



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

**COMMISSION AGENDA**

**TUESDAY, APRIL 22, 2008 - 9:00 A.M.**

**County Commission Chamber  
Indian River County Administration Complex  
1801 27<sup>th</sup> Street, Building A  
Vero Beach, Florida, 32960-3388  
www.ircgov.com**

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**COUNTY COMMISSIONERS**

**Sandra L. Bowden, Chairman  
Wesley S. Davis, Vice Chairman  
Joseph E. Flescher  
Peter D. O'Bryan  
Gary C. Wheeler**

**District 5  
District 1  
District 2  
District 4  
District 3**

**Joseph A. Baird, County Administrator  
William G. Collins II, County Attorney  
Jeffrey K. Barton, Clerk to the Board**

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- |           |   | <b><u>PAGE</u></b>                                 |
|-----------|---|--|
| <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>  | Reverend Hugh King<br>First Church of the Nazarene |
| <b>3.</b> | <b><u>PLEDGE OF ALLEGIANCE</u></b>                                    | Commissioner Wesley S., Davis,<br>Vice Chairman    |
| <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 Warren and Virginia Schwerin    | 1  |
| <b>B.</b> | Presentation of Proclamation Designating April 26, 2008, as Arbor Day | 2  |

<b>6.</b>	<b><u>APPROVAL OF MINUTES</u></b>	<b><u>PAGE</u></b>
	None	
<b>7.</b>	<b><u>INFORMATIONAL ITEMS FROM STAFF OR COMMISSIONERS NOT REQUIRING BOARD ACTION</u></b>	
A.	Report on File in the Office of the Clerk to the Board: Report of Convictions for the Month of March 2008	
<b>8.</b>	<b><u>CONSENT AGENDA</u></b>	
A.	Approval of Warrants – April 4, 2008 Thru April 10, 2008 (memorandum dated April 10, 2008)	3-9
B.	Dori Slosberg Driver Education Safety Act, Indian River County Traffic Education Program Trust Fund (memorandum dated April 9, 2008)	10-11
C.	26 <sup>th</sup> Street 6” Force Main Loop from Bella Vista Isles to Bella Rosa, Work Authorization Directive No. 2007-011, UCP No. 2989, Approval of Final Payment to Labor Contractor Derrico Construction Corp. and Release of Retainage (memorandum dated April 11, 2008)	12-17
D.	South County Reverse Osmosis Plant – FDEP Permit Renewal for Demineralized Concentrate Disposal, work Order No. 6 – Professional Services to Kimley-Horn & Associates, Inc., Amendment No. 3 to work Order No. 6 – Final Pay to Consultant (memorandum dated April 14, 2008)	18-20
E.	Right-of-Way Acquisition County Road 510, Project #0610, 85 <sup>th</sup> Street, South Side, West of 58 <sup>th</sup> Avenue, 4 Parcels Owned by David Godwin (memorandum dated April 7, 2008)	21-50
F.	Right-of-Way Acquisition, County Road 512 Phase IV, Yuko Matsuda and Yoko Osawa, Represented by: Brigham Moore, LLP (memorandum dated April 10, 2008)	51-68
G.	Right-of-Way Acquisition for CR510, County Road Project # 0610, Property: 5570 85 <sup>th</sup> Street (CR 510), north side of CR 510 between 58 <sup>th</sup> Avenue and 55 <sup>th</sup> Avenue, Owned by Vete Derisse (memorandum dated April 7, 2008)	69-80

<b>8.</b>	<b><u>CONSENT AGENDA</u></b>	<b><u>PAGE</u></b>
<b>H.</b>	Extension of Mining Moratorium (memorandum dated April 14, 2008)	81
<b>I.</b>	Work Order No. 9 – Release of Retainage, Masteller, Moler, Reed & Taylor, Inc., CR 512 Phase III Right-of-Way Mapping Project (memorandum dated April 14, 2008)	82-83
<b>J.</b>	Approval to Purchase Bio-Diesel at Lowest Available Cost (memorandum dated April 14, 2008)	84-108
<b>9.</b>	<b><u>CONSTITUTIONAL OFFICERS and GOVERNMENTAL AGENCIES</u></b>  None	
<b>10.</b>	<b><u>PUBLIC ITEMS</u></b>	
	<b><u>A. PUBLIC HEARINGS</u></b>	
	<b>1.</b> Property Exchange with Ken McKellar for 49 <sup>th</sup> Street/31 <sup>st</sup> Avenue Right-of-Way (memorandum dated April 15, 2008) <b>Administrative</b>	109-128
	<b><u>B. 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.	
	<b>1.</b> Request to Speak From Dr. Stephen J. Faherty, Sr. Regarding Vero Beach Electric Utility	129
	<b><u>C. PUBLIC NOTICE ITEMS</u></b>	
	<b>1.</b> <b><u>Notice of Special Call Meeting April 24, 2008:</u></b> A Special Call Meeting will be held on Thursday, April 24, 2008 at 9:00 a.m. with respect to The Source (memorandum dated April 14, 2008) <b>Quasi-Judicial</b>	130

<b>10.</b>	<b><u>PUBLIC ITEMS</u></b>	<b><u>PAGE</u></b>
	<b>C. <u>PUBLIC NOTICE ITEMS</u></b>	
	<b>2. <u>Notice of Scheduled Public Hearings April 29, 2008:</u></b>	
	<b>A.</b> Amendment Indian River County Code Section 913.10(2)(B)3 to lower the A.M. Best rating requirement from A+VII to A-VI for maintenance bonds (memorandum dated April 14, 2008)	131
	<b>Legislative</b>	
	<b>B.</b> Amend Section 303.33 and 303.35 of The Indian River County Code to Allow Demolition Inspection and Re-Inspection Fees to be set by County Resolution (memorandum dated April 15, 2008)	132
	<b>Legislative</b>	
	<b>C.</b> Imagine Schools: Request for special exception use approval for a K-8 charter school facility. Low Key, Inc., Owner. Imagine Schools and MBV Engineering, Inc., Agents. Located at 6000 4 <sup>th</sup> Street. Zoning Classification: RS-3 Residential single Family (up to 3 units/acre). Land Use Designation: L-2, Low Density Residential (memorandum dated April 14, 2008)	133
	<b>Quasi-Judicial</b>	
	<b>D.</b> Board Consideration to Formally Designate a 1.3 mile segment of Old Dixie Highway south of CR 512 as a Historic Road (memorandum dated April 16, 2008)	134
	<b>Administrative</b>	
<b>11.</b>	<b><u>COUNTY ADMINISTRATOR MATTERS</u></b>	
	<b>A.</b> Boys and Girls Club Request (letter dated March 27, 2008)	135
<b>12.</b>	<b><u>DEPARTMENTAL MATTERS</u></b>	
	<b>A. <u>Community Development</u></b>	
	None	
	<b>B. <u>Emergency Services</u></b>	
	None	

<b>12.</b>	<b><u>DEPARTMENTAL MATTERS</u></b>	<b><u>PAGE</u></b>
	<b>C.     <u>General Services</u></b>	
	None	
	<b>D.     <u>Human Resources</u></b>	
	None	
	<b>E.     <u>Human Services</u></b>	
	None	
	<b>F.     <u>Leisure Services</u></b>	
	None	
	<b>G.     <u>Office of Management and Budget</u></b>	
	None	
	<b>H.     <u>Recreation</u></b>	
	None	
	<b>I.     <u>Public Works</u></b>	
	None	
	<b>J.     <u>Utilities Services</u></b>	
	1.     Approval of Bid Award for IRC Bid No. 2008034, 16” Brine Force Main to Spoonbill Marsh Wetland Disposal Site and 12” Reuse Water Main Extension from Lateral “G” to US Hwy 1 (memorandum dated April 14, 2008)	136-160
<hr style="border-top: 1px dashed black;"/>		
<b>13.</b>	<b><u>COUNTY ATTORNEY MATTERS</u></b>	
	<b>A.</b> C. N. Kirrie Request for Resolution Accepting Implied Dedication of a 60 Foot Strip of Land in Section 30 Shown on the Fleming Grant Plat of 1888 (Recorded in Brevard County in Plat Book 1, Page 72) by S. B. Carter, Now Lying and Being in Indian River County (memorandum dated April 15, 2008)	161-206
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14. **COMMISSIONERS ITEMS** **PAGE**
- A. **Commissioner Sandra L. Bowden, Chairman**  
None
- B. **Commissioner Wesley S. Davis, Vice Chairman**  
None
- C. **Commissioner Joseph E. Flescher**  
None
- D. **Commissioner Peter D. O'Bryan**
1. Florida Forever Funding and Future FCT Funding  
(memorandum dated April 16, 2008) 207-216
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- E. **Commissioner Gary C. Wheeler**  
None
15. **SPECIAL DISTRICTS AND BOARDS**
- A. **Emergency Services District**  
None
- B. **Solid Waste Disposal District**
1. Approval of Minutes – Meeting of March 18, 2008
2. Approval of Bid Award for IRC Bid No. 2008017, Fellsmere  
Customer Convenience Center  
(memorandum dated April 14, 2008) 217-245
- 
- C. **Environmental Control Board**  
None
16. **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.***