



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, February 20, 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

Pastor Bert Wilson, Faith Baptist Church

3. PLEDGE OF ALLEGIANCE

Commissioner Joseph H. Earman

4. ADDITIONS/DELETIONS TO THE AGENDA / EMERGENCY ITEMS

Added: Item 14.A.1. Discussion of County Attorney job description

A motion was made by Vice Chairman Flescher, seconded by Commissioner Moss, to approve the Agenda as amended. 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 Recognizing African American Pioneer Mrs. Alma Miller

Ms. Miller was joined by her family as she thanked the Board for the recognition. She spoke of her work with the Environmental Health Department, the support she received from colleagues, and her passion for giving back to the community.

Read and Presented by Commissioner Moss

5.B.

Presentation of Proclamation Recognizing African American Pioneer Craig Walker, Sr.

Mr. Walker was joined by his wife as he was lauded for his leadership and contributions to the County including coaching Little League football, providing free back-to-school haircuts, and serving legendary barbecue. He credited his faith and the smiles he received as his motivation.

Read and Presented by Vice Chairman Flescher

5.C.

Presentation of Proclamation Designating February 2024 As 2-1-1 Awareness Month

Karen Bailey accepted the Proclamation on behalf of 2-1-1 Treasure Coast and thanked the Board for the recognition and support.

Read and Presented by Commissioner Earman

6. APPROVAL OF MINUTES

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

7.A.

Informational Update for Noticed Parks, Recreation & Conservation Department Fee Schedule and Standard Operating Procedures

No Action Taken or Required

7.B.

Children's Week February 26th - March 1st, 2024

Cindy Emerson, Community Services Department Director, described events from the statewide Children's Week celebration, which the County participated in for the first time.

No Action Taken or Required

7.C. Employee Appreciation Day is March 1, 2024
Chairman Adams highlighted the event which featured food trucks, an extended lunch, and gift raffles.

No Action Taken or Required

7.D. HBCU Baseball Tournament at Jackie Robinson Training Complex
Deputy County Administrator Mike Zito added an announcement for the Andre Dawson Classic being held at the Jackie Robinson Training Complex, February 23-25. The event was designed by Major League Baseball to highlight HBCUs (Historically Black Colleges and Universities) and their baseball programs. Mr. Zito invited all to attend the nationally-televised games, noting free and low-cost tickets were available.

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 presented. The motion carried by the following vote:

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

8.A. Miscellaneous Budget Amendment 02
Approved staff's recommendation and Resolution 2024-006, amending the fiscal year 2023-2024 budget.

8.B. Fourth of July Fireworks Funding
Approved staff's recommendation

8.C. Gifford Customer Convenience Center Landscaping Project
Approved staff's recommendation

8.D. First Amendment to Agreement for Sporting Clays Facility Improvements IRC-1847, Bid No. 2024016
Approved staff's recommendation

8.E. Work Order No. 1 Ecological Associates, Inc. HCP Sea Turtle Monitoring North and South County
Approved staff's recommendation

- 8.F.** Work Order No. 6 - Morgan & Eklund, Inc., 2024 Beach Profile Monitoring Surveys (SUMMER)
Approved staff's recommendation
- 8.G.** Work Order No. 2018006-18 - APTIM, 2024 Environmental Monitoring - Sector 3 Hurricanes Ian and Nicole Dune Renourishment
Approved staff's recommendation
- 8.H.** Consideration of Revised Indian River County Local Housing Assistance Plan for Fiscal Years 2024-2025, 2025-2026, and 2026-2027
Approved staff's recommendation and Resolution 2024-007, approving the Local Housing Assistance Plan as required by the State Housing Initiatives Partnership Program Act, Subsections 420.907-420.9079, Florida Statutes; and Chapter 67-37, Florida Administrative Code; authorizing and directing the Planning and Development Services Director to execute any necessary documents and certifications needed by the State; authorizing the submission of the Local Housing Assistance Plan for review and approval by the Florida Housing Finance Corporation; and providing an effective date.
- 8.I.** Project Closeout and Release of Retainage for Bid 2023021 - Replacement of Pontoon Boat Dock at the Environmental Learning Center
Approved staff's recommendation
- 8.J.** Rejection of Bids Received for Sandridge Golf Club New Clubhouse (Bid 2024029)
Approved staff's recommendation
- 8.K.** Amendment No. 2 to Work Order No. 14 to Bowman Consulting Group, LTD., North County WWTF 24" Force Main Replacement, IRCDUS Project ID 21.23.503
Approved staff's recommendation
- 8.L.** Amendment No. 1 to Work Order No. 5 to Masteller & Moler, Inc. for Spoonbill Marsh River Intake Station Access Road & Electric Power, IRCDUS Project ID 12.24.501
Approved staff's recommendation
- 8.M.** Award of Bid 2024017 - Station 11 Roof Replacement
Approved staff's recommendation
- 8.N.** The 2024 Indian River County All Disaster Preparedness Expo Event is scheduled to be held at the Jackie Robinson Training Complex on May 11, 2024.
Approved staff's recommendation

9. CONSTITUTIONAL OFFICERS and GOVERNMENTAL AGENCIES

9.A. Ryan L. Butler, Clerk of the Circuit Court and Comptroller: Indian River County Clerk of Court's 2024 Operation Green Light Event - March 8-22, 2024

Clerk of the Circuit Court and Comptroller Ryan Butler announced the start of Operation Green Light which would run from March 8th through March 22nd. The event would offer drivers the opportunity to reinstate their driver's license and save money by having court fees waived. Mr. Butler informed the event would held be in several locations throughout the County, including a weekend event. He reported that last year more than 90 drivers had their licenses reinstated while avoiding court costs.

No Action Taken or Required

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. Charging Criminal Defendants Additional Fees and Eliminating Costs for Indigent Defendants [LEGISLATIVE]

Deputy County Attorney Susan Prado provided details of the code amendment which would allow the Court to impose court costs of \$65 for each count a defendant was found guilty of, rather than a flat fee per arrest. Attorney Prado noted that defendants who qualified for indigent status would still be exempt from paying these court costs. This item was previously before the Board for discussion on December 12, 2023.

Commissioner Loar received information regarding the process the Clerk of Court used to declare a defendant indigent. Attorney Prado also provided confirmation this amendment was allowable under State Statutes.

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

A motion was made by Vice Chairman Flescher, seconded by Commissioner Earman, to approve staff's recommendation, and adopt Ordinance 2024-005, amending Indian River County Code §305.11, Imposition of Additional Court Costs in Criminal Cases pursuant to Section 939.185, Florida Statutes (2004), as amended; providing for codification, severability, repeal of conflicting provisions, and an effective date. The motion carried by the following vote:

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

B. PUBLIC DISCUSSION ITEMS**C. PUBLIC NOTICE ITEMS****11. COUNTY ADMINISTRATOR MATTERS****11.A** 2023 Goal Setting Final Report

County Administrator John Titkanich presented the final results report from the 2023 Goal Setting Process Workshop which was led by the consulting team of Dr. Richard Levy and Dr. John Saviak. Administrator Titkanich's PowerPoint reviewed the surveys, interviews, and discussions held with staff which were designed to distill the County's mission and values as a guide for future planning. The report covered strengths/weaknesses, and recurring themes for the County's mission, values, goals.

Under discussion, the Commissioners expressed support for the process thus far, and relayed some of the positive feedback from staff. Chairman Adams asked how setting these goals would integrate into the budget process. Administrator Titkanich advised that having clear goals would help direct choices in budget allocations. He went on to advocate for follow through with next steps which included development of a mission statement and core values, and creation of a 3-5 year strategic plan with strategies and an implementation plan.

Discussion turned to quality customer service, which was an identified mission, and the importance of employee training. Administrator Titkanich reviewed options including de-escalation training, on-boarding practice standards, and creation of an employee handbook. The Commissioners emphasized the importance of conveying the County's mission and values to new employees, and noted funds for training needed to be incorporated in the next budget.

Following comments, discussion turned to completing the strategic plan this fiscal year, budget considerations, and an informal agreement to proceed with the same consulting firm. Administrator Titkanich noted he would return before the Board with a proposal.

Deputy County Attorney Susan Prado noted approval for the next steps would need to return before the Board as the cost exceeded the Administrator's spending threshold. Mike Zito, Deputy County Administrator, advocated for scenario-based training to better prepare employees for real-life situations and improve customer service.

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**
- H. Planning and Development Services**
- I. Public Works**
- J. Utilities Services**

The Chairman called for a recess at 10:11 a.m., and reconvened the meeting at 10:20 a.m. with all members present.

13. COUNTY ATTORNEY MATTERS

13.A. Opioid Settlement Proceeds to 19th Judicial Circuit Drug Court Program

Deputy County Attorney Susan Prado referred to staff's memo dated February 12, 2024, as she discussed the next set of proceeds to be allocated as part of the multi-faceted Opioid settlements. Attorney Prado informed that the County had received \$305,751.08 from the Retail Settlement (Walmart/Walgreen/CVS) class action suit. Staff met with representatives from the Circuit Court to discuss the ongoing financial needs of the alternative court programs which provided assessment, treatment, testing and wrap-around services such as housing and transportation. Staff recommended allocating the retail settlement funds to the alternative court program as had been done in 2023. Additionally, staff recommended having the funds from the retail settlement be allocated to the alternative courts on a recurring annual basis.

Under discussion, the Board received clarification on the different "pots" of money coming from the Opioid class-action suits. It was noted that these retail settlement funds came from a different pot than the \$1.2 million the County received from the drug manufacturers, which had been allocated to several agencies at the January 9, 2024 BCC meeting.

Chief Judge Schwab appeared before the Board to speak on the services provided by the alternative courts, which were tailored for opioid addiction recovery.

Stephen Hume, Indian River County Veterans Council Chairman, referenced a reported \$99,000 left over from one of the original allocations. He questioned what was planned for that money, and advocated for helping Veterans before they reached the courts. Chairman Adams requested the Attorney's office look into the matter and return with an Agenda item if there was additional money.

The Chairman also requested staff to return with a recap or visual aid on the different sources of opioid settlement funds, the status of the allocations, and whether any funding should be recurring.

A motion was made by Commissioner Loar, seconded by Commissioner Earman, to approve staff's recommendation on an annual basis. Staff was also directed to return before the Board with an informational presentation on opioid fund sources, outstanding allocations, and a discussion on creating a process to allocate recurring disbursements. The motion carried by the following vote:

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

14. COMMISSIONERS MATTERS**A. Commissioner Susan Adams, Chairman**

14.A.1. County Attorney Search - Job Description

Chairman Adams discussed various modifications to the County Attorney's job duties, education and experience to reflect the requirements the Board wanted to see in a candidate. The Board agreed the modified job description was ready to be finalized.

Commissioner Loar asked if a salary range needed to be included. Attorney Prado discussed the salary review study which was not yet completed, and asked the Board to remain competitive with similar counties. Under discussion, Chairman Adams agreed to research competitive salaries and work with Human Resources to use the job description to create a job posting; a space would be left to fill-in the salary range when determined. She noted the package would be brought back before the Board before the job listing was published.

Commissioner Moss enquired about the use of a professional recruiter. The Chairman noted a proposal from a recruiter had been sent to the Board, and agreement was reached to discuss it at the next regular Board meeting.

Consensus reached to approve the County Attorney job description as amended, and to continue discussion at the March 5, 2024 regular meeting to decide salary range and use of a recruiter.

B. Commissioner Joseph E. Flescher, Vice Chairman

C. Commissioner Joseph H. Earman

D. Commissioner Deryl Loar

E. Commissioner Laura Moss

14.E.1. Request from Vero Beach Film Festival to use Commission Chambers from April 12-14, 2024

Commissioner Moss opened discussion noting the Vero Beach Film Festival (Festival) had used the Board's Chamber to screen films for the last two years, and organizers had agreed to cover the cost of staff needed to use the facility again for the April 12-14, 2024 dates. The Commissioner stated her rationale for allowing the Festival to use the Chamber again this year.

Festival organizers David Yakir and Susan Keller Horn reviewed the various screening locations the event used, and discussed reasons why the Board's Chamber was a coveted location to show films.

Discussion ensued as Vice Chairman Flescher reiterated his opposition to having the venue used for events outside of government business, and again called for a policy limiting uses of the Chamber. Commissioner Loar opposed approval and expressed concern over exposure to liability; Festival organizers confirmed they had liability insurance. Chairman Adams advocated for a policy to avoid the appearance of favoritism, and requested staff return with one at the March 5, 2024 regular meeting before she would vote on this request. Commissioner Earman was supportive of the Festival's request in the absence of a policy, and in light of past approvals with no incident.

Discussion continued with majority of Commissioners expressing their preference to limit use of the Chamber to government business. Commissioner Moss compared the Chamber to a Church where community events were welcomed in a sacred space. Agreement was reached to continue the matter on the March 5, 2024 regular meeting, where staff would present a policy regarding Chamber usage.

Board reached consensus to continue the item at the March 5, 2024 regular meeting, and directed the County Administrator and Deputy County Administrator to craft and present a usage policy for the Board's approval.

15. SPECIAL DISTRICTS AND BOARDS

A. Emergency Services District

B. Solid Waste Disposal 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.

15.B.1. Approval of the SWDD Minutes of December 12, 2023

A motion was made by Commissioner Loar, seconded by Chairman Adams, to approve the Solid Waste Disposal District minutes of December 12, 2023 as written. The motion carried by the following vote:

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

15.B.2. Approval of Amendment No. 1 to Work Order No. 1 to Geosyntec for Phase 2, Segment 3, Cell 3 Engineering Services

Himanshu Mehta, Managing Director of the Solid Waste Disposal District (SWDD), discussed the timeline of landfill expansions, noting that growth had necessitated the construction of additional cells sooner than in the past. Currently the SWDD, in conjunction with Geosyntec, had identified a vendor to lay the foundation for Phase 2, Segment 3, Cell 3 of the landfill. Director Mehta explained Landfill Amendment 1 was for engineering services for the previously approved construction project.

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

15.B.3 Award of Bid for Class 1 Landfill Segment 3 Cell 3 Phase II Project (Bid #2024027)

Himanshu Mehta, Managing Director of the Solid Waste Disposal District (SWDD), noted this item was for approval of the construction bid for the landfill expansion project discussed under Item 15.B.2. Director Mehta sought the Board's approval to award the bid for construction of Phase 2, Cell 3 of Segment 3 expansion to vendor Comanco Environmental Corporation. Director Mehta reviewed the bid process and the method used to evaluate the bids. He informed the cost for construction exceeded the engineer's estimate by \$3.1 million due to material and labor cost increases in the wake of Covid.

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

C. Environmental Control Board

16. ADJOURNMENT

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