional services as outlined in the Scope of Services and requests the Board authorize the Chairman to execute Work Order No. 26 on their behalf for a lump sum amount of \$420,395.

Approved staff's recommendation

- 9.Z.** Release of Retainage and Change Order No. 1, Waters Edge Culvert Replacement (IRC-2201)

Recommended Action: Staff recommends approval of Change Order No. 1 and payment of Contractor's Application for Payment No. 2201-7 FINAL in the amount of \$59,219.01 for release of retainage, contingent upon receipt of all subcontractor final lien releases.

Refunds will be issued to residents who prepaid the assessment fee to reflect the decreased project cost. The Tax Collector and Property Appraiser will also be notified of the reduction in the overall charge.

Approved staff's recommendation

- 9.AA.** Data Flow Systems (DFS) Telemetry Control Unit (TC0001) Trade-in

Recommended Action: Staff recommends the Board of County Commissioners (BCC) authorize the trade-in

of the 270 Telemetry Control Units (TC0001) over three years. Staff also recommends that the BCC authorize the Procurement Manager to issue Purchase Orders for the replacement telemetry control units, TCU800.

Approved staff's recommendation

9.AB.

Amendment 1 to Work Order 2 for Schulke, Bittle & Stoddard, LLC, for Floravon Shores Septic to Sewer, IRCDUS Project ID 21.19.556

Recommended Action: Staff recommends that the Indian River County Board of County Commissioners approve Amendment 1 to Work Order No. 2 to Schulke, Bittle & Stoddard, LLC in the amount of \$29,730 to provide additional administrative, bidding, and construction services, and authorize the Chair to execute the same. So long as there are no changes in the dollar amount under the work order and upon adequate completion of the work set forth in the work order and amendment, staff is directed to make final payment and release any retainage to Schulke, Bittle & Stoddard, LLC.

Approved staff's recommendation

10. CONSTITUTIONAL OFFICERS and GOVERNMENTAL AGENCIES

10.A.

Request for Funds from Municipal Elections to be Rolled into Supervisor of Elections 2025/2026 Budget

Recommended Action: Approve the request

Supervisor of Elections Leslie Swan appeared before the Board to request that revenue received from Municipal Elections be rolled into the Supervisor of Elections 2025/2026 budget.

A motion was made by Commissioner Flescher, seconded by Commissioner Adams, to approve the Supervisor of Elections' request. The motion carried by the following vote:

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

Chairman Loar utilized his privilege to move Item 14.A. to Item 10.B. and requested a motion to approve.

A motion was made by Commissioner Flescher, seconded by Commissioner Adams, to approve the Chairman's request to move Item 14.A. to Item 10.B. The motion carried by the following vote:

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

10.B.

Opioid Funding Recommendations from the Public Safety Council for Criminal Justice, Mental Health and Substance Abuse

County Attorney Jennifer Shuler introduced the new round of opioid funding, which aligned with ongoing efforts to build upon the Needs Assessment conducted by the Opioid Task Force. A Request for Applications (RFA) was issued for individuals and organizations seeking funding. She stated that the proposal was presented to the Public Safety Coordinating Council for Criminal Justice, Mental Health, and Substance Abuse (Council), which addressed issues related to criminal justice, mental health, and substance abuse, and that the Council was established to make funding recommendations. She stated that Amanda Busbin from the Southeast Florida Behavioral Network and Carrie Lester from Thrive were available to answer any questions.

Chairman Loar requested that Ms. Busbin review the RFA process. Ms. Busbin explained the submission process for funding applications established during a summer Council meeting. She stated that an RFA was issued for unused funds, with applications accepted until October 15, 2025, resulting in nine submissions. She noted that a five-member review board evaluated the applications based on alignment with the Opioid Needs Assessment. Ms. Busbin stated that six applicants advanced to oral presentations, and five were selected for funding, though none received the full requested amount. The funding allocation totaled \$1.2 million for one year, and plans were made to improve the process for the following year. She expressed her appreciation to the Opioid Task Force for their efforts in completing the process.

Commissioner Flescher expressed his appreciation for Ms. Busbin and her team for the tremendous job they had done. He highlighted the seamless collaboration during the vetting and assessment of over one million dollars in new funding and was very pleased with the direction this initiative had taken. He anticipated more support for education and mental health assistance as part of the process.

Thrive CEO Carrie Lester expressed gratitude for the improvement process and emphasized the organization's commitment to ongoing enhancement. She shared her privilege of presenting at the Public Safety and Behavioral Health Summit in Tampa, FL.

A motion was made by Commissioner Flescher, seconded by Commissioner Earman, to approve the Opioid funding recommendations from the Public Safety Council for Criminal Justice, Mental Health and Substance Abuse. The motion carried by the following vote:

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

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. Biosolids Moratorium Extension Ordinance - LEGISLATIVE

Recommended Action: The County Attorney's Office recommends that after the public hearing the Board vote to approve the ordinance.

Assistant County Attorney Chris Hicks presented the yearly renewal of the Biosolids Moratorium Extension Ordinance, which originated in 2018. At that time, the Statute required staff to return each year to renew the moratorium. Attorney Hicks mentioned a new Bill under consideration that would either extend the moratorium or prevent companies from applying biosolids to their land. Although this Bill had not yet passed, he noted that if it did and aligned with their needs, they would no longer need to seek renewal annually.

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

There was no further discussion on this Item.

A motion was made by Commissioner Flescher, seconded by Commissioner Earman, to approve staff's recommendation and to adopt Ordinance 2025-016, authorizing an extension of the temporary moratorium for an additional 1 year, or until a comprehensive review of the impact on the County's ecosystem is completed, within the unincorporated areas of Indian River County prohibiting land application activities of Class B Biosolids; providing for additional study and possible regulation of Class B Biosolids application activities; providing for exhaustion of administrative remedies; and providing for severability, repeal of conflicting provisions, and an effective date. The motion carried by the following vote:

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

11.A.2. Public Hearing Scheduled for December 9, 2025, to Consider Notice Of Intent To Use Uniform Method Of Collecting Non-Ad Valorem Assessments - LEGISLATIVE

County Attorney Jennifer Shuler explained the process for collecting non-ad valorem assessments. The Board of County Commissioners was responsible for imposing special assessments to fund essential services, including Street Lighting, Road Maintenance, Stormwater Management, Water and Sewer Systems, Solid Waste Disposal, and other public services. To implement the uniform collection method

outlined in Florida Statute 197.3632, the Board must adopt a Resolution detailing the levy, its necessity, and the specific property boundaries that were affected.

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

A motion was made by Commissioner Flescher, seconded by Commissioner Earman, to approve staff's recommendation and Resolution 2025-081, electing to use the uniform method of collecting non-ad valorem special assessments levied within the unincorporated and all participating incorporated areas of Indian River County; stating a need for such levy; providing for the mailing of this Resolution; and providing for an effective date. The motion carried by the following vote:

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

11.A.3.

Public Hearing for Ordinance Amending Code Indian River County Code Sections 102.01(1), and 102.01(4) - LEGISLATIVE

County Attorney Jennifer Shuler stated that at the last Board meeting, the Board had directed the County Attorney to prepare and advertise an Ordinance amending Indian River Code Chapter 102. This Ordinance amended Indian River County Code Section 102.01(1) to clarify that the Board of County Commissioners would meet on the first and third Tuesday of the month. It also required that the annual schedule of regular meetings be approved by the Board by the first meeting in November for the ensuing year. Additionally, it revised Indian River County Code Section 102.01(4) to allow Commissioners, Constitutional Officers, and Government Agencies to submit an Agenda Item 10 days prior to the Regular Board of County Commissioner meeting. Furthermore, it mandated the County Administrator provide an Agenda Packet on or before the close of business on the Thursday preceding the commission meeting.

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

A motion was made by Commissioner Flescher, seconded by Commissioner Adams, to approve staff's recommendation and to adopt Ordinance 2025-017, amending Indian River County Code Chapter 102 titled "Board of County Commissioners meetings and procedures to state that regular meetings will be held on the first and third Tuesdays of the month; to require advance approval of the annual meeting schedule and to specify when Agenda matters must be submitted into the Agenda Management System and when Agenda packets will be distributed prior to meetings. The motion carried by the following vote:

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

11.A.4.

Gladys Bastin's Request to Rezone Approximately ±1.50 Acres from A-1, Agricultural District to RS-6, Residential Single-Family District - QUASI-JUDICIAL

Recommended Action:

Based on the analysis and conclusions outlined in this report, staff recommends that the Board of County Commissioners approve the request to rezone the ±1.5-acre subject parcel from A-1 to RS-6.

Chairman Loar introduced the parties to the proceeding as Indian River County and Gladys Bastin (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.

Patrick Murphy, Chief of Long-Range Planning, presented a rezoning proposal for a ±1.50-acre property located on the north side of 16th Street, which was zoned A-1 (Agricultural District) within the Urban Service Boundary (USB). He stated that the Applicant sought to rezone the property to RS-6, Residential Single-Family District, to enable a lot split for building a single-family home for their grandson. Mr. Murphy stated that staff analysis determined that the requested rezoning to RS-6 aligned with the Comprehensive Plan and supported the County's goals for sustainable residential growth within the USB.

The Chairman opened the public hearing.

Deborah Apolinario asked about rezoning the property to RS-6 and whether a mobile home park could be established after the applicant's passing. Mr. Murphy explained that RS-6 zoning does not permit mobile home parks, which require a specific Residential Mobile Home Zoning category. Acting Planning and Services Director Ryan Sweeney clarified that the current rezoning was limited to single-family homes and noted that, given the property's 1.5-acre size, creating a subdivision would be very difficult.

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

Commissioners Earman and Flescher stated their agreement with the rezoning request.

A motion was made by Commissioner Earman, seconded by Commissioner Flescher, to approve staff's recommendation and to adopt Ordinance 2025-018, amending the zoning Ordinance and the accompanying zoning map for approximately 1.5 acres located on the north side of 16th Street, approximately 750 feet east of 74th Avenue from A-1, Agricultural District to RS-6, Single-Family Residential District; providing codification, severability, and effective date. The motion carried by the following vote:

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

11.A.5. Schwerin 510 LLC's Request to Rezone Approximately ±1.04 Acres from CL, Limited Commercial District to CG, General Commercial District - QUASI-JUDICIAL

Recommended Action: Based on the analysis and conclusions outlined in this report, staff recommends that the Board of County Commissioners approve the request to rezone the ±1.04-acre subject parcel from CL to CG.

Chairman Loar introduced the parties to the proceeding as Indian River County and Schwerin 510 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.

Patrick Murphy, Chief of Long-Range Planning, presented a rezoning proposal for approximately 1.04 acres located on the north side of County Road (CR) 510. The property was zoned CL (Limited Commercial) with a Future Land Use designation of C/I (Commercial/Industrial). It was situated within the U.S. Highway 1 & CR 510 North commercial and industrial node, and the Wabasso Corridor. The applicant sought to rezone the property to CG, the General Commercial District, to unify zoning across adjacent parcels they owned that were already zoned CG. This rezoning aimed to enhance development consistency in alignment with the Wabasso Corridor's commercial development pattern. Staff determined that the request to rezone approximately 1.04 acres from CL to CG was consistent with the Comprehensive Plan. It met all relevant Land Development Regulations (LDRs) and advanced the County's planning objectives for the area. The property was well-positioned for commercial uses permitted in the CG District, making the proposed rezoning appropriate.

Vice Chairman Moss noted the unavailability of the Indian River County Zoning Atlas in digital format. Acting Planning and Services Director Ryan Sweeney described it as an old, color-coded map reflecting the original zoning designations from the mid-1970s, which were altered during a countywide zoning change to CL. He offered Vice Chairman Moss the chance to review the map in his office. Mr. Sweeney responded to Vice Chairman Moss, stating that staff had conferred with the applicant regarding the rationale for their request. The applicant indicated that they were seeking the highest and best use of the property and planned to combine this property

with the remainder of their holdings.

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

A motion was made by Commissioner Flescher, seconded by Commissioner Adams, to approve staff's recommendation and to adopt Ordinance 2025-019, amending the zoning Ordinance and the accompanying zoning map for approximately 1.04 acres located on the north side of County Road 510, approximately 500 feet northeast of US Highway 1, from CL, Limited Commercial District, to CG, General Commercial District; and providing codification, severability, and effective date . The motion carried by the following vote:

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

The Chairman called for a recess at 10:18 am and reconvened at 10:26 with all members present.

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

E. Information Technology

F. Natural Resources

G. Office of Management and Budget

H. Parks, Recreation, and Conservation

- 13.H.1.** Consideration of a Sale Agreement for the Purchase of the 15.47-acre Osprey Estates site through the Environmental Lands Acquisition Bond
- Parks, Recreation & Conservation Assistant Director Wendy Swindell proposed a Sale Agreement for the purchase of the 15.47-acre Osprey Estates site through the Environmental Lands Acquisition Bond. This Tier 1 property consisted of three parcels near the Indian River Lagoon, primarily wetlands that had been

linked to a mosquito impoundment. If acquired, the site would be used for environmental conservation and passive recreation, including plans for native upland restoration and enhanced mangrove wetlands. This acquisition aligned with the Bond Resolution and offered benefits such as preventing development near sensitive habitats, creating wildlife habitats, improving water quality, and ensuring habitat resilience against environmental changes.

Chairman Loar noted that in November 2022, voters in Indian River County approved an Environmental Land Bond, marking it as the third of its kind in the County's history. He pointed out that this clearly reflected an essential aspect of the County's growth management, and the community was truly grateful for it.

Commissioner Earman emphasized the property's high value, driven by its prime location and development potential. He believed the asking price was reasonable given the market trends and highlighted its appeal due to proximity to Vero Beach and Sebastian. Commissioner Earman saw exciting opportunities for making the area a desirable destination, despite the need for bridges and walkways, and fully supported the initiative.

Deputy County Administrator Mike Zito underscored that this was an excellent opportunity to integrate the new acquisition with the development of a park. Staff have explored various resources to design and enhance the nearby 40th Street Gifford Dock. Importantly, they attended meetings with the Gifford Progressive League to encourage community input on what residents wanted to see at the park. He noted that staff aimed to balance these suggestions with what the County could afford to build, in conjunction with the City of Vero Beach's ongoing obligations.

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

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

I. Planning and Development Services

J. Public Works

K. Sandridge Golf Club

L. Utilities Services

13.L.1. Department of Utility Services Integrated Water Master Plan Q1 2026 Update to the Indian River County Board of County Commissioners, IRCDUS Project ID: 00.23.547

Recommended Action: No action is required. This item will be a presentation by the Department of Utility Services staff to the Indian River County Board of County Commissioners on the current progress of the Integrated Water Master Plan project.

Department of Utility Services Capital Projects Manager Howard Richards stated that when the Board approved the Integrated Water Master Plan (IWMP) on September 25, 2024, it was agreed that the Utility Department would provide informational updates at the six-month mark, followed by quarterly updates thereafter. The Board also requested that these updates include information on the use of the approved contingency funds for the project. Mr. Richards presented slides detailing the project's approach, the strategic alignment framework, and the project timeline, which was currently estimated to be completed around July 2026. He reviewed the accomplishments since the September update, including the completed condition assessment of County facilities. Mr. Richards noted that the Board had pre-approved the contingency funds for the project. The total contingency request was \$38,838.81.

Chairman Loar expressed his appreciation for the update, along with the other Commissioners. He emphasized that the Department of Utility Services operated as an Enterprise Fund and explained that an Enterprise Fund was designed to be self-sustaining and not a burden on taxpayers.

No Action Taken or Required

14. COUNTY ATTORNEY MATTERS

14.A. Opioid Funding Recommendations from the Public Safety Council for Criminal Justice, Mental Health and Substance Abuse

[Clerks note: Item 14.A. was moved to Item 10.B.]

15. COMMISSIONERS MATTERS

A. Commissioner Deryl Loar, Chairman

B. Commissioner Laura Moss, Vice Chairman

C. Commissioner Susan Adams

D. Commissioner Joseph H. Earman

E. Commissioner Joseph E. Flescher

16. SPECIAL DISTRICTS AND BOARDS

A. Emergency Services 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.

B. Solid Waste Disposal District

16.B.1. Approval of SWDD Meeting Minutes of September 23, 2025

Recommended Action: Approve

A motion was made by Commissioner Flescher, seconded by Chairman Loar, to approve the Solid Waste Disposal District Meeting Minutes of September 23, 2025, as written. The motion carried by the following vote:

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

16.B.2. Work Order No. 10 to Geosyntec for Annual Compliance Monitoring and Reporting for 2026

Recommended Action: Solid Waste Disposal District (SWDD) staff recommends that its Board approve Work Order No. 10 with Geosyntec Consultants for \$287,637.28 to provide engineering services related to the SWDD Annual Permit, Compliance Monitoring, and Reporting; and authorize the Chairman to execute the same, as presented.

There was no discussion on this Item.

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

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

16.B.3. Request for General Fund funds for PACE EH and Other Community Cleanup Projects

Recommended Action: Staff recommends the Board of County Commissioners authorize up to \$6,000.00 to be donated to various PACE/illegal dumping projects from the General Fund Reserve for Contingencies for the sole purpose of paying associated landfill fees.

There was no discussion on this Item

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

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

16.B.4. Amendment No. 1 to Agreement for Landfill Gas Wellfield Expansion Project

Recommended Action: Staff recommends the Board waive bid requirements and approve the attached Amendment No. 1 to landfill gas wellfield expansion agreement to SCS Field Services in the amount of \$421,500 and authorize the Chairman to execute it after review and approval by the County Attorney as to form and legal sufficiency. Staff also recommends the Board authorize the County Administrator to approve contingency funds to cover change orders to the agreement that may be necessary, including increases in price, up to a total project cost of \$700,000, to prevent delays in work.

There was no discussion on this Item

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

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

16.B.5. IRC Landfill Work Order No. 2 to Geosyntec for Partial Closure Design and Landfill Gas System Evaluation

Recommended Action: Staff recommends the Board approve IRC Landfill Work Order No. 2 with Geosyntec Consultants for \$416,039.48 to provide engineering services related to the Partial Closure Design and GCCS Evaluation; and authorize the Chairman to execute the same, as presented.

There was no discussion on this Item.

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

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

16.B.6. 2nd Amendment to Solid Waste and Recyclables Collection Franchise Agreement between SWDD and Waste Management, Inc. of Florida

Recommended Action: Staff recommends that the Solid Waste Disposal District (SWDD) Board approve the Second Amendment to the Solid Waste and Recycling Collection Franchise Agreement between SWDD and WM; and authorize the Chairman to execute the agreement.

Himanshu Mehta, Managing Director of the Solid Waste Disposal District (SWDD), highlighted key updates in the Second Amendment to the Solid Waste Collection Franchise Agreement with Waste Management, Inc. of Florida (WM). Key changes included: 1. Yard Waste Cart Exemptions: Previously, a 95-gallon yard waste cart was required for all curbside residents in Unincorporated Indian River County. Now, fewer than 50 communities with about 5,000 residents were

exempt for 5 years, with WM waiving the \$100 fee for additional carts for the first 5,000 customers outside of those communities who request one. 2.

Standardized Carts and Cart Swaps: Starting October 1, 2025, residents would be able to swap standardized recycling and trash carts sooner than planned, and yard waste service would decrease from 4 to 1 cubic yard per week. 3.

Supplemental Fees: To address confusion and rising costs for multi-family and commercial customers, WM eliminated the recycling cart roll-out fee, lowered specific fees to a monthly rate, and required customer approval for supplemental fees.

A discussion ensued between the Board and Mr. Mehta regarding the notable 93% increase in Commercial Waste Management rates, which took effect on October 1, 2025. This decision was attributed to a competitive bidding process. Mr. Mehta highlighted that previous rate increases had been controlled, influenced by the Consumer Price Index and the COVID-19 pandemic. This resulted in higher bids from various companies compared to the rates established in the previous ten-year contract.

Vice Chairman Moss asked about the potential for rate decreases. County Administrator Titkanich responded and clarified that, while the rates remained set, supplemental fees had varied. He emphasized that the commercial rates remained competitive relative to neighboring counties and noted that the increase was a necessary adjustment following a decade of low rates.

Administrator Titkanich inquired whether WM would waive the \$100 fee for distributing approximately 5,000 carts. Mr. Mehta clarified that, while 5,000 yard waste carts had been reserved, they remained undelivered due to specific communities had received an exemption. The collection of this fee was still necessary as part of the non-ad valorem assessment program, which involved collecting the assessment through residents' tax bills. Under the Franchise Agreement, WM was obligated to be prepared to provide service to the community each day, even though the community had opted out of yard waste service. This scenario mirrored previous franchise agreements in which communities had used their own yard waste companies and paid service charges directly to WM. Those communities had opted not to allow WM to collect yard waste, preferring to hire their own landscapers. Additionally, WM agreed that during the one-year period, if another 5,000 residents outside the exempt communities required a second yard waste cart, the current \$100 delivery fee would be waived. However, residents would need to agree to an extra \$10 monthly fee for the second cart, as specified in the amendment regarding benefits for exempt communities. Mr. Mehta further clarified that there was no mechanism

to credit the \$100 to exempt communities.

Chairman Loar stated that, in his understanding, the 5,001st customer would be required to pay the \$100 fee for a new yard waste cart. To the Administrator's point, those 5,000 carts had already been effectively paid for. The key takeaway was that WM was already being compensated by those 5,000 customers who were not receiving the services.

Luigi Pace of Waste Management addressed the Board, stating that he did not have the authority to agree to any changes from those initially discussed and negotiated with Mr. Mehta. If the Board desired to make any changes, Mr. Pace would need to seek permission and approval to proceed.

Chairman Loar requested a motion to bring this Item back in January 2026. Commissioner Flescher believed it would be appropriate and in the public's best interest.

A motion was made by Commissioner Flescher, seconded by Vice Chairman Moss, to postpone the discussion until the January 13, 2026, BCC Meeting. The motion carried by the following vote:

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

C. Environmental Control Board

17. PUBLIC COMMENT: NON-AGENDA-RELATED MATTERS

Chinita Tate, a Public Affairs Specialist with the Small Business Administration, addressed the Board regarding the severe storms and flooding in October 2025 that impacted Brevard and Indian River Counties. She discussed the available disaster loans for affected local businesses and residents, highlighting key deadlines: property damage applications were due by January 6, 2026, and economic injury assistance applications by August 7, 2026. The loans feature low, fixed interest rates, terms of up to 30 years, and would allow up to 12 months without payments. Additionally, loans of up to \$500,000 were available for damage to the primary residence, and up to \$100,000 for personal property. Ms. Tate emphasized the importance of rebuilding better to enhance community resilience against future disasters.

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Lisa Snycerski addressed the Board to express her concerns about the potential development of Data Centers in Indian River County. She highlighted the growing resistance to such facilities nationwide and advocated a proactive approach. Ms. Snycerski called for an Ordinance to restrict or ban Data Centers and opposed any zoning law amendments that would support their establishment. She aimed to explore ways for the community to pass a memorandum against Data Centers and sought

guidance on how to move forward with this initiative.

Chairman Loar acknowledged her concerns and expressed his readiness to help foster a discussion on Data Centers and related issues. Commissioner Adams noted that a significant presentation on the subject was given at the legislative conference, covering current trends and possible legislative changes. She encouraged Ms. Snyckerski to reach out to Representative Brackett and Senator Grall to share her concerns.

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Humane Society Board President Jill Collinson mentioned that during the final budget process, one of the slides presented indicated the organization was classified as a quasi-nonprofit. At that time, the Humane Society was offered a 10% increase. However, the Memo of Understanding showed that the Humane Society was approximately \$4,000 short each month compared to what was approved in the budget.

County Administrator Titkanich offered to meet with Ms. Collinson, and if necessary, staff could bring an amendment back to the Board. Ms. Collinson stated that the Humane Society was set to receive over 30 large-breed dogs in the following days. She indicated that, due to the pending court case, the organization might need to hold the dogs for a period of 6 months to 2 years. This situation could present considerable challenges for them if they do not receive their full allotment of resources. Administrator Titkanich stated that he and Emergency Services Director David Johnson would reach out to Ms. Collinson to resolve the issue.

18. ADJOURNMENT:

There being no further business, the Chairman adjourned the meeting at 11:29 a.m.