



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.ircgov.com

Joseph H. Earman, District 3, Chairman

Susan Adams, District 1, Vice Chairman

Joseph Flescher, District 2

Deryl Loar, District 4

Laura Moss, District 5

Michael C. Zito, Interim County Administrator

Dylan Reingold, County Attorney

Jeffrey R. Smith, Clerk of the Circuit Court and Comptroller

Randi Wardlow, Deputy Clerk

Tuesday, February 21, 2023

9:00 AM

Commission Chambers

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

Leslie Rossway Swan, Supervisor of Elections

3. PLEDGE OF ALLEGIANCE

Joseph H. Earman, Chairman

4. ADDITIONS/DELETIONS TO THE AGENDA / EMERGENCY ITEMS

Added: Item 14.A.2. and Item 15.A.1.

Moved: Item 15.A.1. to follow Consent Agenda

Deleted: Item 8.H.

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. Presentation of Proclamation Designating February, 2023, As 2-1-1 Awareness Month

Chairman Earman praised the 2-1-1 Helpline for the life-saving services it provided.

Read and Presented by Commissioner Loar

5.B. Presentation of Proclamation Honoring William Holt

Mr. William Holt was joined by his wife, family, and friends as he expressed gratitude for the Board's recognition of the impact his many humanitarian and improvement programs have made upon the community. James Willis, President, Gifford Youth Little League, recounted Mr. Holt's mentorship which inspired him to be a coach.

Interim County Administrator Michael Zito sought to foster a relationship between Gifford Youth Little League and the County, and suggested unification of the Gifford program with Major League Baseball's RBI (Reviving Baseball in Inner Cities) program at the Jackie Robinson Training Complex.

Read and Presented by Vice Chairman Adams

5.C. Presentation of Proclamation Honoring Dale Dawkins

Mr. Dale Dawkins thanked the Board for the honor and recognized the community support which helped him succeed. He went on to discuss his plans to give back to the community through coaching, mentorship, and philanthropy. Mr. Dawkins personally thanked Teddy Floyd, the Velde and Wilson families, Dr. Peggy Jones, and his parents and siblings. The following people spoke on his behalf: Teddy Floyd, Dr. Peggy Jones, Eric Seymour, and Kenny Holmes.

Read and Presented by Commissioner Flescher

5.D. Presentation of Proclamation Recognizing Black History Month in Indian River County

Commissioner Moss made mention of local community members who made an impact: Freddie Woolfork and Angelia Perry of the Gifford Youth Achievement Center; Constance Peterson of Gifford Middle School; the late Gerrod Miller of Dodgertown Elementary; Jonnie Mae Perry of the Gifford Historical Museum and Cultural Center; and Dr. Crystal Bujol, Artistic Director of the Gifford Youth Orchestra.

A member of the Fort Pierce Alumnae Chapter of Delta Sigma Theta Sorority, Inc. thanked the Board and accepted the proclamation

Read and Presented by Commissioner Moss

5.E. Presentation of Proclamation Recognizing the Education Foundation of Indian River County

Ms. Heidi Leoni, Executive Director, Education Foundation of Indian River County, was described as a breath of fresh air as she thanked the Board for highlighting the programs her organization provided in support of educational outcomes for students. Mr. Eric Seymour, Vice Chairman of the Board of Directors, thanked the Board for their recognition, and also made mention that Mr. Kenny Holmes was a Board member of the Education Foundation.

Read and Presented by Chairman Earman

6. APPROVAL OF MINUTES

6.A. Regular Meeting of December 6, 2022

A motion was made by Commissioner Flescher, seconded by Commissioner Loar, to approve the Regular Meeting Minutes of December 6, 2022 as written. The motion carried by the following vote:

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

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

7.A. City of Sebastian, Notice of Voluntary Annexation of 2044.3 acres, more or less, located south of the north boundary of County Road 510 ROW, west of lands adjacent to 74th Avenue ROW, north of 69th Street ROW, and East of 90th Avenue. A copy of the adopted Ordinances with maps and legal description, Resolution, and Annexation Agreement with Graves Brothers Company are on file in the Office of the Clerk to the Board.

Chairman Earman noted there was an error in the cover letter regarding the date of the annexation. The correct date was February 8, 2023.

No Action Taken or Required

8. CONSENT AGENDA

A motion was made by Commissioner Flescher, seconded by Vice Chairman Adams, to approve the Consent Agenda as amended, pulling Items 8.F. and 8.G. 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. Indian River County Subaward and Grant Agreement for Hurricane Ian

Approved staff's recommendation

8.B. Hurricane Isaias Closeout

Approved staff's recommendation

8.C. Authorization to Increase Blanket Purchase Orders

Approved staff's recommendation

8.D. Mobile Detailing Agreement with No-H2O

Approved staff's recommendation

8.E. Authorization to Continue Piggybacking Modified Volusia County Bid for Lab Services

Approved staff's recommendation

8.F. Work Order Number 8, Continuing Architectural Services Contract RFQ 2018063 Victor Hart Sr Community Enhancement Complex (Gifford Park) - Restroom / Concession Stand Architectural Services

Mr. Wilfred Hart thanked Commissioner Flescher for his assistance in bringing to fruition the updates to the Victor Hart, Sr. Community Enhancement Complex. Commissioner Flescher extended thanks to staff who worked on this project.

A motion was made by Commissioner Flescher, 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

8.G. Work Order Number 4, Dune Crossover Replacement of Two Dune Crossover Structures and One Dune Crossover Ramp Repair at the Tracking Station Beach Access

Commissioner Moss apprised the Board and the public that the Tracking Station Beach Park's dune crossover structures were being replaced; however, a previously existing pavilion atop one of the crossovers could not be rebuilt immediately. Beth Powell, Acting General Services Director/Parks and Recreation Director, assured the plans for the rebuilt crossover would allow future construction of a pavilion.

A motion was made by Commissioner Moss, seconded by Commissioner Flescher, 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.H.** Delete 8.H. -- D.R. Horton, Inc's Request for Final PD Plan/Plat Approval for a Subdivision to be known as Grande Hammock PD [PD-13-11-04 / 2013100058-91467]
Deleted
- 8.I.** Criminal Justice, Mental Health and Substance Abuse Reinvestment Grant Program
Approved staff's recommendation
- 8.J.** FDEP Grant Agreement 22IR1 - Wabasso Beach Restoration Project - Sector 3 Construction and Year 1 Monitoring
Approved staff's recommendation
- 8.K.** Venetian Grove - Right of Way Acceptance and Murphy Reservation Release
Approved staff's recommendation
- 8.L.** Sector 3 Beach and Dune Restoration Project (IRC1925) APTIM, Work Order No. 2018006-14, Post Construction Environmental Monitoring (Phase 1 Year 2 Monitoring and Phase 2 Year 1 Post Construction Monitoring)
Approved staff's recommendation
- 8.M.** Amendment No. 1 to Work Order No. 5 with Edlund, Dritenbas, Binkley Architects and Associates, P.A. for Fire Station #7 (IRC-1911)
Approved staff's recommendation
- 8.N.** Jones Edmunds Work order 3 for conceptual redesign of a Stormwater Treatment Facility's headworks at Egret Marsh Stormwater Park
Approved staff's recommendation
- 8.O.** Award of Bid No. 2023018 61st Court Full Depth Reclamation (FDR) from 47th Street to 49th Street, IRC-2216
Approved staff's recommendation
- 8.P.** Release of Retainage - Ceres Environmental Services, Inc. - Hurricane Ian Debris Monitoring (IRC-2223)
Approved staff's recommendation
- 8.Q.** Work Order No. 8 Ecological Associates, Inc. HCP Sea Turtle Monitoring North and South County
Approved staff's recommendation

8.R. Upgrade Broadcast Pix Granite Equipment

Approved staff's recommendation

8.S. North County Water and Sewer Project Phase 2 Bid No. 2021019, Change Order #2 - to Centerline, Inc.

Approved staff's recommendation

8.T. Work Order 14 to Bowman Consulting Group, LTD. - Replacement of the NWWTF 24" Force Main

Approved staff's recommendation

8.U. Synagro Dewatering and Sewage Sludge Removal Contract Price Increase

Approved staff's recommendation

9. CONSTITUTIONAL OFFICERS and GOVERNMENTAL AGENCIES

9.A. Indian River County Supervisor of Elections Leslie R. Swan re: Revenue from the Special Referendum Mail Ballot Election

Supervisor of Elections Leslie R. Swan appeared before the Board to request the \$16,181.40 in funds received from Indian River Shores' January 24, 2023 mail-in ballot election be rolled into her office's 2022/2023 budget.

A motion was made by Commissioner Loar, seconded by Vice Chairman Adams, to approve the request to have revenue received from conducting the January 24, 2023 Special Referendum Mail Ballot election be rolled into the Supervisor of Elections 2022/2023 budget. 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

B. PUBLIC DISCUSSION ITEMS

10.B.1. Request to Speak from Doug DeMuth re: Sector 7

Mr. Doug DeMuth addressed the Board with a plan to resolve the issues hampering beach replenishment in Sector 7. He proposed reassigning sector boundaries to provide public access to the southernmost beaches, modifying easement terms to reach the required number of approvals, and focusing sand placement on the southern portions of the barrier island. He requested additional discussion between the Board, staff, and area residents.

Chairman Earman noted that revised easements had been distributed, and indicated he would like to see the results of that effort before moving in a different direction. Discussion ensued between the Board and Mr. DeMuth regarding the viability of his proposals. Chairman Earman suggested Mr. DeMuth present his ideas to the Beach and Shore Preservation Advisory Committee as a next step.

No Action Taken or Required

A motion was made by Commissioner Flescher, seconded by Vice Chairman Adams, to hear Item 13.B., Residency Restrictions for Registered Sex Offenders - Permission to Advertise, following Item 10.B.1. 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 10:27 a.m., and reconvened the meeting at 10:37 a.m. with all members present.

C. PUBLIC NOTICE ITEMS**11. COUNTY ADMINISTRATOR MATTERS****12. DEPARTMENTAL MATTERS****A. Community Development****B. Emergency Services****C. General Services****D. Human Resources**

12.D.1.

Selection of Finalists for Interview - County Administrator

Human Resources Director Suzanne Boyll guided the Board through the next phase of the County Administrator search, selection of the finalists for interview.

The Board reached consensus to narrow the field to a maximum of five (5) candidates. Tally sheets were handed out and the Commissioners were directed to announce their choices aloud.

Lynelle Klein, Vice President for Operations, Colin Baenziger and Associates (CB&A), announced the five finalists: John Titkanich with five votes; Dale "Doc" Dougherty, Don Rosenthal and Jeff Wilkins with four votes each; and Phil Matson with three votes. Discussion ensued regarding choosing one or two alternates from the next highest vote getters, Don King and Pat Oman. The Board expressed their preference to omit choosing an alternate candidate.

A motion was made by Commissioner Flescher, seconded by Chairman Earman, to approve five (5) County Administrator candidates: Dale "Doc" Dougherty, Phil Matson, Don Rosenthal, John Titkanich, and Jeff Wilkins; no alternates were chosen. The motion carried by the following vote:

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

Discussion continued with details of the interview process. Ms. Klein informed that on Thursday, March 2nd, the candidates would tour the County, have lunch with staff, and attend an evening reception. On Friday, March 3rd, the Commissioners would individually interview each candidate, followed by a public question and answer session. Ms. Boyll relayed staff's recommendation to begin the tour at 9:30 a.m., and the Board agreed.

The Board reached consensus to start the candidates' tour at 9:30 a.m.

12.D.2.

Approval of Agreement with Everside Health LLC for Indian River County Everside Health Center (Employee Clinic)

Human resources Director Suzanne Boyll recapped the timeline of the Employee Clinic initiative which began in 2021, and was tentatively projected to open by October 2023. Following the Board's direction at the November 1, 2022 BCC meeting, staff negotiated an agreement with Everside Health, LLC to implement the Indian River County Everside Health Center. Chairman Earman expressed his support for the Clinic, with Commissioner Flescher making a motion for approval with discussion.

Under discussion, Commissioner Moss restated her previously expressed concerns with low employee utilization and the County's initial investment. She described the medical clinic as a high-risk, high-cost experiment.

Ms. Boyll advised that most of the savings would be realized through better employee health over time, and described the ways increased employee health engagement would lead to lower health care costs for the County. She confirmed clinic staff would consist of a nurse practitioner and two assistants, with access to support from medical doctors.

Discussion ensued regarding the County's possible exposure to liability, with County Attorney Dylan Reingold and Ms. Boyll providing information on the risks that would be assumed by Everside Health such as worker's compensation, malpractice insurance, and HIPAA protections.

Shannon Mason, Everside Health, provided additional details on her company's insurance obligations and risk aversion, as well as patient convenience services such as on-site blood draws, medication distribution, and co-management of chronic health conditions.

Commissioners Earman, Adams, Flescher, and Loar expressed support for the clinic, noting its value for recruitment, retirees on fixed incomes, preventative care, and greater accessibility to medical attention for employees.

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

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

Nay: 1 - Commissioner Moss

E. Information Technology**F. Office of Management and Budget****G. Public Works****H. Utilities Services****13. COUNTY ATTORNEY MATTERS****13.A.** 61st Drive Maintenance Map

County Attorney Dylan Reingold referred to a map of 61st Drive, north of CR510 (85th Street) as he discussed the reasoning behind filing a maintenance map with the Clerk of the Circuit Court under Section 95.361, Florida Statutes. Attorney Reingold explained that the County's Department of Utility Services would need right-of-way (ROW) access to install a sewer main along 61st Drive as part of the West Wabasso Septic to Sewer (S2S) project. He added that residents along 61st Drive were notified by mail of the County's consideration of filing the maintenance map.

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

13.B. Residency Restrictions for Registered Sex Offenders - Permission to Advertise

[Clerk's Note: Item 13.B. was heard following Item 10.B.1.]

County Attorney Dylan Reingold requested the Board's approval to advertise for an upcoming public hearing regarding residency restrictions for registered sex offenders. Attorney Reingold extended thanks to the attorneys and members of law enforcement who helped with the needed ordinance changes.

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

14. COMMISSIONERS MATTERS**A. Commissioner Joseph H. Earman, Chairman**

14.A.1.**Indian River Soil and Water Conservation District Board of Supervisors
Candidate Selection**

Chairman Earman recounted his conversation with Mr. Bob Adair, Chairman of the Indian River Soil and Water Conservation District (IRSWCD), in which Chairman Earman expressed his displeasure at not being contacted for assistance in finding candidates for openings on the IRSWCD's Board of Supervisors in Districts 3 and 4. Chairman Earman referred to Mr. Adair's letter, dated February 13, 2023, which addressed the oversight, advised that Mr. Ken Hendrix was selected as a Supervisor for District 3, and requested the Board's input for a District 4 candidate. The Chairman requested that Commissioner Loar assist in recommending a candidate for District 4.

No Action Taken or Required**14.A.2.****Additional Item 14.A.2. -- Board Member Participation in Executive
Roundtable's Communities that Care Joint Vision Statement Session**

Chairman Earman informed the Board of the United Way Executive Roundtable joint meeting with the Indian River Prevention Coalition to review the Communities That Care Program, and to draft a vision statement. The Chairman suggested Commissioner Moss represent the Board at the roundtable, citing her involvement with fentanyl awareness. Commissioner Moss confirmed she would be able to attend the February 23, 2023 meeting, as well as the training session on March 2, 2023.

The Board reached consensus to have Commissioner Moss represent the Board at the February 23, 2023 meeting between members of the Executive Roundtable of Indian River County and the Indian River Prevention Coalition for the Communities that Care Joint Vision Statement Session.

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

14.E.1.

Request from Vero Beach Film Festival to use Commission Chambers over June 8-11, 2023

Commissioner Moss presented a request from the Vero Beach Film Festival (Festival) to use the Commission Chambers from June 9th to June 11th for screenings, as had been done last year. The Commissioner reviewed the costs, which would be paid by the Festival, and the manpower requirements.

Commissioner Moss made a motion to approve the Festival's request.

David Yakir, Executive Director, Vero Beach Film Festival, addressed the Board and entered into discussion with Commissioner Loar regarding the money raised by the Festival and its contribution to the community. The Commissioner received confirmation from Interim County Administrator Michael Zito that the Commission Chambers was not a publicly rentable space, and usage was decided on a case-by-case basis.

Discussion among the Board ensued with Commissioner Flescher detailing his objection to the Festival's request; he suggested use of the Main Library's Mary D. Snyder Multimedia Room which was designed to accommodate such events. The Board agreed there was a need to establish a standardized policy regarding the use of the Chambers, with the Chairman and Vice Chairman agreeing to approve this request and return with policy discussion. Commissioner Loar expressed his reluctance to approve the request, and agreed with the need for policy change.

A motion was made by Commissioner Moss, seconded by Vice Chairman Adams, to approve allowing the Vero Beach Film Festival to use Commission Chambers June 9th, 10th and 11th. The motion carried by the following vote:

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

Nay: 1 - Commissioner Flescher

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

15.A.1. Additional Item 15.A.1.-- Waiver of Requirement for Bids for Annual Physical Exams

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

There was no discussion regarding this item.

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

B. Solid Waste Disposal District

15.B.1. Addendum to Base Contract with Tiger Inc for Sale and Purchase of Natural Gas

There was no discussion regarding this item.

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

C. Environmental Control Board

16. ADJOURNMENT

Vice Chairman Adams announced she was forming an affordable housing committee in conjunction with neighboring counties Martin, St. Lucie and Okeechobee; she indicated she would follow-up with a meeting date.

There being no further business, the Chairman adjourned the meeting at 11:52 a.m.