

Indian River County Florida

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



Meeting Minutes - Draft

Tuesday, September 26, 2023

9:00 AM

Commission Chambers

Board of County Commissioners

Joseph H. Earman, District 3, Chairman

Susan Adams, District 1, Vice Chairman

Joseph Flescher, District 2

Deryl Loar, District 4

Laura Moss, District 5

John A. Titkanich, Jr., County Administrator

William K. DeBaal, County Attorney

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

Shauna James, Deputy Clerk

1. CALL TO ORDER

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

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

2.B. INVOCATION

Pastor Randy Bryant , Ryanwood Fellowship Church

3. PLEDGE OF ALLEGIANCE

Bill DeBaal, County Attorney

4. ADDITIONS/DELETIONS TO THE AGENDA / EMERGENCY ITEMS

Moved: Item 15.A.1 and Item 15.A.2 after Consent

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

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

5. PROCLAMATIONS and PRESENTATIONS

5.A. [23-0866](#) Proclamation Honoring John H. Ankeny On His Retirement From Indian River County Board Of County Commissioners

Recommended Action: Recommend Read and Present

Attachments: [Proclamation](#)

Each Commissioner acknowledged John Ankeny for his contribution to the County. Traffic Staff Assistant Ms. Mya Miller paid tribute to Mr. Ankeny utilizing a PowerPoint presentation.

Read and presented by Chairman Earman

5.B. [23-0851](#) Presentation of Proclamation - Recognizing September as Suicide Prevention Awareness Month

Recommended Action: Read & Present

Attachments: [Proclamation](#)

Tracy Hernandez, the Director of Development at Suncoast Mental Health Center, expressed her gratitude for receiving the Proclamation for Suicide Prevention Awareness Month. She thanked the Board for their support in raising public awareness and promoting mental wellness through open and honest conversations within the community.

Kelly Cambron, a Board member of 2-1-1 Palm Beach and Treasure Coast, thanked the Board for recognizing Suicide Prevention Awareness Month.

Each commissioner expressed the importance of raising awareness about suicide.

Read and presented by Commissioner Flescher

- 5.C.** [23-0838](#) Proclamation Dedicating October as "Careers in Construction" Month

Recommended Action: Recommend Read & Present

Attachments: [Proclamation](#)

Samuel Hjalmeby, President of Samuel Construction Group, thanked the Board for recognizing and promoting the construction industry, especially among the youth in the community.

Read and presented by Vice Chairman Adams

6. APPROVAL OF MINUTES

A motion was made by Commissioner Flescher, seconded by Vice Chairman Adams, to approve the Regular Meeting Minutes of August 15, 2023 and August 29, 2023 as written. The motion carried by the following vote:

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

- 6.A.** [23-0893](#) Regular Meeting of August 15, 2023

Recommended Action: Approve

Attachments: [08152023 BCC Draft](#)

Approved

- 6.B.** [23-0901](#) Regular Meeting of August 29, 2023

Recommended Action: Approve

Attachments: [08292023 BCC Draft](#)

Approved

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

- 7.A.** [23-0859](#) Notice of Extension to Contract for Construction of Required Roadway Improvements (Re: Right-Of-Way Permit No. 2021050580) - 27th Avenue - Project: Riviera Lakes Subdivision - Developer: VB 40 Development Group, LLC

Attachments: [Staff Report](#)

No Action Taken or Required

- 7.B.** [23-0860](#) Notice of Extension to Contract for Construction of Required Roadway Improvements (Re: Right-Of-Way Permit No. 2021110701) - 66th Ave. - Project: Pillar Community Church - Developer: The Pillar Community Church, Inc.

Attachments: [Staff Report](#)

No Action Taken or Required

- 7.C.** [23-0882](#) Florida Public Service Commission Consummating Order No. PSC-2023-0287-CO-EI, Petition for approval of revisions to underground residential tariff, underground commercial differential tariff, and overhead to underground conversion tariff, by Florida Power & Light, is on file for review in the Office of the Clerk to the Board.

Recommended Action: Information Only

No Action Taken or Required

- 7.D.** [23-0862](#) State of Florida Special Olympics Aquatic Championship to be held at the North County Aquatic Center and Intergenerational Recreation Center October 7-8, 2023

Recommended Action: Informational only, no Board action is required

Attachments: [Staff Report Special Olympics](#)

Parks and Recreation Director Beth Powell expressed her gratitude to the Board for recognizing the upcoming Florida Special Olympics Aquatic Championship, which was to be held at the North County Aquatic Center and Intergenerational Recreation Center (iG) October 7-8, 2023. The Special Olympics, hosted by the State of Florida, served as a platform to showcase the hard work and dedication of the

athletes who spend years perfecting their skills in various forms of Aquatics. This year's event was set to have 420 athletes, 130 coaches, 200 volunteers, and 100 family members, bringing the total number of participants to 880. The public was invited to attend.

No Action Taken or Required

7.E. [23-0884](#) Parks and Recreation Master Plan Kickoff Public Meeting September 27, 2023

Recommended Action: Informational item. No Board action is required.

Attachments: [Staff Report](#)

Beth Powell, Director of Parks and Recreation, announced that the Parks and Recreation Master Plan Kickoff public meeting would take place on September 27, 2023, at the iG Center. Ms. Powell mentioned that signage had been placed at various locations and parks to inform the public about the event. Additionally, the public could attend remotely via Zoom.

No Action Taken or Required

8. CONSENT AGENDA

A motion was made by Commissioner Flescher, seconded by Commissioner Loar, to approve the Consent Agenda as amended, pulling Item 8.L. for discussion.

The motion carried by the following vote:

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

8.A. [23-0847](#) Third Party Claims Administration Extension Agreement

Recommended Action: Staff recommends the Board authorize the Chair to execute the extension agreement after review and approval by the County Attorney's Office with an annual renewal cost of \$250,752.

Attachments: [Staff Report](#)
 [Extension Agreement](#)

Approved staff's recommendation

8.B. [23-0894](#) County Administrator Blanket Travel Approval

Recommended Action: Approve payment for County Administrator's membership, registration, and travel for attendance at events for FCCMA, ICMA and FACM.

Attachments: [Staff Report](#)

Approved staff's recommendation

- 8.C. [23-0852](#) Award of RFP 2023060 for Continuing Environmental, Ecological, and Biological Support Services

Recommended Action: Staff recommends the Board approve the final ranking of firms, award the RFP to The Transit Group, Inc. dba Ecological Associates, Inc., Kimley-Horn and Associates, Inc., Applied Ecology, Inc., G.K. Environmental, Inc., Environmental Science Associates, and Environmental Consulting & technology, Inc., approve the agreements, and authorize the Chairman to execute them, after review and approval by the County Attorney as to form and legal sufficiency.

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

Approved staff's recommendation

- 8.D. [23-0856](#) Award of Bid 2023063 for Hallstrom Farmstead Habitat Enhancement & Parking Area Planting

Recommended Action: Staff recommends the Board award bid 2023063 to Sandhill Environmental Services, LLC, approve the agreement, and authorize the Chairman to execute it after approval by the County Attorney as to form and legal sufficiency.

Attachments: [Staff Report](#)

Approved staff's recommendation

- 8.E. [23-0858](#) Health Department Contract 2023-2024

Recommended Action: Staff recommends the Board approve and authorize the Chairman to execute the contract

Attachments: [Staff Report](#)
[Cover Letter CY 2023-2024](#)
[Core Contract CY 2023-2024](#)

Approved staff's recommendation

- 8.F. [23-0865](#) Authorization to Increase Blanket Purchase Orders

Recommended Action: Staff recommends the Board of County Commissioners authorize the listed Purchase Order increases.

Attachments: [Staff Report](#)

Approved staff's recommendation

- 8.G.** [23-0868](#) Award of Bid 2024003 for Central (Gifford) WWTF Generator and ATS Replacement

Recommended Action: Staff recommends the Board award bid 2024003 to Lawrence Lee Construction Services, Inc., approve the agreement, and authorize the Chairman to execute it after review and approval of both the agreement and required Public Construction Bond by the County Attorney as to form and legal sufficiency, the receipt and approval of required insurance by the Risk Manager and after the Contractor has become registered with the Building Division.

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

Approved staff's recommendation

- 8.H.** [23-0869](#) First Amendment to Agreement for 2024 EAR and MPP Update

Recommended Action: Staff recommends the Board approve the first amendment to the agreement, and authorize the Chairman to sign it after review and approval by the County Attorney as to form and legal sufficiency.

Attachments: [Staff Report](#)
[First Amendment](#)

Approved staff's recommendation

- 8.I.** [23-0875](#) Award of RFP 2023064 for Ecological Services in Support of the Environmental Land Acquisition Bond Process

Recommended Action: Staff recommends the Board approve the final ranking of firms, award the RFP to Water & Air Research, Inc. as Primary Consultant and The Transit Group, Inc. dba Ecological Associates, Inc. as Secondary Consultant, approve the agreements, and authorize the Chairman to execute them, after review and approval by the County Attorney as to form and legal sufficiency.

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

Approved staff's recommendation

- 8.J. [23-0853](#) Authorization to Initiate the Consultant Selection Process for an Impact Fee Study Update

Recommended Action: Staff recommends that the Board of County Commissioners authorize staff to initiate the consultant selection process for the impact fee update.

Attachments: [Staff Report](#)
[Scope of Services](#)

Approved staff's recommendation

- 8.K. [23-0879](#) Tanner Joseph Willing and Briana J. Simmons' Request for Affidavit of Exemption (AOE) Approval with Dedications to the County for the Fadden AOE [AOE-21-02-01 / 2001020049-88470]

Recommended Action: Staff recommends that the Board of County Commissioners accept the dedication of the limited access easements and ROW, and authorize the chairman to execute the Fadden Affidavit of Exemption.

Attachments: [Staff Report](#)
[Location Map](#)
[AOE Layout](#)

Approved staff's recommendation

- 8.L. [23-0880](#) Authorization to Initiate the Consultant Selection Process for an Urban Service Boundary Study

Recommended Action: Staff recommends that the Board of County Commissioners authorize staff to initiate the RFP process to select a consultant to complete the USB study.

Attachments: [Staff Report](#)

Commissioner Loar stated that in 1990, Indian River County created the Urban Service Boundary (USB), primarily located on the east side of Interstate 95. It separated the areas that could be served by County water and wastewater from those that could not. Lands inside were for residential, commercial, and industrial use, while lands outside were for agriculture and conservation. The County's plan would direct growth towards the USB for efficient investment in infrastructure and compact urban development. Since its establishment, the USB has effectively served as a boundary for urban growth.

County Administrator John Titkanich stated the purpose of this evaluation was to provide the County with an opportunity to assess its current situation. The selected consultant would conduct public meetings, develop a report, and issue recommendations. The evaluation would run concurrently with the appraisal process,

which was essential to updating the future land use and comprehensive plans. The study would also lay the foundation for the future of the County, particularly in terms of growth and how the County would manage the enclave area to the south, which bisected the Oslo Road interchange and was east of 95.

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

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

- 8.M.** [23-0881](#) Acceptance of a Florida Department of Environmental Protection (FDEP) Grant to Update the County's Vulnerability Assessment Study

Recommended Action: Staff recommends that the Board of County Commissioners authorize the County Administrator to sign the standard grant agreement, and authorize staff to proceed with the consultant selection process.

Attachments: [Staff Report](#)
 [Letter of Support](#)
 [Standard Grant Agreement](#)

Approved staff's recommendation

- 8.N.** [23-0850](#) Work Order Number 25, Amendment No. 3 - Continuing Engineering Services RFQ 2018008 - Renewal and Amendment No. 1 Hobart Park Restroom Connections and Utility Service Plans Revisions

Recommended Action: Staff respectfully recommends approval of Work Order Number 25, Amendment No. 3 for Construction Administrative Services for the Hobart Park Restroom Connections and Utility Service Plans, Continuing Consulting Engineering Services Agreements for RFQ 2018008, Amendment and Renewal No. 1 with Kimley-Horn and Associates, Inc., authorizing the professional services as outlined in Exhibit A, and request the Board authorize the Chairman to execute Amendment No. 3, Work Order Number 25.

Attachments: [Staff Report](#)
 [Amendment 3](#)
 [Cost Breakdown](#)

Approved staff's recommendation

- 8.O.** [23-0836](#) Work Order Number 2, Amendment No. 2 - Continuing Engineering Services RFQ 2018008 - Renewal and Amendment No 1. Fran B. Adams North County Regional Park (Playground and Soccer Complex Area)

Recommended Action: Staff respectfully recommends approval of Work Order Number 2, Amendment No. 2, for Revised Electrical Engineering Services and additional Permit Application

Responses associated with the North County Soccer Improvements, Continuing Consulting Engineering Services Agreements for RFQ 2018008, Amendment and Renewal No. 1 with Masteller and Moler Inc., authorizing the professional services as outlined in Exhibit A, and request the Board authorize the Chairman to execute Amendment No. 2, Work Order Number 2.

Attachments: [Staff Report](#)
[Amendment to Work Order](#)
[Tabulation](#)

Approved staff's recommendation

- 8.P.** [23-0863](#) Work Order Number 26, Amendment No. 3 - Continuing Engineering Services RFQ 2018008 - Renewal and Amendment No. 1 Hosie Schumann Renovations, Restroom Connections and Utility Service Plans

Recommended Action: Staff respectfully recommends approval of Work Order Number 26, Amendment No. 3, for Construction Administrative Services associated with the Hosie Schumann Park Restroom Connections and Utility Service Plans, Continuing Consulting Engineering Services Agreements for RFQ 2018008, Amendment and Renewal No. 1 with Kimley-Horn and Associates, Inc., authorizing the professional services as outlined in Exhibit A, and request the Board authorize the Chairman to execute Amendment No. 3, Work Order Number 26.

Attachments: [Staff Report](#)
[Amendment 3](#)
[Cost Breakdown](#)

Approved staff's recommendation

- 8.Q.** [23-0886](#) Kiwanis Hobart Park Adopt-A-Park by the Treasure Coast Disc Golf Club

Recommended Action: Staff respectfully requests that the Board of County Commissioners waive the \$100 special event fee for up to four disc golf tournaments per year hosted by Treasure Coast Disc Golf Club at Kiwanis Hobart Park.

Attachments: [Staff Report](#)
[Adopt-A-Park Agreement](#)
[Adopt-A-Park Program Reference Manual](#)

Approved staff's recommendation

- 8.R.** [23-0870](#) Approval of Renewal of the Public Safety Communications System FX Software Services Agreement

Recommended Action: Staff recommends the Board authorize the Chairman to execute the Public Safety Communications System FX Software Services Agreement with Communications International Inc.

Attachments: [Staff Report](#)
[FX Software Quote 2023-2024](#)

Approved staff's recommendation

8.S. [23-0887](#) Approval of Renewal of the 800 MHz Communications System Infrastructure Maintenance Contract with Communications International, Inc.

Recommended Action: Staff recommends the Board approve the renewal of the 800 MHz Communications System Master Services Agreement with Communications International, Inc.

Attachments: [Staff Report](#)
[Master Service Agreement](#)
[Maintenance Cost Summary](#)
[CPI Calculation Letter](#)
[Instructions for Consumer Price Index, Southern Urban](#)

Approved staff's recommendation

8.T. [23-0871](#) Approval of Grant Agreement Authorization

Recommended Action: Staff recommends the Board approve the agreement and authorize the Chairman to sign it, after review and approval by the County Attorney as to form and legal sufficiency. Staff also recommends the Board authorize the Director of Emergency Services to sign any documents necessary with GeoComm to execute the work, after review and approval by the County Attorney as to form and legal sufficiency.

Attachments: [Staff Report](#)
[Additional Terms and Conditions](#)

Approved staff's recommendation

8.U. [23-0889](#) Osprey Marsh 27th Avenue Canal Intake Station Pump Replacement

Recommended Action: Staff recommends that the Board of County Commissioners (BCC) approve the unbudgeted capital purchase of \$245,676.60, and ratify the County Administrator's approval of the purchase of two (2) new pumps for the Osprey Marsh Canal Intake Station from the BCC-approved sole source vendor, Xylem Water Solutions USA Inc., in the said dollar amount

Attachments: [Staff Report](#)
[IRC Pump Replacement Quote](#)

Approved staff's recommendation

- 8.V.** [23-0907](#) Approval of Resolution Establishing Utility Rates for Housing Choice Voucher Program for Federal Fiscal Year 2024

Recommended Action: Staff recommends the Board approve the utility rate resolution for Fiscal Year 2024 and authorize the Chairman to execute the resolution on behalf of the Board.

Attachments: [Staff Report](#)
 [Resolution](#)
 [Exhibit A to Resolution](#)

Approved staff's recommendation and Resolution 2023-063, approving revisions to the Housing Choice Voucher (HCV) Program utility allowance schedule for Fiscal Year 2024.

- 8.W.** [23-0908](#) Approval of Resolution Establishing Fair Market Rental Rates for Housing Choice Voucher Program

Recommended Action: Staff recommends the Board approve the resolution setting the Fair Market Rental Rates for Fiscal Year 2024 and authorize the Chairman to execute the resolution on behalf of the Board.

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

Approved staff's recommendation and Resolution 2023-064, approving payment standards for beginning Fiscal Year 2024 for the Housing Choice Voucher (HCV) Program.

9. CONSTITUTIONAL OFFICERS and GOVERNMENTAL AGENCIES

- 9.A.** [23-0903](#) Indian River Sheriff Eric Flowers re: FY 23 Offender Fees

Recommended Action: Request Discussion and Approval of Request

Attachments: [Sheriff's Memo Offender Fees](#)

Sheriff Eric Flowers appeared before the Board to request approval to allocate \$22,800 of offender fees, which were collected during the management of sex offenders and criminal registrants, for investigative items that were of similar nature to the aforementioned process.

There was no further discussion on this Item.

A motion was made by Commissioner Loar, seconded by Commissioner Flescher, to approve the Sheriff's request for \$22,800 from the offender fees reserve account to purchase investigative items. The motion carried by the following

vote:

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

10. PUBLIC ITEMS

A. PUBLIC HEARINGS

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

10.A.1. [23-0818](#)

Request from HCA Florida Lawnwood Hospital for a Class "B" Certificate of Public Convenience and Necessity to Provide BLS/ALS Non-Emergency Ambulance Inter-Facility Transport Originating within Indian River County

Recommended Action: Staff recommends that the Board approve and grant a Class "B" to HCA Florida Lawnwood Hospital for a period of two (2) years.

Attachments: [Staff Report](#)

[COPCN Lawnwood App](#)

[Affidavit of Publication - COPCN HCA Lawnwood](#)

Chief David Johnson, Director of Emergency Services, presented a request from HCA Florida Lawnwood Hospital for a Class B Certificate that would allow them to conduct Advanced Life Support (ALS) and Basic Life Support (BLS) inter-facility transports. The hospital is planning to have its own truck staffed at its Vero Emergency Room (ER) located in South County. This will enable them to transfer patients who cannot be treated at their individual site. Currently, the hospital has a contracted agency for this task, but scheduling issues arise frequently, and fire rescue has had to transport patients when the agency is unavailable. The new arrangement would provide a long-term solution to this problem. Chief Johnson expressed his support for the hospital's request for the Class B certificate.

The Chairman opened the public hearing for comments. There being none, the Chairman closed the public hearing.

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

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

10.A.2. [23-0878](#)

Consideration of Staff-Initiated Land Development Regulation (LDR)

Amendments for Increased Size Allowances for Accessory Structures on Large Single-Family Parcels [Legislative]

Recommended Action: Staff recommends that the Board of County Commissioners adopt the proposed accessory structures LDR amendments.

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

County Administrator John Titkanich briefly summarized the item before turning it over to Interim County Development Director Andy Sobczak.

Mr. Sobczak stated this item was brought forward for the Board's consideration at their July 11, 2023, meeting. The proposal was to increase the size allowance for accessory structures. To support the proposal, he displayed an aerial photo of sample properties in the County where the owners had used up all their allowance for accessory structures.

He offered the following for the Board's consideration: on larger parcels that were one-half acre or larger, larger accessory structures could be appropriate if allowed in a proportionate ratio to the parcel's size. For parcels one-half acre or larger, staff developed the following ratios: 1) Parcels that were at least .5 acres, but less than 1 acre in size - Cumulative total of accessory structures shall not exceed 1.5 times the cumulative area of the principal structure; 2) Parcels that were at least 1 acre in size, but less than 4.59 acres (200,000 square feet) - Cumulative total of accessory structures shall not exceed 2 times the cumulative area of the principal structure; 3) Parcels that exceed 4.59 acres (200,000 square feet) - Cumulative total of accessory structures shall not exceed 3 times the cumulative area of the principal structure.

Mr. Sobczak stated that on August 24th, 2023, it was presented to the Planning and Zoning Commission (PZC) to consider an amendment to the Land Development Regulation (LDR). The PZC voted 7-0 to recommend the Board adopt the proposed LDR amendments.

The Chairman opened the public hearing for comments. There being none, the Chairman closed the public hearing.

A motion was made by Commissioner Flescher, seconded by Vice Chairman Adams, to approve staff's recommendation and adopt Ordinance 2023-013, amending Section 901.03 (definitions in alphabetical order) of Chapter 901 (definitions), and Section 912.05(3) (accessory uses and structures) of Chapter 912 (single-family development), of the Code of Indian River County; providing for conflict and severability; providing for codification; and

providing for an effective date. The motion carried by the following vote:

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

B. PUBLIC DISCUSSION ITEMS

10.B.1 [23-0828](#) Public Discussion Request from M. Finchman re: Sector 7 Easement

Recommended Action: No Action Required

Attachments: [Public Discussion Request Finchman](#)

Speaker not present

No Action Taken or Required

C. PUBLIC NOTICE ITEMS

10.C.1. [23-0895](#) Public Notice of Public Hearing for October 17, 2023, to Consider an Ordinance Amending Code Section 102.04 - Order of Business Agenda for County Commission Meetings

Attachments: [Staff Report](#)

County Attorney Bill DeBraul read the notice into the record.

No Action Taken or Required

11. COUNTY ADMINISTRATOR MATTERS

11.A. [23-0891](#) 2024 Legislative Priorities

Recommended Action: Provide direction to staff regarding identified legislative issues and priorities.

Attachments: [Staff Report](#)
[Legislative Priorities \(20230922\)](#)

Legislative Affairs and Communications Manager Kathy Copeland utilized a PowerPoint presentation to outline preparations for the upcoming legislative session and approval to pursue funding opportunities and address policy issues that may require a legislative or executive solution. The following items for the funding appropriations to be discussed with the Legislature were presented.

Senate Bill 102

This Bill would allow for the automatic permitting of affordable housing on property zoned for industrial use, but could hinder the County's economic diversity.

Homeowner Insurance

Ms. Copeland reported that House Speaker Paul Renner was focusing on the significant rise in homeowner insurance costs, which had increased by 120%.

Virtual Meetings

Ms. Copeland recommended requesting the legislature to permit a Commissioner to participate in official governing business through interactive electronic media if they were out of town on official County business and a quorum of the Board members was physically present.

County Administrator John Titkanich added that participation in public business by governing body members was discussed due to several Attorney General views. Still, there had been no ruling by the courts or legislation related to it. The issue dates back to around 1986, and in 2006, a change to the law was made stating that a member must be physically present unless they were severely ill. This change was made without any judicial or legislative determination. Given the current circumstances, it has become clear that more explicit guidelines were needed for participation in public business. As long as there was a physical quorum present, any member should be able to participate in the general business of the governing body.

Septic to Sewer

Ms. Copeland expressed concern regarding House Bill 1379, which would have significant financial implications for the County and the County residents. At the Joint County-City of Sebastian meeting, there was discussion that the cost for only the City of Sebastian to upgrade from septic to sewer would be \$420,000,000 to \$450,000,000 at current prices. The Department of Health has advised that the six regional offices of the Florida Department of Environmental Protection (FDEP) were understaffed, which would create a permitting backlog; there was discussion by FDEP of an intent to transfer the permitting to the Counties. She explained this could, in turn, create a backlog for the County if they don't have the staff to do the permitting, permitting review, and inspections. In discussions with Director of Utility Services Sean Lieske, concerns were raised regarding the enforcement of the program. Ms. Copeland stated another issue was that the County should not be subsidizing this program. Some residents on central sewer were already paying for it. If the County subsidized the septic program enforcement, it would mean those already paying for central sewer would also be funding the septic program. Therefore, it was important to keep an eye on this matter.

Grants

Ms. Copeland discussed several water quality grant programs the County had applied for and those still under discussion. Ms. Copeland thanked Dr. Duane DeFreese and

Kathy Hill from the Indian River Lagoon National Estuary Program for their help with the grant applications.

Roadway Projects

Ms. Copeland stated the Department of Environmental Protection (DEP) at the Florida Association of Counties meetings presented which funds were being pursued at the federal level for roadway projects, and discussed partnering with the Counties for the federal dollars available.

Fire Rescue/Emergency Operations Center (EOC)

Ms. Copeland stated it was important to remember the significance of the EOC located in the fire rescue building. Not only was it essential to the County, but it was also used by municipalities. Unfortunately, last year's EOC expansion project was vetoed due to federal funds being allocated to the West Coast after Hurricane Ian. The County closely was monitoring funding opportunities to ensure the legislature knew the funds were still necessary.

Central Indian River Lagoon, Basin Management Action Plan (BMAP)

Ms. Copeland stated that the BMAP should be the primary focus of the County's regulatory efforts. Indian River County faced challenges in meeting the requirements set forth by the current BMAP regarding credits for septic-to-sewer projects. To receive BMAP credits for these projects, the FDEP required the ArcNLET model to be applied. Applying this model to septic-to-sewer projects appeared to reduce the number of credits the County could receive.

Commissioner Moss received confirmation from Ms. Copeland that the amendment to Florida Statute Section 718.112(2)(f) could be discussed at the legislative conference. The amendment aimed to extend the deadline by which a condominium or cooperative association must maintain reserves based on a structural integrity reserve study.

Chairman Earman and Vice Chairman Adams each weighed in on the items presented and agreed with Ms. Copeland's priorities.

Ms. Copeland thanked the following for their assistance:

Jackie Means - Engineering
Laura Yonkers - Public Works/Stormwater
Eric Charest - Public Works/Coastal Engineering
Sean Lieske - Utilities Director

At the recommendation of County Attorney Bill DeBraul there was Board

consensus without objection to approve staff's recommendation.

11.B. [23-0892](#) Proposed 2024 Meeting Dates for the Indian River County Board of County Commissioners

Recommended Action: Staff recommends approval of the proposed dates listed for the 2024 Board of County Commissioners meetings

Attachments: [Staff Report](#)
[2024 Calendar](#)

County Administrator John Titkanich presented the Board of County Commissioner meeting dates for 2024.

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

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

The Chairman called for a recess at 10:33 p.m., and reconvened the meeting at 10:42 p.m. with all members present.

12. DEPARTMENTAL MATTERS

A. Community Development

B. Emergency Services

C. General Services

D. Human Resources

E. Information Technology

F. Office of Management and Budget

G. Public Works

12.G.1. [23-0872](#) Indian River County Lagoon Management Plan

Recommended Action: Staff recommends the Board adopt the September 2023 Indian River County Lagoon Management Plan

Attachments: [Staff Report](#)
[Lagoon Management Plan](#)

Lagoon Plan Environment Specialist Melissa Meisenburg utilized a PowerPoint

presentation to illustrate the history of the development of the Lagoon Management Plan (LMP). She stated that through quarterly Board updates, 17 key factors were identified. The first draft was brought before the Board on July 11, 2023. Since that time, TetraTech had facilitated meetings with the Commissioners and public outreach events to receive public comments on the draft plan. Comments were compiled for inclusion, and modifications to the LMP were made.

County Administrator John Titkanich stated that the staff recommendation was to adopt the September 2023 LMP and to allow administrative and non-substantive policy changes. Any revision of projects previously presented and incorporated would be brought before the Board.

Commissioner Moss sought clarification on how the County would align potential funding sources with the projects. Administrator Titkanich responded that as the projects progress, they will explore potential funding sources to support them. The County currently has a plan in place that helps to identify various grant opportunities that were available. By aligning their goals with the available funding, the County would be able to achieve more and implement projects related to resiliency.

Chairman Earman stated that the responsibility of ensuring progress on various projects aimed at protecting the Lagoon and Watershed lies with the Board and staff.

TetraTech Project Manager Matt Shelton thanked the Board and staff for their support with this plan and looked forward to continuing the work in the coming years.

Judy Orcutt, representing the Clean Water Coalition, urged the Board to approve the proposed plan and to allow for administrative adjustments. The plan should specifically outline projects and County funding needed to restore the Lagoon.

A motion was made by Commissioner Moss, seconded by Commissioner Flescher, to approve staff's recommendation and to allow staff to make administrative changes to the Lagoon Management Plan (LMP). The motion carried by the following vote:

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

H. Utilities Services

13. COUNTY ATTORNEY MATTERS

14. COMMISSIONERS MATTERS

- A. Commissioner Joseph H. Earman, Chairman**
- B. Commissioner Susan Adams, Vice Chairman**
- C. Commissioner Joseph E. Flescher**
- D. Commissioner Deryl Loar**
- E. Commissioner Laura Moss**

15. SPECIAL DISTRICTS AND BOARDS**A. Emergency Services District**

The Board of County Commissioners reconvened as the Board of Commissioners of the Emergency Services District. The minutes will be approved at an upcoming Emergency Services District meeting.

[Clerks Note: Item 15.A.1 and 15.A.2 were heard after Consent]

15.A.1. [23-0731](#) Approval of the Emergency Services District Meeting Minutes of June 06, 2023

Recommended Action: Approve

Attachments: [060623 ESD Draft](#)

A motion was made by Commissioner Flescher, seconded by Commissioner Loar, to approve the Minutes of the June 06, 2023 Emergency Services District meeting as written. The motion carried by the following vote:

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

15.A.2. [23-0883](#) Approval of Public Medical Transportation Letter of Agreement between Indian River County Emergency Services District and the Agency for Health Care Administration (Year Four)

Recommended Action: Staff recommends the approval and execution of the Letter of Agreement between the Indian River County Emergency Services District and the Agency for Health Care Administration.

Attachments: [Staff Report](#)
[Letter of Agreement](#)
[Intergovernmental Transfers Questionnaire](#)

Director of Emergency Services Chief David Johnson sought consideration of a letter of agreement between the Emergency Services District and the Agency for Healthcare Administration (AHCA) to facilitate Medicaid reimbursement when Medicaid patients were transported. The agreement would require a payment of \$363,337.25 upfront and would result in a return of \$864,265.59 to the County. This additional funding would be utilized to enhance the current ambulance fleet and to purchase more ambulances.

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

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

The Board of Commissioners of the Emergency Services District reconvened as the Board of County Commissioners continuing with Item 9.A.

B. Solid Waste Disposal District

C. Environmental Control Board

16. ADJOURNMENT

Chairman Earman announced that the meeting on October 3, 2023 would continue the tradition of College Game Day established by former Commissioner Peter O'Bryan.

There being no further business, the Chairman adjourned the meeting at 11:16 a.m.