

Indian River County Florida

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



Meeting Minutes - Final

Tuesday, October 22, 2024

9:00 AM

Commission Chambers

Board of County Commissioners

*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
Jennifer W. Shuler, County Attorney
Ryan L. Butler, Clerk of the Circuit Court and Comptroller**

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 Chris Kollman, Lutheran Church of the Redeemer

3. PLEDGE OF ALLEGIANCE

Commissioner Joe Earman

4. ADDITIONS/DELETIONS TO THE AGENDA / EMERGENCY ITEMS

ADDED: Item 11.A. Update on Hurricane Milton aftermath

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. [24-0861](#) Presentation of Proclamation Honoring the 2024-2025 Indian River County Fire Rescue Lieutenant, Sergeant, Engineer, Firemedic, and Unit of the Year

Recommended Action: Recommend Read and Present.

Attachments: [Proclamation](#)

Chairman Adams read aloud the names of the recipients of the Indian River County Fire Rescue annual awards for excellence in their position. She expressed appreciation for all they do for the County.

Fire Chief David Johnson noted each recipient went above and beyond in their work and dedication to excellence, as he called each to the podium to receive their award: Lieutenant of the Year, Brian Guanch; Rescue Sergeant of the Year, Marcus Robinson; Engineer of the Year, Joshua Morris; Fire Prevention Unit - Richard Marini, Alex Norat, Jennifer MacKinnon, Bob Burns, Jenna Turpin, Tanisha Adkins, Nicole Roth, and Rose West; Fire Medic of the Year, Chandler Legleitner

Wilfred Hart thanked the entire Fire Rescue Department for their assistance in memory of his grandson Shamar.

Read and Presented by Chairman Adams

- 5.B.** [24-0864](#) 32nd Annual Red, White & Blue Concert Vero Beach High School Performing Arts Center

Recommended Action: Presentation.

Associate Band Director at Vero Beach High School Sean Srigley appeared before the Board with members of the band to announce their annual Red, White, and Blue Concert to be held on November 10th and 12th. He spoke of the history of the performance, and efforts to include music from a variety of eras. A representative group of band members played "God Bless America".

Presented by Vice Chairman Flescher

6. APPROVAL OF MINUTES

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

8. CONSENT AGENDA

A motion was made by Vice Chairman Flescher, seconded by Commissioner Moss, 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.** [24-0769](#) Bill of Sale and Grant of Easement for Utility Facilities at Jackie Robinson Training Complex

Recommended Action: County staff recommends that the Board approve the Bill and Sale and Utility Easement and authorize the Chairman to execute the documents on behalf of the Board.

Attachments: [Staff Report](#)
 [Bill of Sale and Utility Easement to COVB](#)

Approved staff's recommendation

- 8.B.** [24-0826](#) Employment Contract for the Assistant County Attorney

Recommended Action: The County Attorney recommends the Board of County Commissioners approve the employment contract for Assistant County Attorney Chris Hicks.

Attachments: [Staff Report](#)
[Employment Contract for Christopher Hicks](#)

Approved staff's recommendation

8.C. [24-0839](#) Renewal of AK Associates Maintenance Contract for 911 Call -Taking Equipment

Recommended Action: Staff recommends the Board approve the agreement with AK Associates for maintenance of 911 call taking, 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 Purchasing Manager to execute the four available renewals, so long as there is no change to scope or cost as indicated above, and upon determination by the 911 Coordinator that renewal is in the best interest of the County.

Attachments: [Staff Report](#)
[Service Contract](#)
[Quote - Year 1](#)
[Sole Source Letter](#)

Approved staff's recommendation

8.D. [24-0846](#) Ranking of Firms, Award and Approval of Agreement - RFP 2025005 - Indian County Department of Utility Services Labor Contract

Recommended Action: Staff recommends the Board approve the committee's final ranking of firms and award to CK Contractors & Development, LLC, Hinterland Group, Inc., Meeks Plumbing, Inc., Johnson-Davis, Inc., and G3 Contracting dba Industry Standard. Staff also recommends the Board approve the Sample Agreement and authorize the Chairman to sign it after receipt and approval of the required insurance by the Risk Manager and the County Attorney's approval of the agreement as to form and legal sufficiency.

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

Approved staff's recommendation

8.E. [24-0847](#) AtkinsRéalis USA Work Order 6 for Staff Augmentation/Support Services

Recommended Action: Staff recommends that the Indian River County Board of County Commissioners approve Work Order 6 with AtkinsRéalis USA in the not-to-exceed amount of \$75,000.00 to provide Staff Augmentation/Support Services, while the Department

of Utility Services, in conjunction with Human Resources, continue recruitment to fill vacant positions and authorize the Chair to execute the same. So long as there are no changes in the dollar amount under the work order and upon adequate completion of the work set forth in the work order, staff is directed to make final payment and release any retainage to AtkinsRéalis USA

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

Approved staff's recommendation

- 8.F.** [24-0849](#) Florida Department of Transportation Utility Work by Highway Contractor Agreement for Utilities Relocation on CR-510/85th Street from 87th Street to West of 82nd Avenue, FDOT Financial Project ID: 405606.8

Recommended Action: Staff recommends that the Board approve the Utility Work by Highway Contractor Agreement with the Florida Department of Transportation for construction of CR-510/85th Street widening from 87th Street to West of 82nd Avenue utilities relocation, and the budget of \$3,726,109.90 with \$3,105,091.58 payable to Florida Department of Transportation and \$621,018.32 retained by Indian River County Department of Utility Services for cost escalations and authorize the Chair to execute the same. So long as there are no changes in the approved dollar amounts, staff is directed to make payments to the Florida Department of Transportation

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

Approved staff's recommendation

- 8.G.** [24-0852](#) Renewal of Esri Small Government Enterprise Agreement

Recommended Action: Staff recommends the Board approve the ESRI Small Government Enterprise Agreement and authorize the Chair to sign it

Attachments: [Staff Report](#)
[Quotation # Q-512335](#)
[Esri SGEA Renewal 2024 IRC](#)

Approved staff's recommendation

- 8.H.** [24-0856](#) Work Order #2 to EDB for Fire Station 15 Design

Recommended Action: Staff recommends the Board of County Commissioners approve Work Order#2 to EDB and authorize the Chairman to sign, after review and approval by the County Attorney as to form and legal sufficiency.

Attachments: [Staff Report](#)
[EDB WO#2](#)

Approved staff's recommendation

9. CONSTITUTIONAL OFFICERS and GOVERNMENTAL AGENCIES

9.A. [24-0866](#) Indian River County Sheriff Eric Flowers re: Forfeiture Trust Fund

Recommended Action: Discussion

Attachments: [Letter from Sheriff Flowers](#)

Postponed/Continued

The Chairman called for a recess at 9:20 a.m., and reconvened the meeting at 9:35 a.m. with all members present.

10. PUBLIC ITEMS**A. PUBLIC HEARINGS****B. PUBLIC DISCUSSION ITEMS**

10.B.1. [24-0865](#) Request to Speak from Bill Rigby re: Federal and State Funding for the Existing RFP for Waste Collection

Recommended Action: No action required

Attachments: [Request to Speak B. Rigby 10.22.24](#)

Bill Rigby addressed the Board regarding the County's handling of the RFP (Request for Proposal) process used to secure recycling collection services, which he believed violated State and Federal laws regarding inclusion of minority and veteran-owned businesses. He expressed his frustration that no consideration or action had been taken on this issue after several appearances before the Board.

Chairman Adams confirmed Mr. Rigby had not followed-up with the Attorney's Office to obtain the public record information he sought, and discussion ensued on whether his questions had been answered. The Chairman took issue with Mr. Rigby's allegation of illegal or underhanded actions which she stated were false and inaccurate. The Chairman acknowledged his frustration, but stated that he had a misunderstanding of the process, and he had not availed himself of information from the Attorney's office or the County's Procurement Department.

Himanshu Mehta, Managing Director of the Solid Waste Disposal District (SWDD), was called before the Board to discuss whether the County had ever engaged in a procurement process which was not open to all qualified

respondents. He verified that the process did not exclude any qualified vendors. He also clarified that the SWDD had not applied for or received any Federal or State grants.

No Action Taken or Required

C. PUBLIC NOTICE ITEMS

11. COUNTY ADMINISTRATOR MATTERS

11.A. 24-0878 County Administrator Update on Hurricane Milton

County Administrator John Titkanich began his report by thanking all the staff members from different departments who came together to help the community, and expressed concern for the residents affected by the storm and tornadoes.

Administrator Titkanich recapped Emergency Services' assistance such as a help line and shelters, and help with dangers from debris and downed power lines. There was an estimated \$59 million in residential damages, and \$7.3 million in damages to County facilities; much of the damage resulted from pre-storm tornadoes, including an unprecedented Category EF3; Next, the Administrator discussed assistance for residents including a multi-agency resource center with FEMA reps, free roof tarps, and direction to additional resources. The update went on to lay out the process for debris removal with an estimated timeline of six (6) weeks, and information about waived fees at the landfill. The Administrator addressed the flooding in some areas which was attributed to heavy rainfall overwhelming the drainage canals despite all the locks being open. He concluded with communication efforts, and additional thank you's to staff and volunteers.

Under discussion with the Board and staff, more information was provided on the County's damages, a forthcoming after-action report, clarification of landfill tipping fees and waivers, and discussion of water management. Staff also provided an update on efforts made to expedite traffic at the landfill, alternative dump sites, and the need for HOA access agreements. The Commissioners also expressed their appreciation to staff, volunteers and community partners.

No Action Taken or Required

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****12.J.1. [24-0843](#)** Utility Accounts Receivable Bad Debt Write Offs and Foreclosure Activity

Recommended Action: Staff recommends that the Board of County Commissioners authorize staff to classify as bad debt expense the \$160,458.03 in penalties and interest that were waived

Attachments: [Staff Report](#)

Utility Finance Manager Brian Beavers appeared before the Board to present utility debt settlement agreements which were reached in fiscal year 2023/24. He noted that seven (7) of ten delinquent accounts had completed all payment arrangements, and that the Utility had incentivized those account holders by waiving a total of \$160,458.03 in penalties and interest. He also informed that the Utility Department completed its first foreclosure sale on a delinquent account; a second account was foreclosed upon by a different department. He closed his report with an overview of the debt reduction achieved since 2020, and the \$1.7 million of current debt from properties either in the foreclosure process, or more than 120 days delinquent. Staff requested the Board's approval to classify the waived penalties and interest as bad debt expense.

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

13. COUNTY ATTORNEY MATTERS**14. COMMISSIONERS MATTERS****A. Commissioner Susan Adams, Chairman****B. Commissioner Joseph E. Flescher, Vice Chairman**

14.B.1. [24-0860](#)

Steve Hayes' Resignation From the Tourist Development Council & Appointment of New Committee Member

Recommended Action: Discussion

Attachments: [Commissioner's Memo](#)
[Hayes, TDC Resignation](#)
[Johanson Nichole, TDC Application](#)
[Vocelle Diana, TDC Application](#)

Vice Chairman Flescher announced that Steve Hayes had stepped down from his position with the Indian River County Tourist Development Council. There were two (2) candidates who had submitted applications for the open position of Not an Owner/Operator: Nichole Johanson and Diana Vocelle. Following brief discussion of the candidates, the Vice Chairman nominated Nichole Johanson for the position.

A motion was made by Vice Chairman Flescher, seconded by Commissioner Earman, to approve the appointment of Nichole Johanson to the Tourist Development Council as Not an Owner/Operator. The motion carried by the following vote:

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

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 Chairman adjourned the meeting at 10:37 a.m.