



Indian River County Florida

Draft Meeting Minutes

Board of County Commissioners

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

Susan Adams, District 1, Chairman

Joseph Flescher, District 2, Vice Chairman

Joseph H. Earman, District 3

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

Randi Wardlow, Deputy Clerk

Tuesday, April 23, 2024

9:00 AM

Commission Chambers

1. CALL TO ORDER

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

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

2.B. INVOCATION

Chris Drinnon, Grace Baptist Church

3. PLEDGE OF ALLEGIANCE

Commissioner Susan Adams

4. ADDITIONS/DELETIONS TO THE AGENDA / EMERGENCY ITEMS

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

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

5. PROCLAMATIONS and PRESENTATIONS

5.A. Presentation of Proclamation Designating April 24, 2024 as Administrative Professionals Day

Administrative staff members representing a variety of County departments were present to accept accolades from the Board for their work. Carol Bergeron, Budget Support Specialist, described the care staff took to assist residents in collaborative and friendly manner. Tina Cournoyer, Assistant to the County Administrator, thanked the Board for the recognition. County Administrator John Titkanich added his appreciation for the invaluable role these "unsung heroes" played.

Read and presented by Vice Chairman Flescher

5.B. Presentation of Proclamation Honoring Indian River County Department of Utility Services' Blue Cypress Wastewater Treatment Facility for their Selection to receive the 2023 Florida Department of Environmental Protection Domestic Wastewater Plant Operations Excellence Award

Chairman Adams praised the Utilities Department staff who were awarded the statewide Excellence Award for their stellar work in maintaining high-quality standards at the Blue Cypress Wastewater Treatment Facility. Director of Utility Services Sean Lieske congratulated the team for their hard work and dedication to the site. Richard Meckes, Water & Wastewater Operations Manager, spoke of the pride his staff took in maintaining the Blue Cypress Lake which was the headwaters lake of the St. Johns River.

Read and presented by Chairman Adams

5.C. Presentation of Proclamation for National Telecommunicators Week April 14-20, 2024

Commissioner Loar took a moment to highlight the fact that public safety dispatchers in the County handle hundreds of thousands of calls for law enforcement, fire rescue and administration assistance. Sheriff Eric Flowers was joined by Public Safety Dispatchers from the Indian River County Sheriff's Office as he lauded staff who worked under stressful conditions to help citizens and safety professionals in the County. The Sheriff advocated for reclassifying dispatchers as hi-risk personnel so they may receive benefits commensurate with the stressful nature of their work.

Kasey Bailey, dispatcher, discussed the 9-1-1 SAVES Act which would reclassify dispatchers as first responders in recognition of the critical role they play in emergency situations. Lu Owens, Shift Supervisor, recounted going into stress-induced cardiac arrest on the job, and praised the skills of her co-workers who saved her life.

Commissioner Earman and Vice Chairman Flescher added their experience as first responders and hi-risk personnel.

Read and presented by Commissioner Loar

5.D.

Presentation of Proclamation Designating the Week of May 6-12 as National Nurses Week

Maritess Quinto, Southeast Region Director, Florida Nurses Association, thanked the Board for the recognition and spoke of issues such as a nurse shortage facing her profession. She was joined by colleagues who discussed Nurse's Week, May 6-12, and spoke of the empathy and passion nurses have for their critical role in the care of the community. A representative from Treasure Coast Community Health (TCCH) thanked the Board for their support as the organization planned to expand their services for the community.

Read and presented by Commissioner Earman

6. APPROVAL OF MINUTES**6.A.**

Regular Meeting of February 20, 2024

A motion was made by Vice Chairman Flescher, seconded by Chairman Adams, to approve the Regular Meeting Minutes of February 20, 2024 as written. The motion carried by the following vote:

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

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

2nd Quarter FY 2023/2024 Budget Report

No Action Taken or Required

7.B.

Administrator Approved Work Orders

No Action Taken or Required

- 7.C.** Recognition of Life Saving Action Performed by Lifeguards Andrew Francoeur and Aaron Levy.

[Clerk Note: This Item was heard following Item 5.D.]

Deputy County Administrator Mike Zito gave special recognition to two members of the County's Ocean Rescue Division, lifeguards Andrew Francoeur and Aaron Levy, who saved a citizen undergoing cardiac arrest.

Deputy Chief Mark Shaw, Indian River Shores Public Safety Department, applauded the quick thinking and actions of the lifeguards who saved the beachgoer, Mr. Wallace, who was also in attendance. Mr. Wallace thanked the lifeguards for saving his life as he recounted his experience. Deputy Chief Shaw presented Challenge coins to all three and praised the training the lifeguard/EMTs were given.

Beach Operations Supervisor Johnathan Billings praised Mr. Francoeur and Mr. Levy's life-saving actions as he presented them each with an Accommodation Coin from the Florida Beach Patrol Chief's Association.

The Board thanked the lifeguards for the life-saving protection they offered. Administrator Zito noted that defibrillators were being ordered to be installed at all County beach parks.

No Action Taken or Required

- 7.D.** Veterans Services Division Updates

Deputy County Administrator Mike Zito introduced the County's Veterans Services Office (VSO) team, led by Melissa Arndt, who provided an update to the Board on the service improvements being implemented by the VSO. Ms. Arndt detailed the streamlined processes implemented which included: walk-in and emergency time slots, shortened wait times for appointments (less than one month), and expanded outreach efforts with local businesses.

Administrator Zito noted that all the County's VSO locations were federally and State certified, with Ms. Arndt expanding on the required training for officers. County Administrator John Titkanich also lauded the Officers for handling an increased number of visits in a more timely and efficient manner.

No Action Taken or Required

8. CONSENT AGENDA

A motion was made by Vice Chairman Flescher, seconded by Commissioner Loar, to approve the Consent Agenda as amended, pulling Item 8.I. for discussion. The motion carried by the following vote:

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

8.A. Annual Resolution 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

Approved staff's recommendation and Resolution 2024-016, 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. 2022-93 effective December 7, 2023; and providing an effective date.

8.B. Annual Resolution re Delegation of Authority Concerning Declarations of State of Local Emergencies and to Act in a State Declared Emergency Affecting Indian River County

Approved staff's recommendation and Resolution 2024-017, 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. 2022-94 effective December 7, 2023; and providing an effective date.

8.C. Revision to AM-604.1 Solicitation and Distribution

Approved staff's recommendation

8.D. Approval of Agreements for Software Purchase and Maintenance

Approved staff's recommendation

8.E. Amendment No. 1 Morgan and Eklund Work Order No. 4 for Post Significant Erosional Event Rapid Land and Hydrographic Beach Profile Surveys

Approved staff's recommendation

8.F. Stormwater Partnership with The Learning Alliance

Approved staff's recommendation

8.G. Designation of Excess Equipment as Surplus and Authorization for Disposal

Approved staff's recommendation

8.H. Waiver of Bid Requirement for FDOT-Certified Traffic Equipment

Approved staff's recommendation

- 8.I.** First Amendment to Urban Service Boundary Study Agreement (RFP 2024025)
- Chairman Adams sought to apprise residents that the County was conducting a study of the Urban Service Boundary (USB) which marked where the County provided services such as water, sewer, and support for development. Chris Balter, Chief of Long Range Planning, noted this amendment to the study agreement was made to include additional public engagement workshops regarding adjustment to the USB. He noted it had been more than 30 years since it had been studied. Mr. Balter encouraged the public's engagement and directed to the informational video, survey, and meeting information on the County's website.
- Approved staff's recommendation**
- 8.J.** Automobile Liability Settlement for Carlene Paulk
- Approved staff's recommendation**
- 8.K.** Workers Compensation Settlement for Roger Harrington
- Approved staff's recommendation**
- 8.L.** Approval of Client Service Agreement for Utilities Bill Print and Mailing Services
- Approved staff's recommendation**
- 8.M.** Work Order Number 2, Amendment No. 3 - New Restroom Facility at Fran Adams (North County) Regional Park
- Approved staff's recommendation**
- 8.N.** Request for Authorization to Submit an Application for Section 5311 Grant for Rural Transit Operating Assistance Funds
- Approved staff's recommendation and Resolution 2024-018, authorizing the submission of a grant application for 49 USC Ch. 53, Section 5311 Public Transit Operating Assistance.**
- 8.O.** Resolution of Support for 26th Street Widening Project
- Approved staff's recommendation and Resolution 2024-019, supporting the project to widen and improve 26th Street from 66th Avenue to 43rd Avenue for the 2024 Transportation Regional Incentive Grant Program (TRIP) application.**
- 8.P.** Resolution of Support for Aviation Boulevard Extension Project
- Approved staff's recommendation and Resolution 2024-020, supporting the extension of Aviation Boulevard between US 1 and 37th Street for the 2024 County Incentive Grant Program (CIGP) application.**

8.Q. Appointment of Board of County Commissioners Alternate Representative to the MPO Bicycle Pedestrian Advisory Committee

Approved staff's recommendation

8.R. Amendment to Work Order 3 to AtkinsRéalís USA for Continuation of Supplemental Staff Support Services

Approved staff's recommendation

8.S. Work Order No. 3 - MBV Engineering, Inc., Traffic Operations Facility, IRC-2104

Approved staff's recommendation

8.T. Award of Bid No. 2024015, Oslo Road and 90th Avenue Roadway Improvements (IRC-2215)

Approved staff's recommendation

8.U. TLC Diversified, Inc. Change Order 4 and Kimley-Horn and Associates, Inc. Work Order 6 Amendment 2 for Oslo Water Treatment Plant Improvements

Approved staff's recommendation

9. CONSTITUTIONAL OFFICERS and GOVERNMENTAL AGENCIES

10. PUBLIC ITEMS

A. PUBLIC HEARINGS

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

10.A.1.

Consideration of an Ordinance of Indian River County, Florida Amending the Zoning Ordinance, and the Accompanying Zoning Map for ±19.6 Acres from A-1, Agricultural District to RS-3, Single-Family Home Residential District (RZON2002030112-96026) [Quasi-Judicial]

Chairman Adams introduced the parties for the proceeding as being Indian River County and Island Manor Development LLC (Applicant). 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 can base their decisions on the evidence presented and the applicable law. Commissioner Moss added relevant emails to the record. County Attorney Bill DeBraul noted this parcel had been nominated to be reviewed for purchase by the County's Environmental Land Acquisition Panel (ELAP). The Chairman opened the public hearing and the Deputy Clerk administered the Oath to all persons who wished to speak at the hearing.

Cindy Thurman, Senior Planner, Long Range Planning, presented staff's analysis of the Applicant's request to rezone the parcel from A-1 Agricultural District to RS-3, Single Family Residential District. Ms. Thurman displayed the location of the former citrus grove which was adjacent to the Captain Forster Hammock Preserve, and bordered the Jungle Trail. The report continued to note consistency with the County's Comprehensive Plan and Future Land Use Designation, and confirmed the parcel met the criteria outlined in Chapter 902.12 (3), County Land Development Regulations (LDRs); development requirements would be determined at a later stage. The presentation concluded with recommendations from the Planning and Zoning Commission and staff to approve the request.

The Board entered into discussion with Ms. Thurman and Chris Balter, Chief of Long Range Planning. Confirmation was received that the Island Manor parcel could be purchased by the ELAP even if the parcel was rezoned. Commissioner Moss raised concerns with subsections (h) and (j) under County LDR 902.12 (3). In conversation with staff, the options to survey and mitigate possible wetlands were detailed. Discussion was had regarding what constituted a danger to the public's wellbeing, noting there was not a threat to the health, safety or welfare to the public by rezoning the parcel. It was also noted that changing the zoning from the existing A-1 would make the property consistent with the County's Comprehensive Plan.

The Applicant's representative, Ryan McLean, Project Manager at MBV Engineering, appeared before the Board to answer any questions. He noted the developer was requesting a lower density zoning of RS-3 instead of the maximum RS-6 density allowable under the property's L-2 land use designation.

Island Club residents Robert and Beth Shapiro provided their reasons for opposing development of the parcel and spoke in support of the ELAP purchasing the land for conservation.

Closing comments from the Board included details of the ELAP purchase process, consistency of the request with the Comprehensive Plan, the processes in place between rezoning and development, and that the rezoning request met all the County's requirements. Commissioner Moss restated her opposition based on adverse impacts to the environment and conflict with the public interest.

A motion was made by Vice Chairman Flescher, seconded by Commissioner Loar, to approved staff's recommendation and adopt Ordinance 2024-007, amending the Zoning Ordinance and the accompanying zoning map for approximately ±19.65 acres located on the north side of Island Club Manor approximately one-quarter of a mile west of Highway A1A, and terminating at the eastern boundary of the Indian River, from A-1, Agricultural-1 to RS-3, Single-family Residential, and providing codification, severability, and effective date. The motion carried by the following vote:

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

Nay: 1 - Commissioner Moss

10.A.2.

Consideration of Mod Units LLC Request for a Local Jobs Grant

Chief of Long Range Planning Chris Balter presented Mod Units LLC request for a local jobs grant. The company, which manufactured modular units for affordable housing construction, projected the creation of 24 mid-and-high-wage jobs for a total of \$128,000 in grant money to be paid over three years. The request was approved by the Economic Development Council at their March 19, 2024 meeting.

Under discussion, the Board received information the company had purchased the old Ford Wire and Cable manufacturing facility in Sebastian, and had also received an economic development grant for the building's expansion.

The Chairman opened the public hearing.

Helene Caseltine, Economic Development Vice President for the Indian River County Chamber of Commerce, described her efforts to bring the company to Indian River County and discussed the positive impact the jobs and the manufacturer would have on the community.

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

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

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

The Chairman called for a recess at 10:38 a.m., and reconvened the meeting at 10:45 a.m. with all members present.

B. PUBLIC DISCUSSION ITEMS**C. PUBLIC NOTICE ITEMS****11. COUNTY ADMINISTRATOR MATTERS**

11.A. Strategic Plan - Element Statements

County Administrator John Titkanich presented the next step in the County's strategic plan initiative, creation of goals and goal statements. He noted the plan would be a three-year plan, rather than five years, in order to allow modifications based on several other studies still in progress. Through a PowerPoint presentation, Mr. Titkanich walked the Board through the five goals statements: Environment, Governance, Infrastructure, Public Safety, and Quality of Life. He advised that from these goals, the strategic planning team would next develop Objectives, Strategies, Initiatives and Actions Items with input from staff and the public.

Commissioner Moss received information that working with the County's Municipalities fell under the category of Governance and community engagement. Commissioner Loar confirmed that coordination with the Florida Legislature (appropriations, home-rule, etc.) also fell under Governance. Mr. Titkanich assured there would be opportunity for the Board to indicate their priorities.

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

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

12. DEPARTMENTAL MATTERS

- A. Community Services**
- B. Emergency Services**
- C. Human Resources**
- D. Information Technology**
- E. Natural Resources**
- F. Office of Management and Budget**
- G. Parks, Recreation, and Conservation**

12.G.1.**Parks, Recreation & Conservation Department Fee Schedule and Standard Operating Procedures Update**

Parks, Recreation and Conservation (PR&C) Director Beth Powell presented an overview of her recently restructured Department, its standard operating procedures, and revised fee schedules. Utilizing a PowerPoint presentation, Ms. Powell provided information including operating budget, staff, transactions, and highlights from each of the facilities/divisions under PR&C. Ms. Powell also highlighted a strengthened connection with the UF/IFAS extension office and its offerings. Next, she discussed creating a Standard Operating Procedure (SOP) manual to help onboard new employees and provide standards for customer service. Lastly, Ms. Powell presented the planned fee updates to cover increased operation costs and would take effect fall 2024; of note, the Aquatics fees had not been updated since 2002.

Under discussion, Commissioners expressed their appreciation for staff, the quality and variety of facilities available in the County, and the department's community outreach. Confirmation was received that County residents would pay higher fees at Municipal-owned facilities, the need for more recreation to meet increased growth, and that the fairgrounds marquee sign would be repaired. Commissioner Earman received an in-depth explanation from Ms. Powell of the revised hourly reservation/fee structure for the diving well and swim lanes, especially as it related to frequent users. Ms. Powell and Deputy County Administrator Mike Zito notified the Board the individual divisions were formulating template agreements for frequent users and would bring them to the Board for approval.

Karen Fuss, CEO and Head Coach of Bolt Aquatics, addressed the Board regarding the aquatic fee increases and the detrimental effect to her business which provided swim classes and competitive swimming. She estimated the increased pool rental fees would cost more than \$11,000 annually, as well as swim meet fee increases. She requested a compromise after her meeting with staff provided no relief.

Commissioner Earman followed up on the request from Bolt Aquatics by asking if staff could work to find an individual solution for similar situations. Mr. Zito noted the fees were moving to a per-use rate rather than a bulk rate, and that the rates compared favorably to Leisure Square considering the absence of an entry fee.

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

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

H. Planning and Development Services

12.H.1. Traffic Signal Cabinet Wraps Project

Planning and Development Services Director Andy Sobczak introduced the item with a brief recap of the project. He informed that staff decided to do a pilot study of ten (10) box wraps, at a cost of \$500 each, to gauge public and Board support. Additionally, Mr. Sobczak discussed his outreach efforts to the municipalities who all expressed interest in participating in the project.

Commissioner Earman used slides to show the results of the pilot project graphics, and to outline the decisions that would need to be made going forward. The pilot project showed the need for dedicated decision-makers to identify locations, photographs, and funding; the Commissioner outlined several suggestions to simplify and organize the process. He closed by asking if there was interest from the Board to continue with the wraps.

Commissioner Adams led discussion with her concerns which included the availability of staff, quality of the photos, the cost and funding, and also discussed similar projects in neighboring cities. She requested tabling the item in light of the planning workload facing Community Development staff, and other unanswered logistical questions. Commissioner Earman was in favor of the project's beautification, and requested the Board's input on continuation of the effort.

Vice Chairman Flescher expressed concern the wraps were distracting, and expressed skepticism over the longevity of the materials. He called for a pause on the project until the benefit to the community could be assessed. Commissioner Loar acknowledged the community enjoyed the graphics, however, he could not justify the cost in light of the upcoming budget. The idea of sponsorships was nixed as the Commissioner made a motion to kill the project. Commissioner Moss questioned the materials' life cycle, and was concerned about funding, even though she liked the graphics.

Chairman Adams suggested holding the project until the Community Development Ombudsman came on board and could review these discussions and decide how or if to move forward. After clarification, Vice Chairman Flescher seconded the motion not to continue with the project.

A motion was made by Commissioner Loar, seconded by Vice Chairman Flescher, to terminate the traffic signal cabinet wraps project. The motion failed by the following vote:

Aye: 2 - Vice Chairman Flescher, and Commissioner Loar

Nay: 3 - Chairman Adams, Commissioner Earman, and Commissioner Moss

Chairman Adams called for a motion to revisit the project at a time in the future when there was a person on staff who had the bandwidth to handle putting together the program and find answers to the questions raised by the Board.

A motion was made by Commissioner Earman, seconded by Chairman Adams, to table the project until there was a staff member who could be dedicated to pursuing the matter. The motion passed by the following vote:

Aye: 3 - Chairman Adams, Commissioner Earman, and Commissioner Moss

Nay: 2 - Vice Chairman Flescher, and Commissioner Loar

I. Public Works

J. Utilities Services

13. COUNTY ATTORNEY MATTERS

14. COMMISSIONERS MATTERS

A. Commissioner Susan Adams, Chairman

B. Commissioner Joseph E. Flescher, Vice Chairman

C. Commissioner Joseph H. Earman

D. Commissioner Deryl Loar

E. Commissioner Laura Moss

15. SPECIAL DISTRICTS AND BOARDS

A. Emergency Services District

B. Solid Waste Disposal District

C. Environmental Control Board

16. ADJOURNMENT

There being no further business, the meeting was adjourned at 12:34 p.m.