



**BOARD OF COUNTY
COMMISSIONERS
INDIAN RIVER COUNTY, FLORIDA**

COMMISSION AGENDA

TUESDAY, SEPTEMBER 5, 2006 - 9:00 A.M.

**County Commission Chamber
County Administration Building
1840 25th Street, Vero Beach, Florida, 32960-3365
WWW.IRCGOV.COM**

COUNTY COMMISSIONERS

Arthur R. Neuberger, Chairman	District 2	Joseph A. Baird, County Administrator
Gary C. Wheeler, Vice Chairman	District 3	William G. Collins II, County Attorney
Sandra L. Bowden	District 5	Kimberly Massung, Executive Aide to BCC
Wesley S. Davis	District 1	Jeffrey K. Barton, Clerk to the Board
Thomas S. Lowther	District 4	

- | | | <u>9:00 A.M.</u> | <u>PAGE</u> |
|----|--|--|-------------|
| 1. | <u>CALL TO ORDER</u> | | |
| 2. | <u>INVOCATION</u> | Reverend Dawn Lawton
Christ By the Sea United Methodist Church | |
| 3. | <u>PLEDGE OF ALLEGIANCE</u> | Commissioner Thomas S. Lowther | |
| 4. | <u>ADDITIONS/DELETIONS TO THE AGENDA / EMERGENCY ITEMS</u> | | |
| 5. | <u>PROCLAMATIONS and PRESENTATIONS</u> | | |
| | A. | Presentation of Retirement Award honoring Rita Dion for Thirty and a half years of service to Indian River County Youth Guidance | 1-2 |
| | B. | Presentation by Jim Gabbard, City Manager, City of Vero Beach | |
| 6. | <u>APPROVAL OF MINUTES</u> | | |
| | None | | |

7. <u>CONSENT AGENDA</u>	<u>PAGE</u>
A. Reports Placed on File in the Office of Clerk to the Board:	
1. Vero Lakes Water Control District Notice of Regular Meeting, September 15, 2006 at 9:30 a.m., in Vero Beach	
2. Vero Lakes Water Control District Budget for Year Ending September 30, 2007	
3. Report of Convictions for July 2006	
 B. Annual Fire Control Report by Florida Department of Agriculture and Consumer Services, Division of Forestry (letter dated July 20, 2006)	3-32
<hr style="border-top: 1px dashed black;"/>	
C. Approval of Warrants – August 11 – 17, 2006 (memorandum dated August 17, 2006)	33-38
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D. Approval of Warrants – August 18 – 24, 2006 (memorandum dated August 24, 2006)	39-47
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E. Appointment to the Code Enforcement Board (Arthur R. Neuberger) (memorandum dated August 28, 2006)	48-52
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F. Appointment to the Code Enforcement Board (Thomas S. Lowther) (memorandum dated August 29, 2006)	53-57
<hr style="border-top: 1px dashed black;"/>	
G. Grant of Deed of Easement by Indian River County and the City of Vero Beach for Public Utilities (memorandum dated August 23, 2006)	58-62
<hr style="border-top: 1px dashed black;"/>	
H. 2007 Holiday Schedule (memorandum dated August 15, 2006)	63
<hr style="border-top: 1px dashed black;"/>	
I. Miscellaneous Budget Amendment 021 (memorandum dated August 18, 2006)	64-66
<hr style="border-top: 1px dashed black;"/>	
J. Miscellaneous Budget Amendment 022 (memorandum dated August 29, 2006)	67-73
<hr style="border-top: 1px dashed black;"/>	
K. Resolution Requesting Assistance from State of Florida Beach Erosion Control Program (memorandum dated August 16, 2006)	74-76
<hr style="border-top: 1px dashed black;"/>	

7. <u>CONSENT AGENDA (CONT'D.)</u>	<u>PAGE</u>
L. Request for Release of Retainage for the Design Portion of Work Order No. 5 "Final Engineering Design of Vortex Treatment Systems at the Main Relief Canal, North Relief Canal, and South Relief Canal in the Indian River Farms Water Control District" (memorandum dated August 17, 2006)	77-80
M. Approval of Work Order No. 16 with Masteller, Moler, Reed and Taylor, Inc. to Provide a Boundary Survey at the Central Regional Wastewater Treatment Facility (memorandum dated August 10, 2006)	81-82
N. State Aid Application/Agreement (memorandum dated August 25, 2006)	83-92
O. Quail Creek PD Request from Successor Developer, SLM Investments, LLC (Stanley Markofsky, Managing Member) for an Extension to Complete Required Improvements (memorandum dated August 29, 2006)	93-95
P. Ashley Lakes North Request from Developer, Ashley Lakes North, LLC (Stanley Markofsky, Managing Member) for an Extension to Complete Required Improvements (memorandum dated August 29, 2006)	96-98
Q. 5 th Street SW at Lateral J. Canal Directional Drill 8-inch Force Main Under 36-inch Culvert, Approval of Change Order No. 1 and Final Payment to Contractor (memorandum dated August 14, 2006)	99-104
R. Addendum to Work Order No. 1, ARCADIS G & M, Inc. 43 rd Avenue (Oslo Road to 8 th Street) Right-of-Way Mapping Project (memorandum dated August 25, 2006)	105-113
S. CR 512, Phase III, CR 510 – Project #9611 & 0001, Bid Number 2006065, Change Order #4 (memorandum dated August 23, 2006)	114-119
T. Change Order No. 2 for 41 st Street Improvements and Intersection Improvements at 43 rd Avenue and Kings Highway, IRC Project #0016 and #0236, Bid #7074 (memorandum dated August 14, 2006)	120-128

7.	<u>CONSENT AGENDA (CONT'D.)</u>	<u>PAGE</u>
	U. Request for Floodplain Cut and Fill Balance Waiver for Orchid Reserve at 8910 US1 (memorandum dated August 24, 2006)	129-131
	V. Schumann Drive Force Main Replacement From Bailey Drive to Caprol Lane, Approval of Final Payment to Contractor (memorandum dated August 10, 2006)	132-136
	W. Consideration of Indian River County 2006 SHIP Program and HHR Program Annual Reports (memorandum dated August 14, 2006)	137-198
8.	<u>CONSTITUTIONAL OFFICERS and GOVERNMENTAL AGENCIES</u>	
	None	
9.	<u>PUBLIC ITEMS</u>	
	A. <u>PUBLIC HEARINGS</u>	
	1. Ordinance Amending Section 305.09 of The Code of Indian River County to Increase the Fine under the Dori Slosberg Driver Education Safety Act (memorandum dated August 29, 2006)	199-218
	Legislative	
	B. <u>PUBLIC DISCUSSION ITEMS</u>	
	Please give your name and address, and then give your remarks. Please try to limit your remarks to three minutes.	
	1. Request to Speak for Joe Paladin regarding SR60 Widening project and payments by Indian River County	
	C. <u>PUBLIC NOTICE ITEMS</u>	
	1. Notice of Change in Date for Public Hearing – Ordinance Amending the Definition of Allowable Water Activities in a Park or Recreational Area (memorandum dated August 29, 2006)	219
	Legislative	

9. **PUBLIC ITEMS (CONT'D)**

PAGE

C. **PUBLIC NOTICE ITEMS (CONT'D)**

2. Notice of Scheduled Public Hearings for Upcoming Board Meetings
(memorandum dated August 22, 2006)

220-221

September 12, 2006 Meeting:

- A. **Young Kim:** Request for Small Scale Comprehensive Plan Future Land Use Map Amendment Approval to Redesignate ± .52 Acres located east of US Hwy 1 and approximately 470 feet north of 21st Street SE from L-2 to C/I; and to Rezone those ± .52 Acres from RS-6 to CG. Heon Young Kim, Owner. Michael Kim, Agent.
Legislative

September 12, 2006 Special Meeting

6:00 PM, First Floor Conference Room A:

- B. **Treviso:** Proposed Settlement of Lawsuit, Treviso, LLC v. Indian River County, Public Hearing on Request for Rezoning Approval.
Quasi-Judicial

September 19, 2006 Meeting:

- C. **County Initiated:** Request to amend the Conservation Element, the Potable Water Sub-Element, and the Sanitary Sewer Sub-Element of the Comprehensive Plan.
Legislative
- D. **County Initiated:** Request to amend the Transportation Element of the Comprehensive Plan.
Legislative
- E. **County Initiated:** Request to amend the Capital Improvements Element of the Comprehensive Plan.
Legislative
- F. **Indian River Exchange Packers Inc:** Request to amend the Future Land Use Map of the Comprehensive Plan.
Legislative

10. **COUNTY ADMINISTRATOR'S MATTERS**

None

11. **DEPARTMENTAL MATTERS**

PAGE

A. **Community Development**

None

B. **Emergency Services**

None

C. **General Services**

None

D. **Human Resources**

None

E. **Human Services**

None

F. **Leisure Services**

None

G. **Office of Management and Budget**

None

H. **Recreation**

None

I. **Public Works**

None

J. **Utilities Services**

1. High Pointe Subdivision – Developer’s Agreement for Offsite
Utilities

(memorandum dated August 14, 2006)

222-243

12.	<u>COUNTY ATTORNEY</u>	<u>PAGE</u>
	<ul style="list-style-type: none"> A. Sunrise Subdivision Request from Developer, Sunrise Vero Beach, L.L.C. (John P. Genoni, Jr., John M. Genoni, and Charles B. Genoni Managing Members) for an Extension to Complete Required Improvements and Required Sidewalk Improvements (memorandum dated August 29, 2006) 	244-255

13. **COMMISSIONERS ITEMS**

- A. **Commissioner Arthur R. Neuberger, Chairman**
None

- B. **Commissioner Gary C. Wheeler, Vice Chairman**
 - 1. S.R. 60 6-laning – Financial Analysis and Priority List of County Road Projects as Prepared by Staff
 - 2. Salary Study

- C. **Commissioner Sandra L. Bowden**
None

- D. **Commissioner Wesley S. Davis**
 - 1. Update of Oslo Boat Ramp

- E. **Commissioner Thomas S. Lowther**
None

14. **SPECIAL DISTRICTS AND BOARDS**

- A. **Emergency Services District**
None

14.	<u>SPECIAL DISTRICTS AND BOARDS (CONT'D.)</u>	<u>PAGE</u>
	<u>B. Solid Waste Disposal District</u>	
	1. Approval of Minutes June 6, 2006	
	2. Approval of Minutes July 11, 2006	
	3. 2006 Petition Hearing Solid Waste Disposal District Assessment Fees (memorandum dated August 14, 2006)	256
	4. Approval of Bid Award for IRC Bid # 2006089 40 Cubic Yard Roll Off Containers. Utilities Department/Solid Waste Disposal District (memorandum dated August 23, 2006)	257-265
	<u>C. Environmental Control Board</u>	
	None	

15. **ADJOURNMENT**

Anyone who may wish to appeal any decision which may be made at this meeting will need to ensure that a verbatim record of the proceedings is made which includes the testimony and evidence upon which the appeal will be based.

Anyone who needs a special accommodation for this meeting may contact the County's Americans with Disabilities Act (ADA) Coordinator at (772) 226-1223 at least 48 hours in advance of meeting.

The full agenda is available on line at the Indian River County Website at www.ircgov.com The full agenda is also available for review in the Board of County Commission Office, the Indian River County Main Library, the IRC Courthouse Law Library, and the North County Library.

***Commission Meeting may be broadcast live by Comcast Cable Channel 27
 Rebroadcasts continuously with the following proposed schedule:
 Wednesday at 9:00 a.m. until 5:00 p.m.,
 Thursday at 1:00 p.m. through Friday Morning,
 and Saturday at 12:00 Noon to 5:00 p.m.***