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January 03, 2006

**REGULAR MEETING OF THE BOARD OF COUNTY**  
**COMMISSIONERS**

The Board of County Commissioners of Indian River County, Florida, met in Regular Session at the County Commission Chambers, 1840 25<sup>th</sup> Street, Vero Beach, Florida, on Tuesday, January 03, 2005, at 9:00 a.m. Present were Chairman Thomas S. Lowther, Vice Chairman Arthur R. Neuberger, Commissioners Sandra L. Bowden, Wesley S. Davis, and Gary C. Wheeler. Also present were County Administrator Joseph A. Baird, County Attorney William G. Collins II, Executive Aide to the Board Kimberly Massung, and Deputy Clerk Ilea M. Petsel.

**1. CALL TO ORDER**

Chairman Lowther called the meeting to order.

**2. INVOCATION**

Reverend Tri Tan Pham, St. Helen Catholic Church, delivered the Invocation.

### **3. PLEDGE OF ALLEGIANCE**

Joseph A. Baird, County Administrator, led the Pledge of Allegiance to the Flag.

### **ELECTION OF CHAIRMAN**

Chairman Lowther asked if there were any nominations for Chairman.

Commissioner Davis NOMINATED Vice Chairman Neuberger, SECONDED by Chairman Lowther, the Board unanimously appointed Vice Chairman Neuberger as Chairman for 2006.

### **ELECTION OF VICE CHAIRMAN**

Chairman Neuberger asked if there were any nominations for Vice Chairman.

Commissioner Lowther NOMINATED Commissioner Wheeler, SECONDED by Commissioner Davis, the Board unanimously appointed Commissioner Wheeler as Vice Chairman for 2006.

### **CONSTITUTIONAL OFFICERS OATH OF OFFICE**

ERRONEOUSLY PLACED ON THE AGENDA

## **7. CONSENT AGENDA**

Items **7.I.**, **7.J.**, and **7.W.** were pulled from the Consent Agenda for discussion.

### **7.A. REPORTS**

The following reports have been received and are on file in the office of the Clerk to the Board:

1. Fellsmere Water Control District – Bi-Monthly Meetings for FY 2006
2. Delta Farms Water Control District – 2005 Audit Report and Annual Local Government Financial Report and Minutes of the Board of Supervisors for the fiscal year ending September 30, 2005
3. Town of Indian River Shores Zoning Map Amendment, Ordinance 478-A

### **7.B. APPROVAL OF WARRANTS – DECEMBER 1-8, 2005**

ON MOTION by Commissioner Bowden, SECONDED by Commissioner Davis, the Board unanimously approved the list of Warrants as issued by the Clerk to the Board for December 1 - 8, 2005, as requested.

### **7.C. APPROVAL OF WARRANTS - DECEMBER 9-15, 2005**

ON MOTION by Commissioner Bowden, SECONDED by Commissioner Davis, the Board unanimously approved the list of Warrants as issued by the Clerk to the Board for December 9–15, 2005, as requested.

**7.D. APPROVAL OF WARRANTS – DECEMBER 15-22, 2005**

ON MOTION by Commissioner Bowden, SECONDED by Commissioner Davis, the Board unanimously approved the list of Warrants as issued by the Clerk to the Board for December 15-22, 2005, as requested.

**7.E. REALIGNMENT OF COMMITTEE MEMBERS ON THE AGRICULTURE ADVISORY COMMITTEE (AAC) – (1) ROBERT ADAIR, JR. AS THE ASSOCIATION INDUSTRY APPOINTEE – (2) KEVEN O'DARE AS THE VEGETABLE INDUSTRY APPOINTEE**

The realignment was noted for the record.

**7.F. RESIGNATION OF RALPH LINDSEY AAC (AGRICULTURE ADVISORY COMMITTEE) AS THE IRRIGATION INDUSTRY APPOINTEE**

The resignation noted for the record.

**7.G. RESIGNATION FROM THE EMERGENCY SERVICES DISTRICT (ESDAC) ADVISORY COMMITTEE – JAY SMITH (DISTRICT 5)**

The resignation noted for the record.

**7.H. RESIGNATION OF MICHAEL N. VANATTA - BEACH AND SHORE PRESERVATION ADVISORY COMMITTEE**

The resignation noted for the record.

**7.I. APPOINTMENT OF DAVID BARNEY TO BEACH AND SHORE  
PRESERVATION ADVISORY COMMITTEE – TO REPLACE MICHAEL  
VANATTA**

Items 7.I. and 7.J. were heard together.

There were two recommendations (David Barney by Chairman Neuberger [7.I.] and Cheryl Gerstner by Commissioner Davis [7.J.]). The Chairman, therefore, requested that the Executive Aide to the Board Kimberly Massung POLL the Commission on the two names submitted.

Vice Chairman Wheeler – David Barney  
Commissioner Davis – Cheryl Gerstner  
Chairman Neuberger – David Barney  
Commissioner Bowden – David Barney  
Chairman Lowther – Cheryl Gerstner

David Barney was appointed to the Beach and Shore Advisory Preservation Advisory Committee.

**7.J. APPOINTMENT OF CHERYL GERSTNER — BEACH AND SHORE  
ADVISORY PRESERVATION ADVISORY COMMITTEE – TO REPLACE  
MICHAEL VANATTA**

See 7.I. above.

**7.K. WORKERS' COMPENSATION SETTLEMENT – PATRICIA MEZZINA**

ON MOTION by Commissioner Bowden, SECONDED by Commissioner Davis, the Board unanimously approved the settlement of this claim in the mediated amount of \$140,000.00 that includes an attorney's fee and Medicare set-aside funds, as recommended in the memorandum of December 13, 2005.

**7.L. RESOLUTION 2006-001 - ANNUAL SIGNATORIES – AUTHORIZATION FOR COUNTY ADMINISTRATOR TO DECLARE STATES OF EMERGENCY**

ON MOTION by Commissioner Bowden, SECONDED by Commissioner Davis, the Board unanimously adopted Resolution 2006-001, Directing Depositories of County funds to honor certain authorized signatures on County checks, warrants, and other orders for payment; Providing for Board of County Commissioners and Clerk of the Circuit Court Signatories; rescinding Resolution No. 2005-001; 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.

**7.M. PROCLAMATION AND RETIREMENT AWARD FOR KENNETH L. JAY –  
15 YEARS OF SERVICE**

The proclamation noted for the record.

**7.N. CHOOSE LIFE LICENSE PLATE FUNDING – DISTRIBUTION OF  
FUNDS TO CARE NET PREGNANCY CENTER OF INDIAN RIVER  
COUNTY**

ON MOTION by Commissioner Bowden, SECONDED by Commissioner Davis, the Board unanimously approved the advance distribution of Choose Life License Plate funds to Care Net Pregnancy Center of Indian River County with the stipulation that all fund expenditures must be in accordance with Florida Statutes, Sections 320.08056 and 320.08058(30), as recommended in the memorandum of December 27, 2005.

**7.O. RESOLUTION 2006-002 – MISCELLANEOUS BUDGET AMENDMENT  
005**

ON MOTION by Commissioner Bowden, SECONDED by Commissioner Davis, the Board unanimously adopted Resolution 2006-002 amending the budget for fiscal year 2005-2006.

**7.P. SIEMENS BUILDING TECHNOLOGIES, INC. – VENDOR REQUEST FOR  
ADDENDUM TO PURCHASE ORDER #37959 – UTILITIES  
DEPARTMENT/OPERATIONS COMPLEX**

ON MOTION by Commissioner Bowden, SECONDED by Commissioner Davis, the Board unanimously accepted (1) addendum 1 to Purchase Order #37959 (2) authorized the Purchasing Manager to sign addendum 1 and incorporate it as part of the Purchase Order, as recommended in the memorandum of December 20, 2005.

AGREEMENT IS ON FILE IN THE  
OFFICE OF THE CLERK TO THE BOARD

**7.Q. NORTH COUNTY RO WATER PLANT – REMOVAL OF  
CONTAMINATED WASTE OIL SOIL - GEOSYNTEC CONSULTANTS,  
INC. – WORK AUTHORIZATION NO. 3**

ON MOTION by Commissioner Bowden, SECONDED by Commissioner Davis, the Board unanimously approved Work Authorization No. 3 to GeoSyntec Consultants, Inc. and authorized the Chairman to execute the Work Authorization, as recommended in the memorandum of December 22, 2005.

AGREEMENT IS ON FILE IN THE  
OFFICE OF THE CLERK TO THE BOARD

**7.R. SOUTH COUNTY RO WATER PLANT – UST (UNDERGROUND STORAGE TANK) CLOSURE, SOURCE REMOVAL, AND AST (ABOVE GROUND STORAGE TANK) INSTALLATION – GEOSYNTEC CONSULTANTS, INC., WORK AUTHORIZATION NO. FR0737**

ON MOTION by Commissioner Bowden, SECONDED by Commissioner Davis, the Board unanimously approved Work Authorization No. FR 0737 to GeoSyntec Consultants, Inc. and authorized the Chairman to execute the Work Authorization, as recommended in the memorandum of December 22, 2005.

AGREEMENT IS ON FILE IN THE  
OFFICE OF THE CLERK TO THE BOARD

**7.S. BLOCK VILLA SUBDIVISION, 20<sup>TH</sup> AVENUE AT 9<sup>TH</sup> PLACE – BID NO. 7079 – LABOR CONTRACT WORK AUTHORIZATION NO. 2005-017 – INSTALLATION OF WATER MAIN**

ON MOTION by Commissioner Bowden, SECONDED by Commissioner Davis, the Board unanimously approved the project for an estimated cost of \$8,013.54, Work Authorization No. 2005-017 for labor in the amount of \$4,259.35 to the Utilities Department Labor Contractor, and authorized the Chairman to sign, as recommended in the memorandum of December 20, 2005.

AGREEMENT IS ON FILE IN THE  
OFFICE OF THE CLERK TO THE BOARD

**7.T. UTILITIES SERVICES - SEA OAKS PROPERTY OWNERS ASSOCIATION, INC. – FIRST AMENDMENT TO ANNEX 1 LICENSE AGREEMENT FOR USE OF COUNTY PROPERTY**

ON MOTION by Commissioner Bowden, SECONDED by Commissioner Davis, the Board unanimously approved the First Amendment to License Agreement for the use of County property, as recommended in the memorandum of December 22, 2005.

AGREEMENT IS ON FILE IN THE  
OFFICE OF THE CLERK TO THE BOARD

**7.U. UTILITIES SERVICES - RIVER LAKES ESTATES POWER DISTRIBUTION PANELS – FINAL PAY TO PARAGON ELECTRIC OF VERO, INC.**

ON MOTION by Commissioner Bowden, SECONDED by Commissioner Davis, the Board unanimously approved final payment to Paragon Electric of Vero, Inc. in the amount of \$71,820.00, as recommended in the memorandum of December 6, 2005.

**7.V. MASTELLER, MOLER AND REED – FINAL PAYMENT TO CONSULTANT – SURVEY SERVICES FOR 35 ACRES EAST OF CENTRAL WWTF**

ON MOTION by Commissioner Bowden, SECONDED by Commissioner Davis, the Board unanimously approved Invoice No. 77-1289 – Final as Final payment to the Consultant, Masteller, Moler and Reed, in the amount of \$12,000.00, as recommended in the memorandum of December 6, 2005.

**7.W. FLOODPLAIN STORAGE WAIVER – PULLIN MULTI-FAMILY SITE PLAN AND PRELIMINARY PLAT APPLICATION – CARTER ASSOCIATES INC.**

**Mr. Nyberg**, Floravon Shores, expressed his concerns regarding Mr. Pullins' Floodplain Storage Waiver.

Public Works Director Jim Davis explained why this type of waiver would be allowed.

Discussion ensued on issues that Mr. Pullins will have to overcome regarding his project.

ON MOTION by Vice Chairman Wheeler, SECONDED by Commissioner Davis, the Board unanimously approved Alternative No. 2, to deny the floodplain storage waiver and require on-site compensation for the proposed floodplain displacement per above discussion.

**7.X. HURRICANE DEBRIS REMOVAL MONITOR AND SUPERVISOR STAFFING NEEL-SCHAFFER, INC. – RELEASE OF RETAINAGE**

ON MOTION by Commissioner Bowden, SECONDED by Commissioner Davis, the Board unanimously approved the release of retainage in the amount of \$25,342.22 from account #41121734-033190-04037 and -04038, as recommended in the memorandum of December 9, 2005.

**7.Y. FINAL INVOICE AND FINAL RELEASE OF RETAINAGE FOR WORK ORDER NO. 2 TO THE PROFESSIONAL SERVICES AGREEMENT – CARTER ASSOCIATES, INC. – INSTALLATION OF THE TILTING WEIR GATES IN THE INDIAN RIVER FARMS WATER CONTROL DISTRICT CANALS**

ON MOTION by Commissioner Bowden, SECONDED by Commissioner Davis, the Board unanimously authorized payment of the Engineer's Final Application for Payment (including release of retainage) in the amount of \$9,383.46, as recommended in the memorandum of December 19, 2005.

**7.Z. BEACH PRESERVATION - APPLIED TECHNOLOGY AND MANAGEMENT, INC. (ATM) –MITIGATION REEF CONSTRUCTION - CONTRACT AMENDMENT 8 - FINAL PAYMENT AND RELEASE OF RETAINAGE**

ON MOTION by Commissioner Bowden, SECONDED by Commissioner Davis, the Board unanimously approved

the release and retainage to ATM, in the amount of \$1,716.00, as recommended in the memorandum of October 3, 2005.

**7.AA CITRUS BEST MANAGEMENT PRACTICES (BMP) GRANT - FLORIDA**

**DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES**

ON MOTION by Commissioner Bowden, SECONDED by Commissioner Davis, the Board unanimously approved the grant contract, accepting the \$75,000.00 FDACS grant for citrus best management practices installations, as recommended in the memorandum of December 21, 2005.

AGREEMENT IS ON FILE IN THE  
OFFICE OF THE CLERK TO THE BOARD

**7.BB GENERAL SERVICES-BUILDINGS AND GROUNDS DIVISION - BID**

**AWARD #2006039 -ELEVATOR MAINTENANCE -- GENERAL  
ELEVATOR SALES & SERVICE, INC.**

ON MOTION by Commissioner Bowden, SECONDED by Commissioner Davis, the Board unanimously awarded the bid as follows (1) Waived the irregularity of omission of the monthly inspection fee and permit issuance of a separate purchase order for the annual inspection fee; (2) Awarded the Bid to General Elevator Sales & Service, Inc., as the only responsive and responsible bidder to submit a response to the Invitation to Bid; (3) Authorized

the Purchasing Division to issue blanket purchase orders or individual job purchase orders, as needed, for the period of January 2006 through September 30, 2006 with the recommended Bidder; and (4) Authorized the Purchasing Manager to renew this bid for two additional one year periods subject to satisfactory performance, zero cost increase, vendor acceptance and the determination that renewal of this annual bid is in the best interest of Indian River County, as recommended in the memorandum of December 20, 2005.

**7.CC PUBLIC WORKS/ROAD AND BRIDGE DIVISION BID AWARD**

**#2006043 – ANNUAL BID FOR SOD (RE-BID) – TIERRA TURF, INC.**

ON MOTION by Commissioner Bowden, SECONDED by Commissioner Davis, the Board unanimously awarded Bid #2006043 to Tierra Turf, Inc. as the lowest most responsive and responsible bidder meeting the specifications as set forth in the Invitation to Bid; authorized the Purchasing Division to issue blanket purchase orders or individual job purchase orders, as needed, for the period of January 2006 through September 30, 2006 with the recommended bidder; authorized the Purchasing Manager to renew this bid for two additional one year periods subject to satisfactory performance, zero cost increase, and vendor acceptance and the

determination that renewal of this annual bid is in the best interest of Indian River County, as recommended in the memorandum of December 12, 2005.

**7.DD FLORIDA DEPARTMENT OF TRANSPORTATION (FDOT) -  
EXTENSION OF JOINT PARTICIPATION AGREEMENTS - HURRICANES  
FRANCES AND JEANNE**

ON MOTION by Commissioner Bowden, SECONDED by Commissioner Davis, the Board unanimously authorized the Chairman to execute the Letter of Time Extension for Hurricane Frances and the Letter of Time Extension for Hurricane Jeanne, as recommended in the memorandum of December 21, 2005.

AGREEMENT IS ON FILE IN THE  
OFFICE OF THE CLERK TO THE BOARD

**7.EE AUTHORIZATION TO ADVERTISE AMENDMENTS TO ANIMAL  
CONTROL ORDINANCE FOR PUBLIC HEARING ON JANUARY 17,  
2006 – RESOLUTION UPDATING FEES.**

ON MOTION by Commissioner Bowden, SECONDED by Commissioner Davis, the Board unanimously approved advertisement of revisions to the Animal Control Ordinance for Public Hearing on January 17, 2006, as recommended in the memorandum of December 8, 2005.

**9.B.1. PUBLIC DISCUSSION ITEM – STEVE LINO REGARDING  
PETITION FOR ROAD MAINTENANCE WEST OF WILLOW  
(FELLSMERE)**

**Steve Lino**, 14090 85<sup>th</sup> Street, Fellsmere, requested to have the County grade 5 roads west of Willow Street: 79<sup>th</sup> Street, 81<sup>st</sup> Street, 83<sup>rd</sup> Street, 85<sup>th</sup> Street, and 87<sup>th</sup> Street. He explained the reasons he felt they should be graded.

Discussion ensued on the location of the property, why impact fees could not be used to grade the roads, and when the roads were platted.

Public Works Director Jim Davis gave a history of the Board's decisions regarding this policy. He suggested that the property owners work with the County by donating rights-of-way and pay to get the road up to standard. Director. Davis pointed out the purchaser gets the property at a lower price when bought with substandard roads.

Discussion ensued regarding an agreement with the Fellsmere Farms Water Control District from 1978. Some residents of the subject properties do not want a grader on their property.

Commissioner Davis stated he would prefer to meet with the residents from the subject roads and take this matter one step at a time.

**Leroy Kelly**, who is building a house next to Mr. Lino's, presented a memo regarding an agreement from 1979. He stated the dollar amount of how much the taxes have increased. He requested that the person doing the grading across the road also grade the subject roads. Mr. Kelly felt grading some roads in the area and not all the roads was unfair.

There was CONSENSUS that Commissioner Davis would meet with the residents west of Willow Road to workout a solution for road grading.

**9.B.2. PUBLIC DISCUSSION ITEM – ALFRED C. BALDWIN – LINDSEY LANES SUBDIVISION SWALE AND ROAD IMPROVEMENT ISSUE**

Alfred C. Baldwin, Lindsey Lanes, thanked the Board and any County employees involved with the Lindsey Lanes swale and road improvement issues. He complimented Code Enforcement and County Administrator Baird's office for their promptness.

NO ACTION REQUIRED OR TAKEN.

**9.B.3. PUBLIC DISCUSSION ITEM – GEORGE SIGLER – 27<sup>TH</sup> AVENUE AND 43<sup>RD</sup> AVENUE**

George Sigler, owner of property on 27<sup>th</sup> Avenue, feared not being able to develop his properties on 27<sup>th</sup> Avenue due to the lack of concurrency. He felt it was a disservice to the public not to widen the roads, and that the County is reacting too late, because developers are already unable to proceed with construction. He suggested synchronizing the seven (7) lights on Oslo Road, rerouting the traffic flow from Oslo Road to SR-60 until the roads are widened.

NO ACTION REQUIRED OR TAKEN.

**9.B.4. PUBLIC DISCUSSION ITEM – ADRIENNE CUFFE  
REGARDING ROADS AND GROWTH - DIAN GEORGE  
REGARDING VIGILANCE REQUIRED FOR 43<sup>RD</sup> AND 27<sup>TH</sup>  
AVENUES**

**Adrienne Cuffe**, 695 43<sup>rd</sup> Avenue, explained that this issue has been addressed a number of times and the residents have voiced their opinions loud and clear. She said there is no room for five lanes, and the residents prefer three lanes with sidewalks. She discussed the previous election, what the County population would be at build-out, and properly planning for expansion.

**Dian George**, 1515 27<sup>th</sup> Avenue, felt the Board had tunnel vision regarding 43<sup>rd</sup> Avenue and gave a history of the Commission's previous decisions regarding this issue.

NO ACTION REQUIRED OR TAKEN.

**9.B.5. PUBLIC DISCUSSION ITEM – JERRY SWANSON  
REGARDING THE 43<sup>RD</sup> AVENUE WIDENING PROJECT**

**Jerry Swanson** recalled what happened at the December 21, 2005 MPO meeting. He felt this problem is very complex and there is not enough infrastructure to support the residents moving to the County. He stated it was time for everyone to get together to discuss the greater good of Indian River County, not what the minority of residents want.

NO ACTION REQUIRED OR TAKEN.

*(Clerk's Note: Chairman Neuberger called for a recess at 10:29 a.m. (for closed captioning). The meeting was reconvened at 10:37 a.m. with all members present.)*

**11.C.1. GENERAL SERVICES – NEW COUNTY ADMINISTRATION  
BUILDING - REVISION TO GUARANTEED MAXIMUM  
PRICE (GMP) AND OWNER'S CONTINGENCY**

General Services Director Tom Frame explained what this item involves.

ON MOTION by Commissioner Lowther, SECONDED by Commissioner Bowden, the Board unanimously approved the revised figures of \$303,500.37 as the Owner's Contingency, accepted the revised GMP at \$31,839,308.36, and authorized the County Administrator to approve revised deductive change orders that make these changes, as recommended in the memorandum of December 22, 2005.

**11.C.2. GENERAL SERVICES – RFQ #2006019 - MGT OF AMERICA  
INC. SELECTED TO PROVIDE NEEDS ASSESSMENT PLAN  
– CHILDREN'S SERVICES ADVISORY COMMITTEE –  
KAREN DEIGL (HOSPITAL DISTRICT) TO SERVE AS  
PROJECT MANAGER FOR THE COUNTY**

ON MOTION by Commissioner Lowther, SECONDED by Commissioner Davis, the Board unanimously selected

MGT of America, Inc. as the top ranked firm in response to RFQ #2006019; accepted Karen Daigle with the Hospital District as the Project Manager for coordination with the Consultant and the County; approved the proposed agreement and authorized the Chairman to execute the same subject to receipt of all the contributor's funds which when added to the County's \$45,133 will provide a total funding of \$97,000, and subject to the prior execution of the agreement by MGT of America, Inc., as recommended in the memorandum of December 22, 2005.

**11.I.1. PUBLIC WORKS – CIVIL ENGINEERING AND LAND SURVEYING AGREEMENT – ARCADIS G & M, INC. – WIDENING OF 20<sup>TH</sup> AVENUE FROM 25<sup>TH</sup> STREET SW TO 21<sup>ST</sup> STREET SW – PROJECT NO. 0541**

ON MOTION by Commissioner Lowther, SECONDED by Commissioner Bowden, the Board unanimously authorized the Chairman to execute the Agreement with Arcadis G & M, Inc., as recommended in the memorandum of December 6, 2005.

**11.I.2. PUBLIC WORKS – RIGHT-OF-WAY ACQUISITION – AGREEMENT WITH WAYNE COLLIER, OWNER - 58<sup>TH</sup> AVENUE SOUTH OF OSLO ROAD – FUTURE 58<sup>TH</sup> AVENUE ROADWAY WIDENING**

ON MOTION by Commissioner Lowther, SECONDED by Commissioner Davis, the Board unanimously approved the \$91,100.00 purchase and authorized the Chairman to execute the Agreement to Purchase and Sell Real Estate, as recommended in the memorandum of December 8, 2005.

**11.J.1. UTILITIES SERVICES – TUSCANY LAKES SUBDIVISION – DEVELOPER’S AGREEMENT - WOODSIDE TUSCANY, LLC**

Director of Utility Services Eric Olson explained that the project is an extension of an agreement to extend a water main.

ON MOTION by Commissioner Lowther, SECONDED by Commissioner Bowden, the Board unanimously approved the Developer’s Agreement, authorized the Utilities Department to recover capacity charges and line extension fees from future development, and authorized the Chairman to execute the Agreement, as recommended in the memorandum of December 20, 2005.

**11.J.2. UTILITIES SERVICES - EXTENSION OF ST. JOHNS RIVER WATER MANAGEMENT DISTRICT ALTERNATIVE WATER SUPPLY COST SHARE AGREEMENT FOR INTEGRATED WATER RESOURCES PROGRAM TO REDUCE STORMWATER AND REVERSE OSMOSIS CONCENTRATE INTO THE INDIAN RIVER LAGOON (UPC 2097) – CHANGE ORDER NO. 2**

ON MOTION by Commissioner Lowther, SECONDED by Commissioner Davis, the Board unanimously accepted the 18-month grant extension in the amount of \$125,000.00 from SJRWMD, and authorized the Chairman to execute the Change Orders, as recommended in the memorandum of December 8, 2005.

DOCUMENTS ARE ON FILE  
IN THE OFFICE OF THE CLERK TO THE BOARD

**13.A (FORMER) CHAIRMAN THOMAS S. LOWTHER – CITRUS CANKER MEETING**

There was CONSENSUS for Chairman Neuberger to contact Agriculture Commissioner Charles H. Bronson to work out a time that he would be available to attend the Citrus Canker meeting.

**13.B. VICE CHAIRMAN ARTHUR R. NEUBERGER –**  
**RECONSIDERATION OF FOUR-LANING 27<sup>TH</sup> AVENUE AND**  
**43<sup>RD</sup> AVENUE**

Chairman Neuberger is in favor of widening 43<sup>rd</sup> and 27<sup>th</sup> Avenues after gathering more information. He proposed that the County get back on track with four-laning of the subject avenues.

Commissioner Wheeler felt there are solutions other than five-laning the subject avenues. He agreed with the Board's last decision to deny the five-laning.

Commissioner Lowther commented that a project could be designed that all of the residents would like.

Public Works Director Jim Davis indicated the proposed median would not fit unless additional right-of-way is acquired.

Discussion ensued on the possibility of a three-lane expandable bridge, the current traffic count, the affects St. Lucie County traffic is having on Indian River County roads, safety issues, capacity percentages, three-laning all the way to the south county line, and traffic concurrency.

**Jim Copeland** suggested five-laning 58<sup>th</sup> Avenue to St. Lucie County to help alleviate some of the problems on 43<sup>rd</sup> Avenue.

Traffic Engineer Chris Mora explained that five-laning 58<sup>th</sup> Avenue would not solve the problems on 43<sup>rd</sup> and 27<sup>th</sup> Avenue. He stated staff felt that the roads have to be widened to accommodate traffic.

**Adrienne Cuffe** asked why Oslo Road to 8<sup>th</sup> Street was never taken into account during Planning and why the County was concerned about what St. Lucie County is planning.

**Ann Burleson**, Forest Lakes, commented that not enough information has been given to residents to warrant five-laning 43<sup>rd</sup> and 27<sup>th</sup> Avenues.

**Donna Wilson**, Glendale Lakes, believed five-laning 43<sup>rd</sup> and 27<sup>th</sup> would destroy the neighborhood.

**Bob Johnson**, Coral Wind Subdivision, read his prepared notes (copy on file). He suggested staff study the widening of critical intersections, to make the proposed bank (Indian River National Bank) part of the new PD (Planned Development) on 27<sup>th</sup> Avenue, so needed concurrency could be obtained. The bank could buy the concurrency from the developer, and review the government's responsibility to ensure private commercial business makes a profit.

**Dian George** stated the aquifers are low.

**Andy Biendorf**, President of Indian River National Bank, asserted he did not lobby any of the Board members. He said the bank is not the only business affected by the concurrency issue and the Board should make a plan to fix this problem.

**Margaret Derwin**, 545 43<sup>rd</sup> Avenue, did not understand how concurrency could be sold. Her greatest concern was the school children's safety on 43<sup>rd</sup> and 27<sup>th</sup> Avenues.

**Ron Bear**, 4055 51<sup>st</sup> Avenue (work address), explained current traffic issues around 43<sup>rd</sup> and 27<sup>th</sup> Avenues and he predicted an increase of danger if the avenues are widened. He suggested that staff look at the traffic signals to help with traffic flow.

**Joseph Paladin**, Chairman of the private sector Growth Awareness Committee (GAC) and President of Atlantic Coast Construction Company, stated the GAC is working on solutions regarding the concurrency issues. He explained all issues that require a decision from the Board should be looked at individually.

Commissioner Wheeler stressed his objection was not to stop construction but to maintain the character of the community.

Chairman Neuberger thought by bringing this item back to the Board some new ideas might be brought to the table.

**Steve Smith**, Seminole Shores, suggested using Beachland Boulevard as a model for 43<sup>rd</sup> and 27<sup>th</sup> Avenues, which may ease resident's minds.

**14.A. EMERGENCY SERVICES DISTRICT**

None.

**14.B. SOLID WASTE DISPOSAL DISTRICT**

None.

**14.C. ENVIRONMENTAL CONTROL BOARD**

None.

ALL BACKUP DOCUMENTATION, RESOLUTIONS, AND ORDINANCES ARE ON FILE IN THE OFFICE OF THE CLERK TO THE BOARD AND ARE HEREBY MADE A PART OF THESE MINUTES

There being no further business, on Motion duly made, seconded and carried, the Board adjourned at 12:12 p.m.

ATTEST:

\_\_\_\_\_  
Jeffrey K. Barton, Clerk

\_\_\_\_\_  
Arthur R. Neuberger, Chairman

Minutes Approved: \_\_\_\_\_  
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