



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

**COMMISSION AGENDA**

**TUESDAY, SEPTEMBER 11, 2007 - 9:00 A.M.**

**County Commission Chamber  
Indian River County Administration Complex  
1801 27<sup>th</sup> Street, Building A  
Vero Beach, Florida, 32960-3365  
www.ircgov.com**

**COUNTY COMMISSIONERS**

<b>Gary C. Wheeler, Chairman</b>	<b>District 3</b>	<b>Joseph A. Baird, County Administrator</b>
<b>Sandra L. Bowden, Vice Chairman</b>	<b>District 5</b>	<b>William G. Collins II, County Attorney</b>
<b>Wesley S. Davis</b>	<b>District 1</b>	<b>Jeffrey K. Barton, Clerk to the Board</b>
<b>Joseph E. Flescher</b>	<b>District 2</b>	
<b>Peter D. O'Bryan</b>	<b>District 4</b>	

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| <b>1.</b> | <b><u>CALL TO ORDER</u></b>   | <b><u>9:00 A.M.</u></b>   |
| <b>2.</b> | <b><u>INVOCATION</u></b>  | Teddy Floyd, Indian River County Sheriff<br>Office, Crime Prevention Bureau |
| <b>3.</b> | <b><u>PLEDGE OF ALLEGIANCE</u></b>  | Commissioner Peter D. O'Bryan   |
| <b>4.</b> | <b><u>ADDITIONS/DELETIONS TO THE AGENDA / EMERGENCY ITEMS</u></b>   |   |
| <b>5.</b> | <b><u>PROCLAMATIONS and PRESENTATIONS</u></b>   |   |
| <b>A.</b> | Presentation of Proclamation Honoring Dr. John W. McDonald for<br>Outstanding Service on the Indian River County Environmental Control<br>Hearing Board | <u>1</u>  |
| <b>B.</b> | Presentation of Proclamation Honoring World Changer Joel Dramis   | <u>2</u>  |

<b>5.</b>	<b><u>PROCLAMATIONS and PRESENTATIONS (CONT'D.)</u></b>	<b><u>PAGE</u></b>
	C. Presentation by Julianne R. Price, Statewide PACE Environmental Health Coordinator	
<b>6.</b>	<b><u>APPROVAL OF MINUTES</u></b>	
	A. Public Workshop of June 21, 2007 – Alternative Water Supply	
	B. Regular Meeting of July 10, 2007	
	C. Special Call Meeting of July 11, 2007 – LDR Chapter 911	
	D. Regular Meeting of July 17, 2007	
	E. Budget Workshop of July 18, 2007	
	F. Special Call Meeting of July 20, 2007 – Fellsmere Annexations & Piper Referendum	
	G. Regular Meeting of July 24, 2007	
<b>7.</b>	<b><u>CONSENT AGENDA</u></b>	
	A. Reports on File in the Office of Clerk to the Board:	
	1. City of Vero Beach Ordinance 2007-03 – Annexing 124 Acres	
	2. City of Fellsmere Ordinance 07-11 – Annexing 41.35 Acres	
	B. Approval of Warrants – August 24, 2007 – August 30, 2007 (memorandum dated August 30, 2007)	3-9
	C. Consent Agenda Item (Certification of Tax Roll) (memorandum dated September 4, 2007)	10
	D. Resignation and Appointment of Medical Doctor Position to the Environmental Control Hearing Board (memorandum dated August 29, 2007)	11-14

<b>7.</b>	<b><u>CONSENT AGENDA (CONT'D.)</u></b>	<b><u>PAGE</u></b>
<b>E.</b>	Resignation of Appointee to the Transportation Disadvantaged Local Coordinating Board (memorandum dated September 4, 2007)	15-16
<b>F.</b>	Appointment of Realtor Appointee to the Professional Services Advisory Committee (memorandum dated September 4, 2007)	17-23
<b>G.</b>	Proclamation Honoring Joyce Daugherty on Her Retirement from Indian River County Board of County Commissioners Department of Utility Services	24-25
<b>H.</b>	Request to Enter into a Supplemental Public Transportation Joint Participation Agreement with the Florida Department of Transportation (FDOT) (memorandum dated August 21, 2007)	26-35
<b>I.</b>	Lightning Prediction Systems (memorandum dated August 29, 2007)	36-46
<b>J.</b>	Approval of Final Invoice and Final Release of Retainage for Environmental Consulting & Technology, Inc.'s Work Order No. 1 for Egret Marsh Regional Stormwater Park (memorandum dated August 27, 2007)	47-49
<b>K.</b>	Approval of Professional Service Agreements for Annual Geotechnical Services Contract, 2007-2008 – IRC Project No. 0534 (memorandum dated August 17, 2007)	50-73
<b>L.</b>	Interfund Borrowing (memorandum dated September 5, 2007)	74
<b>M.</b>	Miscellaneous Budget Amendment 024 (memorandum dated September 5, 2007)	75-80
<b>N.</b>	Approval to Purchase 911 Recording Equipment from Replay Systems (memorandum dated August 31, 2007)	81-86
<b>O.</b>	Approval of Renewal for a Class “E” Certificate of Public Convenience and Necessity for Senior Resource Association to Provide Wheelchair Services (memorandum dated August 31, 2007)	87-97

<b>7.</b>	<b><u>CONSENT AGENDA (CONT'D.)</u></b>	<b><u>PAGE</u></b>
	<b>P.</b> Renewal of Service Agreement for Indian River County Sheriff Office E911 Public Safety Answering Point (PSAP) MGE UPS on a Sole Source Basis from MGE UPS Systems, Inc. (memorandum dated August 30, 2007)	98-111
	<b>Q.</b> Replacement of DC Capacitor and Batteries for MGE UPS system at the IRCSO 911 Center (memorandum dated September 4, 2007)	112-118
	<b>R.</b> JLW Management Corp Request for Final Plat Approval for a Plat-Over-Site-Plan Subdivision to be known as Bella Rosa (memorandum dated August 30, 2007)	119-125
	<b>S.</b> CR 512, I-95 to Roseland Road – IRC Project No. 9611 Addendum #8, Task B, Request for Final Release of Retainage (memorandum dated August 30, 2007)	126-130
	<b>T.</b> Approval of Bid Award for IRC Bid # 2007086 Trailer Mounted 4” Self-Priming Double Diaphragm, Public Works Department / Road and Bridge Division (memorandum dated September 4, 2007)	131-139
	<b>U.</b> Indian River County Bid # 2007085 Compact Hydraulic Excavator with Power Tilt & Bucket Attachment, Road and Bridge Department (memorandum dated August 31, 2007)	140-143
	<b>V.</b> Approval of Bid Award for IRC Bid # 2007088 Resurface Activity Pool at North County Aquatic Center, Recreation Department (memorandum dated August 28, 2007)	144-149
	<b>W.</b> Request to Renew a Public Transportation Supplemental Joint Participation Agreement With the Florida Department of Transportation (FDOT) (memorandum dated August 22, 2007)	150-159
	<b>X.</b> Selection of Professional Land Surveying and Mapping/GIS firms, 2007 Annual Services Contract No. 0725, Request for Qualifications (R.F.Q.) No. 2007064 (memorandum dated September 4, 2007)	160-161
	<b>Y.</b> Kimley-Horn & Associates, Inc. Request for Extension of PD Plan/Plat Approval for the Sam’s Club Expansion (Quasi-Judicial) (memorandum dated September 4, 2007)	162-168

<b>8.</b>	<b><u>CONSTITUTIONAL OFFICERS and GOVERNMENTAL AGENCIES</u></b>	<b><u>PAGE</u></b>
	None	
<b>9.</b>	<b><u>PUBLIC ITEMS</u></b>	
	<b>A. <u>PUBLIC HEARINGS</u></b>	
	None	
	<b>B. <u>PUBLIC DISCUSSION ITEMS</u></b>	
	Please give your name and address, and then give your remarks. Please try to limit your remarks to three minutes.	
	1. Request to Speak from Raymond W. Batt on behalf of Vista Gardens	169
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	2. Request to Speak from Steve Myers Regarding Regional Residuals Dewatering Facility Operations	170
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	3. Request to Speak from William Wells Regarding Resolutions to matters brought to the Commission	171
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	<b>C. <u>PUBLIC NOTICE ITEMS</u></b>	
	1. Notice of Scheduled Public Hearing – September 18, 2007: Board consideration to approve purchase of conservation easements on the “Padgett Branch” site under the county environmental land acquisition program (memorandum dated September 4, 2007)	172
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	<b>Administrative</b>	
<b>10.</b>	<b><u>COUNTY ADMINISTRATOR MATTERS</u></b>	
	None	
<b>11.</b>	<b><u>DEPARTMENTAL MATTERS</u></b>	
	<b>A. <u>Community Development</u></b>	
	1. Condemnation, Demolition and Removal of Unsafe Structures (Quasi-Judicial) (memorandum dated September 11, 2007)	173-183
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<b>11.</b>	<b><u>DEPARTMENTAL MATTERS (CONT'D.)</u></b>	<b><u>PAGE</u></b>
<b>A.</b>	<b><u>Community Development (cont'd.)</u></b>	
2.	Robert and Nancy Marshbanks' Appeal of the Planning and Zoning Commission's Approval of the Treasure Coast Montessori School's Administrative Permit Use and Major Site Plan Application for a Pre School / Child Care Facility at 6320 8 <sup>th</sup> Street (memorandum dated August 24, 2007)	184-230
<b>B.</b>	<b><u>Emergency Services</u></b>	
	None	
<b>C.</b>	<b><u>General Services</u></b>	
1.	Approval of Demolition Privity Agreement – Cross Environmental Services (memorandum dated September 5, 2007)	231-279
<b>D.</b>	<b><u>Human Resources</u></b>	
	None	
<b>E.</b>	<b><u>Human Services</u></b>	
	None	
<b>F.</b>	<b><u>Leisure Services</u></b>	
	None	
<b>G.</b>	<b><u>Office of Management and Budget</u></b>	
	None	
<b>H.</b>	<b><u>Recreation</u></b>	
	None	

<b>11.</b>	<b><u>DEPARTMENTAL MATTERS (CONT'D.)</u></b>	<b><u>PAGE</u></b>
	<b>I. <u>Public Works</u></b>	
	1. S.R. 60 and 58 <sup>th</sup> Avenue, Alternative Corridor Study – Final Report (memorandum dated September 4, 2007)	280-282
	2. Resolutions to Provide for the Paving and Drainage Improvements to and set Public Hearing date for: 1 <sup>st</sup> Road from 35 <sup>th</sup> Avenue to 32 <sup>nd</sup> Avenue in Vero Beach Homesites Subdivision – IRC Project No. 0522 (memorandum dated September 4, 2007)	283-299
	3. Right-of-Way Acquisition 66 <sup>th</sup> Avenue South of 8 <sup>th</sup> Street, Robert W. and Jo An Schlitt husband and wife (deferred from September 4, 2007 meeting) (memorandum dated August 23, 2007)	300-321
	<b>J. <u>Utilities Services</u></b>	
	1. Regional Residuals Dewatering Facility Operations (memorandum dated August 23, 2007)	322-323
	2. Vero Cadillac Developer’s Agreement for Replacement of 6-inch Transite Water Main (memorandum dated August 30, 2007)	324-338
<b>12.</b>	<b><u>COUNTY ATTORNEY MATTERS</u></b>	
	None	
<b>13.</b>	<b><u>COMMISSIONERS ITEMS</u></b>	
	<b>A. <u>Commissioner Gary C. Wheeler, Chairman</u></b>	
	None	
	<b>B. <u>Commissioner Sandra L. Bowden, Vice Chairman</u></b>	
	None	

<b>13.</b>	<b><u>COMMISSIONERS ITEMS</u></b>	<b><u>PAGE</u></b>
	<b><u>C. Commissioner Wesley S. Davis</u></b>	
	1. Permission to Advertise for Public Hearing: An Ordinance Amending Indian River Code Chapter 973 Nuisance Abatement (memorandum dated September 6, 2007)	339-342
	<b><u>D. Commissioner Joseph E. Flescher</u></b>	
	1. Appointment of Commission Liaison to the Interlocal Service Boundary Agreement Working Group (no back-up)	
	<b><u>E. Commissioner Peter D. O'Bryan</u></b>	
	1. Request for the Board of County Commissioners to adopt the Green Resolution (memorandum dated August 31, 2007)	343-346

**14. SPECIAL DISTRICTS AND BOARDS**

- A. **Emergency Services District**  
None
- B. **Solid Waste Disposal District**  
None
- C. **Environmental Control Board**  
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 (TDD # 772-770-5215) 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](http://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.***