

INDEX TO MINUTES OF REGULAR MEETING
OF BOARD OF COUNTY COMMISSIONERS
OF NOVEMBER 20, 2007

1.	CALL TO ORDER	1
2.	INVOCATION	1
3.	PLEDGE OF ALLEGIANCE.....	1
	ELECTION OF BOARD OF COUNTY COMMISSION CHAIRMAN.....	2
	ELECTION OF BOARD OF COUNTY COMMISSION VICE CHAIRMAN	2
4.	ADDITIONS/DELETIONS TO THE AGENDA /EMERGENCY ITEMS	3
5.	PROCLAMATIONS AND PRESENTATIONS	4
	A. <i>PRESENTATION OF PROCLAMATION DESIGNATING NOVEMBER 18 - 24, 2007, AS CHRISTIAN HERITAGE WEEK IN INDIAN RIVER COUNTY, FLORIDA.....</i>	4
	B. <i>PRESENTATION BY NANCY WOOD, INDIAN RIVER GREEN TEAM, OF THE DONATION OF \$4,500 FOR THE APPLICATION TO THE FLORIDA GREEN BUILDING COALITION, INC., FOR CERTIFICATION OF INDIAN RIVER COUNTY AS A CERTIFIED FLORIDA GREEN LOCAL GOVERNMENT</i>	4
6.	APPROVAL OF MINUTES - NONE.....	5

7.	CONSENT AGENDA.....	5
	<i>7.A. APPROVAL OF WARRANTS – NOVEMBER 2 TO NOVEMBER 8, 2007.....</i>	<i>5</i>
	<i>7.B. INVESTMENT COMMITTEE REPORT FOR QUARTER ENDING 9/30/07</i>	<i>5</i>
	<i>7.C. ANNUAL SIGNATORIES RESOLUTION.....</i>	<i>6</i>
	<i>7.D. MISCELLANEOUS BUDGET AMENDMENT 027.....</i>	<i>6</i>
	<i>7.E. GIFFORD YOUTH ACTIVITY CENTER, INC., LEASE AGREEMENT – MAINTENANCE AND REPAIRS, MISCELLANEOUS BUDGET AMENDMENT 001.....</i>	<i>6</i>
	<i>7.F. UTILITY CONFLICT RESOLUTIONS BY UTILITIES DEPARTMENT FOR PUBLIC WORKS DEPARTMENT BID NO. 2006-065, PROJECT NO. 9611 & 001, CR 510 & CR 512 PHASE III IMPROVEMENTS, UCP NO. 2837, APPROVAL OF FINAL PAYMENT TO CONTRACTOR, UNDERGROUND UTILITIES, INC., AND RELEASE OF RETAINAGE.....</i>	<i>7</i>
	<i>7.G. APPROVAL OF BID AWARD AND SAMPLE AGREEMENT FOR IRC BID # 2008014 MEADOWLARK WOODS WATER ASSESSMENT PROJECT, UTILITIES DEPARTMENT</i>	<i>7</i>
	<i>7.H. ACCEPTANCE CHANGE ORDER NO. 34 FOR THE ADMINISTRATION BUILDING</i>	<i>8</i>
	<i>7.I. APPOINTMENT TO THE PARKS AND RECREATION COMMITTEE.....</i>	<i>8</i>
	<i>7.J. PROCLAMATION HONORING DOROTHEA E. CLARKE ON HER RETIREMENT FROM INDIAN RIVER COUNTY BOARD OF COUNTY COMMISSIONERS AND SOLID WASTE DISPOSAL DISTRICT, DIVISION OF UTILITY SERVICES</i>	<i>9</i>
	<i>7.K. WORK ORDER NO. 1 (ENGINEERING/SURVEYING), KIMLEY-HORN & ASSOCIATES, INC., INDIAN RIVER BLVD. PROPOSED SIDEWALK TOPOGRAPHIC SURVEY, IRC PROJECT NO. 0746, CONTINUING PROFESSIONAL SURVEYING & MAPPING/GIS SERVICES, CONTRACT 0725.....</i>	<i>9</i>
	<i>7.L. WORK ORDER NO. 2 (ENGINEERING/SURVEYING), KIMLEY-HORN & ASSOCIATES, INC., 9TH STREET (EAST OF US1) PROPOSED SIDEWALK TOPOGRAPHIC SURVEY, IRC PROJECT NO. 0744, CONTINUING PROFESSIONAL SURVEYING & MAPPING/GIS SERVICES, CONTRACT 0725.....</i>	<i>9</i>
	<i>7.M. PRANGE ISLANDS CONSERVATION AREA ADOPTION AGREEMENT</i>	<i>10</i>
	<i>7.N. PROFESSIONAL ENGINEERING SERVICES FOR STORMWATER CALCULATIONS AND PERMITTING OF OSLO ROAD IMPROVEMENTS FROM 58TH AVENUE TO 43RD AVENUE, IRC PROJECT 0517</i>	<i>10</i>
	<i>7.O. WATERWAY VILLAGE – MUTUAL TERMINATION OF SLAB REMOVAL AGREEMENT</i>	<i>11</i>

	<i>7.P. IRC JAIL EXPANSION – CHANGE ORDER # 14</i>	11
	<i>7.Q. ACCEPTANCE CHANGE ORDER No. 15 FOR THE EMERGENCY OPERATIONS CENTER</i>	11
	<i>7.R. APPOINTMENT TO THE PLANNING AND ZONING COMMISSION</i>	12
8.A.	CONSTITUTIONAL OFFICERS AND GOVERNMENTAL AGENCIES - NONE	14
9.	PUBLIC ITEMS -	14
A.	PUBLIC HEARINGS - NONE	14
9.B.	PUBLIC DISCUSSION ITEMS -NONE	14
9.C.	PUBLIC NOTICE ITEMS	14
1.	NOTICE OF SCHEDULED PUBLIC HEARINGS FOR NOVEMBER 20, 2007 DECEMBER 4, 2007:	14
A.	OSLO COMMERCE CENTER, L.P’S: REQUEST TO REZONE ± 12.692 ACRES LOCATED NORTH OF 9TH STREET, S.W. AND APPROXIMATELY 1,250 FEET EAST OF 43RD AVENUE FROM CH, HEAVY COMMERCIAL, TO CG, GENERAL COMMERCIAL. OSLO COMMERCE CENTER L.P., OWNER. SCHULKE, BITTLE & STODDARD, LLC, AGENT (QUASI-JUDICIAL).....	14
B.	FOURDEV’S: REQUEST TO REZONE ± 6.78 ACRES LOCATED ON THE SOUTHWEST CORNER OF US HIGHWAY 1 AND 53RD STREET FROM IL, LIMITED INDUSTRIAL, TO CG, GENERAL COMMERCIAL. FOURDEV, LLC OWNER.	

**KNIGHT, MCGUIRE & ASSOCIATES, INC., AGENT
(QUASI-JUDICIAL).....15**

**C. REQUEST BY BILLY L. HITCHCOX FOR A VARIANCE
FROM THE REQUIREMENTS OF THE SUBDIVISION
ORDINANCE (CHAPTER 913) FOR A MOBILE HOME
DEVELOPMENT AT 48TH AVENUE AND 43RD STREET
(QUASI-JUDICIAL).....15**

10. COUNTY ADMINISTRATOR MATTERS.....15
A. PIPER INCENTIVE PACKAGE15

11. DEPARTMENTAL MATTERS.....16

11.A. COMMUNITY DEVELOPMENT - NONE16

11.B. EMERGENCY SERVICES - NONE16

11.C. GENERAL SERVICES16
I. IRC JAIL EXPANSION PROJECT PROPOSED CHANGE ORDER # 1516

11.D. HUMAN RESOURCES17
*I. NATIONAL ASSOCIATION OF COUNTIES (NACo) PRESCRIPTION CARD
PROGRAM17*

11.E. HUMAN SERVICES - NONE19

11.F. LEISURE SERVICES – NONE.....19

11.G. OFFICE OF MANAGEMENT AND BUDGET19

	<i>I. PROPERTY TAX REFORM.....</i>	<i>19</i>
11.H.	RECREATION - NONE	20
11.I.	PUBLIC WORKS - NONE.....	20
11.J.	UTILITIES SERVICES.....	20
	<i>I. WEST WABASSO COMMUNITY WATER PROJECT, PHASE I, SHELTRA & SON, INC. – CHANGE ORDER NO. 2 & FINAL PAY TO CONTRACT 2006051.....</i>	<i>20</i>
	<i>11.J.2. APPROVAL OF BID AWARD AND SAMPLE AGREEMENT FOR IRC BID #2008015 VERO LAKE ESTATES MASTER PLAN WATER MAIN PHASE I, UTILITIES DEPARTMENT</i>	<i>21</i>
12.	COUNTY ATTORNEY MATTERS	22
	<i>A. REQUEST POLICY DIRECTION ON TERMS OF LEASE FOR GIFFORD PARK SECURITY HOUSE (DEFERRED FROM NOVEMBER 13, 2007)</i>	<i>22</i>
	<i>12.B. AUTHORIZATION TO ADVERTISE FOR PUBLIC HEARING ON AMENDMENT TO SECTION 104.06 OF THE ETHICS ORDINANCE AS IT PERTAINS TO INVITATIONS TO ANNUAL HOLIDAY PARTIES, GROUNDBREAKINGS AND RIBBON CUTTING CEREMONIES.....</i>	<i>24</i>
	<i>12.C. MODIFICATION AND SUBSTANTIAL TERMINATION OF “DEVELOPER’S AGREEMENT BETWEEN INDIAN RIVER COUNTY, FLORIDA AND OSLO 27, LLC FOR 27TH AVENUE BETWEEN 13TH STREET SW AND 17TH STREET SW” DATED DECEMBER 12, 2006.</i>	<i>25</i>
13.	COMMISSIONERS’ ITEMS.....	27
A.	COMMISSIONER GARY C. WHEELER, CHAIRMAN - NONE ADDITION:	27
	<i>I. MINING OPERATIONS.....</i>	<i>27</i>

B.	COMMISSIONER SANDRA L. BOWDEN, VICE CHAIRMAN – NONE ADDITION: ACKNOWLEDGMENT OF PLAQUE FROM RESOURCE ASSOCIATION.....	32
C.	COMMISSIONER WESLEY S. DAVIS..... <i>I. REQUEST FOR APPROVAL IN WRITING A LETTER IN SUPPORT OF THE INDIAN RIVER COUNTY HISTORIC SOCIETY, INC., APPLYING FOR A HISTORIC PRESERVATION GRANT FOR THE CONTINUED OPERATION OF THE MARIAN FELL LIBRARY IN FELLSMERE.....</i>	33
D.	COMMISSIONER JOSEPH E. FLESCHER- NONE.....	33
E.	COMMISSIONER PETER D. O’BRYAN –NONE..... <i>I. ADDITION: UPDATE ON THE INDIAN RIVER COUNTY APPEAL OF ST. JOHN’S FINAL ORDER.....</i>	33
14.	SPECIAL DISTRICTS AND BOARDS.....	34
A.	EMERGENCY SERVICES DISTRICT - NONE.....	34
B.	SOLID WASTE DISPOSAL DISTRICT - NONE	34
C.	ENVIRONMENTAL CONTROL BOARD - NONE	34
15.	ADJOURNMENT	34

November 20, 2007

REGULAR MEETING OF THE BOARD OF COUNTY
COMMISSIONERS OF INDIAN RIVER COUNTY

The Board of County Commissioners of Indian River County, Florida, met in Regular Session at the County Commission Chambers, 1801 27th Street, Vero Beach, Florida, on Tuesday, November 20, 2007. Present were Chairman Gary C. Wheeler, Vice Chair Sandra L. Bowden, Commissioners Wesley S. Davis, Joseph E. Flescher and Peter D. O'Bryan. Also present were County Administrator Joseph A. Baird, County Attorney William G. Collins II, and Deputy Clerk Athena Adams.

1. CALL TO ORDER

Chairman Wheeler called the meeting to order at 9:00 a.m.

2. INVOCATION

Reverend Dawn Reichard, Christ by the Sea United Methodist Church, delivered the Invocation.

3. PLEDGE OF ALLEGIANCE

Chairman Wheeler led the Pledge of Allegiance to the Flag.

ELECTION OF BOARD OF COUNTY COMMISSION

CHAIRMAN

Chairman Wheeler invited County Attorney William Collins to conduct the election of Chairman and Vice Chairman of the Board.

Attorney Collins opened the floor to nominations for Chairman.

Commissioner Davis NOMINATED Commissioner Bowden, and Commissioner Wheeler SECONDED the nomination. There were no other nominations.

Attorney Collins CALLED FOR A VOTE on the nomination for Chairman. The Board unanimously accepted the nomination and appointed Commissioner Bowden as Chairman of the Board for the year 2008.

ELECTION OF BOARD OF COUNTY COMMISSION VICE

CHAIRMAN

Attorney Collins then handed the proceedings over to the new Chairman, Sandra L. Bowden, to conduct the nominations for Vice Chairman. Outgoing Chairman Gary C. Wheeler ceremoniously passed the gavel to the new Chairman, who thanked her colleagues for their vote of confidence.

Commissioner Davis took the opportunity to thank outgoing Chairman Gary Wheeler for his excellent service and statesmanship in conducting meetings over the past year.

Chairman Bowden opened the floor to nominations for Vice Chairman.

Chairman Bowden NOMINATED Commissioner Davis,
and Commissioner Flescher SECONDED the nomination.
There were no other nominations.

Chairman Bowden CALLED FOR A VOTE on the
nomination for Vice Chairman. The Board unanimously
accepted the nomination and appointed Commissioner
Davis as Vice Chairman of the Board for the year 2008.

4. ADDITIONS/DELETIONS TO THE AGENDA /EMERGENCY ITEMS

Chairman Bowden announced the following changes to today's Agenda:

1. **Correction** to Item 9.C, date change
2. **Addition, Item 13.E.1:** Update on the Indian River County Appeal of St. John's Final Order (Land Swap).
3. **Addition: Item 13.A** - Mining operations
4. Typographical Error on 7.L. – should read “8th Street” **not** 9th Street
5. Update on Maps, and on Items 7.K & 7.L

6. **Addition:** Item 13.B, acknowledgement of Plaque received from the Resource Association.

ON MOTION by Commissioner Wheeler, SECONDED by Commissioner O'Bryan, the Board unanimously approved the above changes to the Agenda.

5. PROCLAMATIONS AND PRESENTATIONS

A. PRESENTATION OF PROCLAMATION DESIGNATING NOVEMBER 18 - 24, 2007, AS CHRISTIAN HERITAGE WEEK IN INDIAN RIVER COUNTY, FLORIDA

Commissioner Wheeler read and presented the Proclamation to **Bob Johnson** who thanked the Board on behalf of the American Family Association.

B. PRESENTATION BY NANCY WOOD, INDIAN RIVER GREEN TEAM, OF THE DONATION OF \$4,500 FOR THE APPLICATION TO THE FLORIDA GREEN BUILDING COALITION, INC., FOR CERTIFICATION OF INDIAN RIVER COUNTY AS A CERTIFIED FLORIDA GREEN LOCAL GOVERNMENT

Nancy Wood presented a check of \$4,500.00 to Chairman Bowden to pay the entire fee for the Accreditation of Indian River County as a Certified Florida Green Local Government. She announced that she received a donation from Peter Plieneck for the balance of the application fee. She thanked all who participated in the process, and introduced members of her team, co-founders Barbara Brooks and Eva Rocco, new Board member Dawn Chicano, and Nancy's Boss Dr. Darryl Brooks.

Vice Chairman Davis congratulated Nancy Wood on the work she has done.

6. APPROVAL OF MINUTES - NONE

7. CONSENT AGENDA

Commissioner Wheeler asked to pull for discussion, Item 7.R.

Chairman Bowden asked to postpone Item 7.M.

Commissioner Flescher asked to pull for discussion, Item 7.R.

ON MOTION by Vice Chairman Davis, SECONDED by
Commissioner O'Bryan, the Board unanimously approved
the Consent Agenda, as amended.

7.A. APPROVAL OF WARRANTS – NOVEMBER 2 TO NOVEMBER 8, 2007

ON MOTION by Vice Chairman Davis, SECONDED by
Commissioner O'Bryan, the Board unanimously approved
the list of Warrants as issued by the Clerk to the Board for
the time period of November 2, 2007, to November 8, 2007,
as requested in the memorandum of November 8, 2007.

7.B. INVESTMENT COMMITTEE REPORT FOR QUARTER ENDING 9/30/07

ON MOTION by Vice Chairman Davis, SECONDED by
Commissioner O'Bryan, the Board unanimously accepted
the Investment Advisory Committee Quarterly Report, as
recommended in the memorandum dated November 7,

2007.

7.C. ANNUAL SIGNATORIES RESOLUTION

ON MOTION by Vice Chairman Davis, SECONDED by Commissioner O'Bryan, the Board unanimously approved **Resolution 2007-157** 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. 2006-181; 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; and providing an effective date.

7.D. MISCELLANEOUS BUDGET AMENDMENT 027

ON MOTION by Vice Chairman Davis, SECONDED by Commissioner O'Bryan, the Board unanimously approved Resolution **2007-158** amending the Fiscal Year 2006-2007 Budget.

7.E. GIFFORD YOUTH ACTIVITY CENTER, INC., LEASE AGREEMENT –

**MAINTENANCE AND REPAIRS, MISCELLANEOUS BUDGET
AMENDMENT 001**

ON MOTION by Vice Chairman Davis, SECONDED by Commissioner O'Bryan, the Board unanimously approved reimbursement to the Gifford Youth Activity Center to cover roof and electrical repair costs in the amount of \$5,810.00, as recommended in the memorandum of November 13, 2007. The Board also approved **Resolution 2007-059** amending the Fiscal Year 2007-2008 Budget.

**7.F. UTILITY CONFLICT RESOLUTIONS BY UTILITIES DEPARTMENT FOR
PUBLIC WORKS DEPARTMENT BID NO. 2006-065, PROJECT NO.
9611 & 001, CR 510 & CR 512 PHASE III IMPROVEMENTS, UCP
NO. 2837, APPROVAL OF FINAL PAYMENT TO CONTRACTOR,
UNDERGROUND UTILITIES, INC., AND RELEASE OF RETAINAGE**

ON MOTION by Vice Chairman Davis, SECONDED by Commissioner O'Bryan, the Board unanimously approved the total labor cost for Underground Utilities, Inc., as \$54,557.39; approved Change Order No. 1 for \$2,530.84, and approved Application for Payment No. 3 – Final as final payment to Underground Utilities, Inc., in the amount of \$7,557.39, as recommended in the memorandum of November 8, 2007. The final payment of \$7,557.39 will release and complete the County's obligation to Underground Utilities, Inc.

CHANGE ORDER ON FILE IN THE OFFICE OF THE CLERK TO THE BOARD

7.G. APPROVAL OF BID AWARD AND SAMPLE AGREEMENT FOR IRC BID

**# 2008014 MEADOWLARK WOODS WATER ASSESSMENT PROJECT,
UTILITIES DEPARTMENT**

ON MOTION by Vice Chairman Davis, SECONDED by Commissioner O'Bryan, the Board unanimously approved the Bid award to Timothy Rose Contracting, Inc., as the lowest most responsive and responsible bidder meeting the specifications as set forth in the Invitation to Bid. The Board also approved the sample agreement and authorized the Chairman to execute said agreement when required performance and payment bonds have been submitted along with appropriate certificate of insurance and the County Attorney has approved the agreement as to form and legal sufficiency, all as recommended in the memorandum of November 5, 2007.

**7.H. ACCEPTANCE CHANGE ORDER NO. 34 FOR THE ADMINISTRATION
BUILDING**

ON MOTION by Vice Chairman Davis, SECONDED by Commissioner O'Bryan, the Board unanimously approved Change Order No. 34, which changes the Substantial Completion date from June 30, 2007 to August 3, 2007, as recommended in the memorandum of October 16, 2007.

7.I. APPOINTMENT TO THE PARKS AND RECREATION COMMITTEE

The Board noted the temporary assignment of Mayor Sara Savage of the City of Fellsmere, filling the seat on the Parks and Recreation Committee, vacated by Kenneth Hamilton who resigned.

7.J. PROCLAMATION HONORING DOROTHEA E. CLARKE ON HER RETIREMENT FROM INDIAN RIVER COUNTY BOARD OF COUNTY COMMISSIONERS AND SOLID WASTE DISPOSAL DISTRICT, DIVISION OF UTILITY SERVICES

The Board noted, for the record, the Proclamation honoring Dorothea E. Clarke.

7.K. WORK ORDER NO. 1 (ENGINEERING/SURVEYING), KIMLEY-HORN & ASSOCIATES, INC., INDIAN RIVER BLVD. PROPOSED SIDEWALK TOPOGRAPHIC SURVEY, IRC PROJECT NO. 0746, CONTINUING PROFESSIONAL SURVEYING & MAPPING/GIS SERVICES, CONTRACT 0725

ON MOTION by Vice Chairman Davis, SECONDED by Commissioner O'Bryan, the Board unanimously approved Work Order No. 1 with Kimley-Horn & Associates, Inc., authorizing the project as outlined in the Scope of Services, and authorized the Chairman to execute said Work Order, as recommended in the memorandum of November 13, 2007.

WORK ORDER ON FILE IN THE OFFICE OF THE CLERK TO THE BOARD

7.L. WORK ORDER NO. 2 (ENGINEERING/SURVEYING), KIMLEY-HORN &

**ASSOCIATES, INC., 9TH STREET (EAST OF US1) PROPOSED
SIDEWALK TOPOGRAPHIC SURVEY, IRC PROJECT NO. 0744,
CONTINUING PROFESSIONAL SURVEYING & MAPPING/GIS
SERVICES, CONTRACT 0725**

ON MOTION by Vice Chairman Davis, SECONDED by Commissioner O'Bryan, the Board unanimously approved Work Order No. 2 with Kimley-Horn & Associates, Inc., authorizing the project as outlined in the Scope of Services, and authorized the Chairman to execute said Work Order, as recommended in the memorandum of November 13, 2007.

WORK ORDER ON FILE IN THE OFFICE OF THE CLERK TO THE BOARD

7.M. PRANGE ISLANDS CONSERVATION AREA ADOPTION AGREEMENT

This item was postponed at the request of Chairman Bowden.

**7.N. PROFESSIONAL ENGINEERING SERVICES FOR STORMWATER
CALCULATIONS AND PERMITTING OF OSLO ROAD IMPROVEMENTS
FROM 58TH AVENUE TO 43RD AVENUE, IRC PROJECT 0517**

ON MOTION by Vice Chairman Davis, SECONDED by Commissioner O'Bryan, the Board unanimously approved the \$5,000.00 fee to Schulke, Bittle & Stoddard, LLC, for stormwater calculations and modifications for the St. Johns River Water Management District (SJRWMD) permit for Oslo Road improvements from 58th Avenue to 43rd Avenue,

and authorized the Chairman to execute said Agreement, as recommended in the memorandum of November 5, 2007.

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

7.O. WATERWAY VILLAGE – MUTUAL TERMINATION OF SLAB REMOVAL AGREEMENT

ON MOTION by Vice Chairman Davis, SECONDED by Commissioner O’Bryan, the Board unanimously approved the Mutual Termination of Slab Removal Agreement and authorized the Chairman to execute same, as recommended in the memorandum of November 6, 2007.

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

7.P. IRC JAIL EXPANSION – CHANGE ORDER # 14

ON MOTION by Vice Chairman Davis, SECONDED by Commissioner O’Bryan, the Board unanimously approved Change Order # 14 and authorized the Chairman to execute said document, as recommended in the memorandum of November 13, 2007.

7.Q. ACCEPTANCE CHANGE ORDER NO. 15 FOR THE EMERGENCY OPERATIONS CENTER

ON MOTION by Vice Chairman Davis, SECONDED by Commissioner O'Bryan, the Board unanimously approved Change Order No. 15, which changes the Substantial Completion date from June 30, 2007, to July 23, 2007, as recommended in the memorandum of October 16, 2007.

7.R. APPOINTMENT TO THE PLANNING AND ZONING COMMISSION

Commissioner Wheeler expressed curiosity in the replacement of Mr. Robert Bruce on the Planning and Zoning Commission, without an explanation. Commissioner Flescher thought Commissioner Wheeler could be setting a precedence by his inquiry. He then explained his reason for the replacement.

Mr. Gerard Weick addressed the Board and gave some background on his qualifications.

Commissioner Wheeler expressed his concern, and that of Mr. Bruce on the sudden change. Commissioner O'Bryan also expressed the concern of taking someone off the Board in the middle of his/her term, and thought that sets a bad precedence. He felt they needed to set a policy that members are allowed to serve out their term and not be subject to political whims. He was also concerned about the timing and asked that this matter be put on hold until January, after the Wild Turkey mining operation has run its course.

Commissioner Flescher explained his right, as a new Commissioner, to appoint a new District member to the Planning & Zoning Commission (P&Z).

Chairman Bowden asked Attorney Collins whether P&Z members serve at the

pleasure of the Commissioners.

Attorney Collins replied that they do, and the Ordinance provides that “each Commissioner shall appoint a member from their own District,” so it was the right of each Commissioner to make a selection. Therefore, Commissioner Flescher has the right, under the County Code, to make an appointment, and the Board of County Commissioners did not have the authority to vote this down. He stated further, that it was each Commissioner’s appointment and not the full Commission’s, and the purpose is to have full representation from each District with someone that the Commissioner knows and has confidence in.

Board members continued to discuss the right to approve or disapprove the appointment, the timing mechanism in the Rule, and why the item was placed under the Consent Agenda. Vice Chairman Davis expressed his support for the appointment whether he agreed with the decision or not. Commissioner Flescher stated for the record that he did not place the timing mechanism in the Rule. Chairman Bowden agreed with Attorney Collins’ opinion and voiced her support of the appointment.

ON MOTION by Vice Chairman Davis, SECONDED by Commissioner Flescher, the Board by a 3-2 vote (Commissioners Wheeler and O’Bryan opposed) approved the appointment of Mr. Gerard A. Weick, as the District 2 Appointee to the Planning and Zoning Commission, replacing Mr. Robert (Bob) Bruce, as recommended in the memorandum of November 14, 2007.

Commissioner Wheeler apologized to Mr. Weick for his being caught in the middle of this controversy. He expressed appreciation for Mr. Weick’s service to Indian River Shores, for his excellence of character, and the job he has done. He also clearly expressed that this was absolutely no reflection on Mr. Weick’s ability. Commissioner O’Bryan concurred.

Vice Chairman Davis thought they could modify the Ordinance to deal with timing issues. Commissioner Wheeler thought it was an excellent idea. Board members contemplated whether to direct staff to review the Ordinance and bring this back to the Board. Chairman Bowden thought this was too sudden and wanted to have an opportunity to think this through before giving directions.

8.A. CONSTITUTIONAL OFFICERS AND GOVERNMENTAL AGENCIES - NONE

9. PUBLIC ITEMS -

A. PUBLIC HEARINGS - NONE

9.B. PUBLIC DISCUSSION ITEMS -NONE

9.C. PUBLIC NOTICE ITEMS

1. NOTICE OF SCHEDULED PUBLIC HEARINGS FOR NOVEMBER 20, 2007 DECEMBER 4, 2007:

A. OSLO COMMERCE CENTER, L.P'S: REQUEST TO REZONE ± 12.692 ACRES LOCATED NORTH OF 9TH STREET, S.W. AND APPROXIMATELY 1,250 FEET EAST OF 43RD AVENUE FROM CH, HEAVY COMMERCIAL, TO CG, GENERAL COMMERCIAL. OSLO COMMERCE CENTER

**L.P., OWNER. SCHULKE, BITTLE & STODDARD, LLC,
AGENT (QUASI-JUDICIAL)**

**B. FOURDEV'S: REQUEST TO REZONE ± 6.78 ACRES
LOCATED ON THE SOUTHWEST CORNER OF US
HIGHWAY 1 AND 53RD STREET FROM IL, LIMITED
INDUSTRIAL, TO CG, GENERAL COMMERCIAL.
FOURDEV, LLC OWNER. KNIGHT, MCGUIRE &
ASSOCIATES, INC., AGENT (QUASI-JUDICIAL)**

**C. REQUEST BY BILLY L. HITCHCOX FOR A VARIANCE
FROM THE REQUIREMENTS OF THE SUBDIVISION
ORDINANCE (CHAPTER 913) FOR A MOBILE HOME
DEVELOPMENT AT 48TH AVENUE AND 43RD STREET
(QUASI-JUDICIAL)**

10. COUNTY ADMINISTRATOR MATTERS

A. PIPER INCENTIVE PACKAGE

County Administrator Joe Baird reminded the Board of its past actions on the matter and informed the Board that Piper was getting ready to take their proposal to Piper's governing Board and wanted a clear verification on whether the County would agree to a new term, that is, to finance or issue bonds to provide either of the following incentive payment schedule options:

1. Payment of \$4 million on January 1, 2008, \$4 million on January 1, 2009,

and \$4 million on January 1, 2010; or

2. Payment of \$6 million on January 1, 2008, and \$6 million on January 1, 2010.

Administrator Baird said a vote of approval would commit Indian River County to utilize cash or issue debt to finance this agreement, subject to the County reviewing and approving the terms and conditions of the agreement, which would be similar to those negotiated by the State of Florida.

Motion WAS MADE by Commissioner Wheeler,
SECONDED by Vice Chairman Davis, for approval of
both options.

Administrator Baird wanted to leave the choosing of options to Piper. Board members concurred.

The Chairman CALLED THE QUESTION and the Motion carried unanimously.

11. DEPARTMENTAL MATTERS

11.A. COMMUNITY DEVELOPMENT - NONE

11.B. EMERGENCY SERVICES - NONE

11.C. GENERAL SERVICES

1. IRC JAIL EXPANSION PROJECT PROPOSED CHANGE ORDER # 15

General Services Director Tom Frame explained the proposed Change Order and asked the Board to approve the request.

Commissioner Wheeler was concerned about recurrent problems of which the Architect should be aware.

ON MOTION by Commissioner Wheeler, SECONDED by Commissioner Flescher, the Board unanimously approved Change Order # 15 with Peter R. Brown Construction, Inc., for Acoustical Panel installation, and authorized the Chairman to execute said document after review and approval of the Budget and legal staff, as recommended in the memorandum of November 13, 2007.

Administrator Baird addressed the concerns of Commissioner Wheeler. Commissioner O'Bryan questioned competitive bid price, and Project Director Lynn Williams explained how the prices were established, and from where the funds would come. Administrator Baird offered to send additional information to Commissioner O'Bryan.

11.D. HUMAN RESOURCES

1. NATIONAL ASSOCIATION OF COUNTIES (NACo) PRESCRIPTION CARD PROGRAM

Human Resources Director Jim Sexton explained to the Board what the program offers, who uses it, and that it would cost the County nothing.

Commissioner Flescher pointed out another valuable feature unique to the program, that is, it is also accepted for pet/animal medication.

Motion WAS MADE by Commissioner Wheeler,
SECONDED by Commissioner O'Bryan, to approve staff's
recommendation.

Bob Johnson, Coral Wind Subdivision, remarked that it was not clear to him why the government has to be involved in this program.

Commissioners Davis and O'Bryan explained that the program was through the National Association of Counties (NACo) and because of our affiliation with that organization, the card was being offered as a benefit to the citizens of the County. He pointed out that participation was optional and would be of no cost to the County. Despite the explanation, **Mr. Johnson** objected to the County being involved in the program.

Bradley Bernauer, Human Services Program Director of the Health Department, explained the Health Department's roles in this program.

The Chairman CALLED THE QUESTION, and the Board unanimously approved the contract with the National Association of Counties and CaremarkPCS Health, LP, to implement the NACo Prescription Card Program through a Human Services program, managed by the Indian River County Health Department, as recommended in the memorandum of November 13, 2007.

Rene Renzi, Waverly Place, inquired where the cards could be obtained. Administrator Baird informed her that the cards could be had from the Health Department's Human Services Division, or the County's Human Resources Department.

Director Sexton announced that "kickoff would be in January" and it would be advertised.

11.E. HUMAN SERVICES - NONE

11.F. LEISURE SERVICES – NONE

11.G. OFFICE OF MANAGEMENT AND BUDGET

I. PROPERTY TAX REFORM

Budget Director Jason Brown, in light of the recent legislative tax reforms, desired to make a brief presentation on the pending property tax reform package. He briefly summarized the tax rollback legislation, and responded to questions from the Board, which included tax decrease.

Vice Chairman Davis was looking forward to seeing appropriation of funds giving tax relief to everyone. He urged his colleagues to do this prudently and not scare anyone.

Administrator Baird remarked that they would have to look at how they do things, and this was going to be challenging.

Chuck Mechling, 1999 Pointe West Drive, asked what would be the mechanism to

allow a county to not cut budgets or adjust their budgets upwards based on the county's needs. He understood that is based on per capita income being increased in the county. Budget Director Jason Brown confirmed the understanding as correct. **Mr. Mechling** believed that if the County takes on a strong economic development base, it could lead to an increase of per capita income, as well as, a better-stabilized tax base.

Rene Renzi, Waverly Place, suggested thermostat and light adjustments in the new administration buildings to help to reduce cost.

Commissioner Wheeler addressed Ms. Renzi's comments regarding finding more ways to be more efficient and effective, noting that the County was already looking at those things.

No Board action required or taken.

11.H. RECREATION - NONE

11.I. PUBLIC WORKS - NONE

11.J. UTILITIES SERVICES

1. WEST WABASSO COMMUNITY WATER PROJECT, PHASE 1, SHELTRA & SON, INC. – CHANGE ORDER NO. 2 & FINAL PAY TO CONTRACT 2006051

Director of Utilities Eric Olson said this was the first of two Phases in Wabasso, and

was the final payment, and a deductive change order. He extended appreciation to those who helped to make this process possible: Victor Hart, Teddy Floyd, Julianne Price, Himanshu Mehta, and Art Pfeffer. He recapped his memorandum of November 1, 2007 to provide background on the project, and asked the Board to approve staff's recommendation.

ON MOTION by Commissioner Wheeler, SECONDED by Commissioner O'Bryan, the Board unanimously approved Change Order No. 2 to Sheltra and Son Construction Co., Inc., for a deduction in the total amount of \$50,286.50. The Board also approved final payment and authorized the Chairman to execute the final payment to Sheltra and Sons for a total amount of \$59,483.50, all as recommended in the memorandum of November 1, 2007.

CHANGE ORDER ON FILE IN THE OFFICE OF THE CLERK TO THE BOARD

**11.J.2. APPROVAL OF BID AWARD AND SAMPLE AGREEMENT FOR IRC
BID # 2008015 VERO LAKE ESTATES MASTER PLAN WATER MAIN
PHASE I, UTILITIES DEPARTMENT**

MOTION WAS MADE by Commissioner Flescher,
SECONDED by Vice Chairman Davis, to approve staff's
recommendation.

Vice Chairman Davis was happy to see that the Bid came in under budget and that they are able to move forward with some of the plans. Director Olson and Vice Chairman Davis responded to Commissioner Wheeler's inquiry of how we would pay for this, and what were the chances this would be kept on a pay-as-we-go level, as far as our Enterprise Funds go.

The Chairman CALLED THE QUESTION and the Motion carried unanimously. The Board approved the Bid award to Sheltra & Son Construction Co. Inc., as the lowest most responsive and responsible bidder meeting the specifications as set forth in the Invitation to Bid. The Board also approved the sample agreement, and authorized the Chairman to execute said agreement when required performance and payment bonds have been submitted along with appropriate certificate of insurance, and the County Attorney has approved the agreement as to form and legal sufficiency, all as recommended in the memorandum of November 13, 2007.

Chairman Bowden called a break at 10:28 a.m., and reconvened the meeting at 10:44 a.m., with all members present.

12. COUNTY ATTORNEY MATTERS

A. REQUEST POLICY DIRECTION ON TERMS OF LEASE FOR GIFFORD PARK SECURITY HOUSE (DEFERRED FROM NOVEMBER 13, 2007)

Attorney Collins gave background on this matter by recapping the memorandum to the Board dated November 7, 2007, regarding the building of a security house in Gifford Park, to accommodate a Sheriff's deputy, who would provide security for the Gifford Youth Activity Center, the Community Center, the Gifford Aquatics Center, and the Gifford Park. He informed the Board that the security house was complete, the Certificate of Occupancy has been issued, and staff was now seeking directions from the Board regarding the terms and conditions of the Lease.

Attorney Collins outlined the terms of the proposed lease agreement and asked that

the Board provide direction to staff, and to delegate authority to the County Administrator to sign the Lease for the Gifford Security House after review and approval by all appropriate staff and the County Attorney's Office.

MOTION WAS MADE by Commissioner Wheeler,
SECONDED by Commissioner O'Bryan to approve staff's
recommendation with exceptions: (1) that the \$1,000.00
cash security deposit be eliminated, and (2) to have the
finished Lease come back to the Board for approval.

Commissioner Flescher agreed with Commissioner Wheeler to remove the \$1,000.00 security deposit, and thought they could place a \$1.00 amount for security. Vice Chairman Davis believed that for a lease to be enforceable it has to have value and consideration, therefore they could not have zero.

Attorney Collins explained that a dollar deposit would be an administrative nightmare, and the consideration was the security services being provided.

The Chairman CALLED THE QUESTION and the Motion
carried unanimously.

Victor Hart, Sr., 4685 84th Avenue, was glad to see this program coming to an end. He clarified his understanding that the \$1,000.00 deposit is being removed. He thanked the Commission and appreciated the attention given to the Gifford community.

Deputy Teddy Floyd of the Sheriff's Department thanked the Board and expressed his honor to serve the County.

Commissioner Wheeler acknowledged the care, attention and time given by Deputy Floyd, especially to the children of the County.

Attorney Collins asked for authority for Administrator Baird to sign the Lease, in the interim, and he would bring the Lease back to the Board with a clause that says, "... subject to modification."

Motion WAS AMENDED by Commissioner Wheeler, SECONDED by Commissioner O'Bryan, to incorporate Attorney Collins' request for Administrator Baird to sign the Lease in the interim, which Lease would contain a clause that reads, "... subject to modification by the Board."

ON MOTION by Commissioner Wheeler, SECONDED by Commissioner O'Bryan, the Board unanimously approved and authorized the County Administrator to sign the Lease for the Gifford Security House after review and approval by all appropriate staff and the County Attorney's Office, with exceptions: (1) that the \$1,000.00 cash security deposit be eliminated, and (2) to have the finished Lease returned to the Board for approval.

12.B. AUTHORIZATION TO ADVERTISE FOR PUBLIC HEARING ON AMENDMENT TO SECTION 104.06 OF THE ETHICS ORDINANCE AS IT PERTAINS TO INVITATIONS TO ANNUAL HOLIDAY PARTIES, GROUNDBREAKINGS AND RIBBON CUTTING CEREMONIES

Attorney Collins explained the rules as it pertains to accepting invitations and gifts especially in the holiday season, and wanted to amend the Ordinance to add to the rules two

exceptions. He asked the Board to authorize advertisement for a public hearing to add the two exceptions as enumerated exceptions, thus formally clarifying the Ordinance's ambiguity regarding "food and refreshment" prohibitions.

MOTION WAS MADE by Commissioner Wheeler,
SECONDED by Vice Chairman Davis, for approval of
staff's recommendation, and for the matter to be brought
back to the Board.

A brief discussion followed regarding the intent of the Ordinance.

The Chairman CALLED THE QUESTION and the Motion
carried unanimously. The Board authorized staff to
advertise for a public hearing to add the proposed
exceptions as enumerated exceptions thus formally
clarifying the ordinance ambiguity regarding "food and
refreshment" prohibitions, as recommended in the
memorandum dated November 14, 2007.

12.C. MODIFICATION AND SUBSTANTIAL TERMINATION OF
"DEVELOPER'S AGREEMENT BETWEEN INDIAN RIVER COUNTY,
FLORIDA AND OSLO 27, LLC FOR 27TH AVENUE BETWEEN 13TH
STREET SW AND 17TH STREET SW" DATED DECEMBER 12, 2006.

MOTION WAS MADE BY Commissioner Wheeler,
SECONDED by Vice Chairman Davis, for approval of
staff's recommendation.

Commissioner O'Bryan asked if the completed engineering designs were received. Attorney Collins replied, "No," and asked Mr. Jerry Swanson to address the matter.

Jerry Swanson, P&S Properties, 3001 Ocean Drive, addressed the concerns of Commissioner O'Bryan regarding the status of the design/drawings, and said he was told they were 60% completed.

Attorney Collins stated that if nine (9) months were acceptable he would add a clause to the Modification Agreement to say, "... which deadline is hereby extended to September 12, 2008."

Commissioner Wheeler AMENDED THE MOTION, SECONDED by Commissioner O'Bryan to incorporate the following clause in the Modification Agreement: "... which deadline is hereby extended to September 12, 2008."

The Chairman Called the Question and the Motion carried unanimously. The Board approved the "Modification and Substantial Termination" of the Developer's Agreement, as amended, between Indian River County and Oslo 27, LLC, for 27th Avenue between 13th Street SW and 17th Street SW; authorized the Chairman to execute said document; and authorized return of the Letter of Credit securing the agreement, as recommended in the memorandum of November 14, 2007.

13. COMMISSIONERS' ITEMS

A. COMMISSIONER GARY C. WHEELER, CHAIRMAN -

NONE ADDITION:

I. MINING OPERATIONS

Commissioner Wheeler gave his reasons for adding this item to the Agenda, and asked Attorney Collins to address the matter of an incorrect editorial regarding mining operations and the Sexton Ranch.

Attorney Collins noted that Mr. DeBlois, Environmental & Code Enforcement Chief, had sent an e-mail to the Editor pointing out that the sentence relating to the Sexton Ranch that said "... your tax dollars didn't purchase the mineral rights that Sextons could get in the mining business", was incorrect. He also cited other misstatements of fact that were included in the article.

Chairman Bowden asked that a clarification be requested from the Press Journal.

Commissioner Wheeler wanted to give direction to staff to draft an ordinance outlining the County's intent, as such that it protects the County. He also wanted this matter removed from the December 13, 2007 Agenda, if possible.

Attorney Collins responded to Chairman Bowden's inquiry about altering the process. He did not think it was possible or appropriate to develop an ordinance through the process of a moratorium.

Commissioners sought to know what other legal avenues we have at this juncture to

address the concerns and issues of the residents in immediacy. Attorney Collins would first need to know how the Board wanted him to address those concerns.

Planning Director Stan Boling explained the rules of Chapter 934 on mining projects that dealt with road maintenance, as well as, a section of Chapter 952 that dealt with paved road requirements and trip thresholds. Discussion ensued among Board members and staff regarding trip/traffic thresholds, the need for a pending ordinance, and paved road requirements.

Chairman Bowden opened the floor to public comments.

Ralph Evans, Esquire, 1420 Shorelands Drive West, and representing an Applicant, was bothered that although they were entitled to a quasi-judicial process, their permit application was being discussed in a legislative process. He suggested this matter be heard in a quasi-judicial process, as he favored procedure and following the law.

Joseph Paladin, President of Black Swan Consulting, and representing Wild Turkey, argued: (1) that a pending ordinance or moratorium cannot be “project specific” and has to address a general concern; and (2) that trying to do a pending ordinance to be retroactive would be against local, federal and state law. He discussed the permitting versus the moratorium process, and urged the Board to let the moratorium and the permitting process go forward separately. He promised his team would attach the new proposals to their current ones.

Attorney Evans explained the problem he was having with this permit application process. He stated, “Everything that we’ve said that we are willing to do, we are willing to do, but the place for that to be resolved is at P&Z and the quasi-judicial process.” He felt the legislative process being used now was wrong, and he did not want to make a deal here.

Helen Shafer, 6850 Carsons Trail on 69th Street, Indian River Farms, was confused as to how the permit first got approved. She wanted to know how P&Z defines ‘mining’ versus

'agricultural'. She believed it was up to the Board to protect area residents, and agreed the issue needed to go to P&Z.

Commissioner Wheeler and Administrator Baird responded to comments from Ms. Shafer regarding the history of the permit application, and mining operations in the County.

Commissioner O'Bryan observed that they had not talked about the accumulative impact of multiple mines impacting the roads. Chairman Bowden added that it was not only impact on roads, but of the environment and everything involved.

Jim Gooch, 69th Street, west of 66th Avenue, felt it could not be an administrative permit and argued that it was unconscionable, for the future of this County, to allow this to happen. He urged the Board to not allow this permit and to consider the future of this County.

Linda Mitchell, 8340 65th Street, summarized the contents of a letter given to the Board regarding area residents' frustration with the situation. She urged the Board to take the time and look closely at what could be done legally to stop this mining operation; if not, to have enforcement in place for compliance with the regulations.

Amy Banov, 69th Street, voiced her objection to the mining operations.

Donald Simon, 8080 24th Street, thinks the County is headed in the right direction with the Florida Green Building Coalition. He asked the Board to do the right thing and protect taxpayers, as the mining operation process does not make sense.

Jens Tripson, 2525 14th Street, representing Pelican Audubon Society, did not think the Board could legally stop this particular permit today. He addressed the environmental issues, and called upon the Board to figure out how to stop this project.

Fran Denhardt, 2055 82nd Avenue, speaking on behalf of all residents in the Mobile Home Park, said they were all opposed to this mine. She implored the Board to consider this issue seriously before granting this permit to Wild Turkey.

David Knight, 80 Royal Palm Pointe, urged the Board to consider a pending ordinance.

Honey Minuse, Indian River Neighborhood Association (IRNA), voiced the IRNA's firm support for the residents in the area who are against the mining operations. She pointed out that the IRNA have looked at the broader picture and found that it is incompatible to put those operations next to the Ranch.

Victor Knight, 3295 Ranch Road, clarified comments which implied that he said bringing forward a moratorium was too strong or too much.

David Cox, Periwinkle Lane, has supported sand mines in the past, and has never been comfortable with them in AG-1 areas. He shared two issues: (1) the \$12 million investment in Sexton Ranch, which he described as "a crown jewel of ranches" in the County. He stated that this was a major step for us to have preserved, through conservation easements, agricultural use on this land. He felt that if major industrial activity is allowed next to that kind of investment, it would erode the public trust in these ongoing negotiations about environmental lands; and (2) he understood the distinction between quasi-judicial and legislative, but believed that ultimately the first principles of government are that commissioners are entrusted with responsibility of protecting the public's health, safety and welfare.

Shawn Sexton, 7880 37th Street, commented on the erroneous newspaper article, and disclosed that a statement from the family was sent to the Press Journal expressing how they felt about the article.

Mr. Paladin reiterated that if these proposals were attached to their permit, they would be happy to assist in any way. He urged the Board to go forward with what was voted on a few weeks ago.

Commissioners again reiterated the need to move forward rapidly, either through a pending ordinance or a future moratorium process.

MOTION WAS MADE by Commissioner Wheeler,
SECONDED by Commissioner O'Bryan, to give staff
direction to draft a pending ordinance as quickly as possible
to protect the interest of this County.

Commissioner Flescher agreed they did not have enough teeth in the ordinance to deal with these issues, and wanted to know what could be done for the here and now.

Attorney Collins did not think a Motion for a pending ordinance means anything without some direction as to the content of that ordinance. He reminded the Board of the last time they had a pending ordinance and the issues they had to deal with, and provided legal opinion on the requirements of such a venture. He thought it would be difficult for staff to come back without guidance as to how to proceed.

Chairman Bowden agreed with the statements of all Commissioners and the concerns of the County Attorney, but said their first concern should be for health, safety, and the welfare of residents. She also wanted to get the matter resolved expeditiously.

Commissioner Wheeler provided a brief synopsis of the issues to be addressed in the pending ordinance. He did not think these mining permits should be under administrative approval, but under public hearings.

Administrator Baird commented on the matter of administrative approval from a long-term perspective.

Director Boling sought clarification on whether they were just looking at impacts. Board members briefly discussed dewatering and the effects on surrounding wells.

Attorney Evans worried about the teeth such an ordinance might have and its ability to stop the Wild Turkey project.

The Chairman CALLED THE QUESTION and the Motion carried unanimously. The Board approved to move forward and directed staff to draft a pending ordinance addressing various issues of mining operations, and to return to the Board for review.

Chairman Bowden called a break at 12:30 p.m., and reconvened the meeting at 12:40 p.m., with all members present.

B. COMMISSIONER SANDRA L. BOWDEN, VICE CHAIRMAN –
NONE ADDITION: ACKNOWLEDGMENT OF PLAQUE
FROM RESOURCE ASSOCIATION

Chairman Bowden acknowledged the receipt of a Plaque from the Senior Resource Association, acknowledging the commitment of the Board of County Commissioners to the Meals on Wheels program.

C. COMMISSIONER WESLEY S. DAVIS

1. REQUEST FOR APPROVAL IN WRITING A LETTER IN SUPPORT OF THE INDIAN RIVER COUNTY HISTORIC SOCIETY, INC., APPLYING FOR A HISTORIC PRESERVATION GRANT FOR THE CONTINUED OPERATION OF THE MARIAN FELL LIBRARY IN FELLSMERE

Vice Chairman Davis received a letter dated November 1, 2007, from the Indian River County Historical Society, Inc., requesting that he “show support of an application for a historic preservation grant for the continued operation of the Marian Fell Library in Fellsmere by composing a letter to include the adaptive use and community involvements.” In that regard, Vice Chairman Davis requested that the Board of County Commissioners approve the writing of a letter of support.

ON MOTION by Vice Chair Davis, SECONDED by Commissioner Wheeler, the Board unanimously approved and directed staff to write a letter of support for the Indian River County Historic Society, Inc., application for a historic preservation grant for the continued operation of the Marian Fell Library in Fellsmere, as requested in the memorandum of November 14, 2007.

D. COMMISSIONER JOSEPH E. FLESCHER- NONE

E. COMMISSIONER PETER D. O’BRYAN -NONE

1. ADDITION: UPDATE ON THE INDIAN RIVER COUNTY APPEAL OF ST. JOHN’S FINAL ORDER

Commissioner O'Bryan updated the Board on the pending appeal between the St. John's River Water Management District (SJRWMD) land swap with the Corrigan family. He thereafter requested an excused absence to attend the appeal process hearing.

14. SPECIAL DISTRICTS AND BOARDS

A. EMERGENCY SERVICES DISTRICT - NONE

B. SOLID WASTE DISPOSAL DISTRICT - NONE

C. ENVIRONMENTAL CONTROL BOARD - NONE

15. ADJOURNMENT

There being no further business, on Motion duly made, seconded and carried, the Board adjourned at 12:42 p.m.

ATTEST:

Jeffrey K. Barton, Clerk

Sandra L. Bowden, Chairman

Minutes Approved: _____

BCC/AA/2007 Minutes