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**OF BOARD OF COUNTY COMMISSIONERS**  
**OF JANUARY 22, 2008**

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January 22, 2008

**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, 1801 27th Street, Vero Beach, Florida, on Tuesday, January 22, 2008. Present were Chairman Sandra L. Bowden, Vice Chairman Wesley S. Davis, Commissioners Joseph E. Flescher, Peter D. O’Bryan, and Gary C. Wheeler. Also present were County Administrator Joseph A. Baird, County Attorney William G. Collins II, and Deputy Clerk Maureen Gelfo.

**1. CALL TO ORDER**

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

**2. INVOCATION**

Rabbi Michael Birnholz, Temple Beth Shalom, delivered the Invocation.

**3. PLEDGE OF ALLEGIANCE**

Commissioner Joseph E. Flescher led the Pledge of Allegiance to the Flag.

#### **4. ADDITIONS/DELETIONS TO THE AGENDA/EMERGENCY**

##### **ITEMS-NONE**

#### **5. PROCLAMATIONS AND PRESENTATIONS**

##### **5.A. PLAQUE OF RECOGNITION FROM THE DEPARTMENT OF HOMELAND SECURITY FEDERAL EMERGENCY MANAGEMENT AGENCY FOR INDIAN RIVER COUNTY'S PARTICIPATION AND OUTSTANDING PERFORMANCE IN THE NATIONAL FLOOD INSURANCE PROGRAM COMMUNITY RATING SYSTEM**

Chairman Bowden displayed and read the Plaque, dated October 1, 2007, and extended congratulations to everyone. Environmental and Code Enforcement Chief Roland DeBlois and Community Development Director Bob Keating accepted the Plaque on behalf of staff. Director Keating acknowledged several additional departments (besides Community Development) that had worked to achieve the Class 6 rating, which qualifies residents for a 20% discount on their policies. He divulged that the insured have reaped a total savings of almost \$1 million on flood insurance costs.

Chairman Bowden added that this would be an annual discount rating.

##### **5.B. REPORT OF IMPACT FEE TASK FORCE BY CHAMBERS OF COMMERCE AND TREASURE COAST BUILDERS ASSOCIATION IMPACT FEE REPORT**

**Penny Chandler**, Indian River County Chamber of Commerce, and Beth Mitchell, Sebastian River Area Chamber of Commerce updated the Board on the establishment, actions,

and findings of the Impact Fee Task Force, as detailed in the Impact Fee Task Force Report and Recommendations (copy on file).

**Penny Chandler** stated that the purpose of the Committee was to review and make recommendations regarding Duncan Associates' Impact Fee Report. She read the names of the Committee members, and noted that she and Ms. Mitchell were the facilitators for the group, and did not vote.

**Beth Mitchell** gave a time-line for the Impact Fee Task Force Committee meetings and listed the speakers who had made presentations. She informed the Board that the Task Force had been broken into sub-committees that had addressed the following sections of the Duncan Associates Report: Traffic, Schools, Parks, Libraries, and Law Enforcement. The subcommittees brought their recommendations back to the entire task force. Ms. Mitchell listed some additional data and publications that had been utilized by the Task Force in making their recommendations, and divulged that the Task Force had created an additional section entitled "Quantifying the Impact."

**Ms. Chandler** thanked all the Task Force Committee members, many of who had expressed interested in maintaining a meeting structure in order to remain current on this issue. She also thanked the Board for the opportunity to serve the County.

**Ms. Mitchell** described the final meeting of the Task Force, provided specific details on the voting process including a breakdown of the votes, and set forth each sub-committee's recommendation as follows:

- (a) Transportation: Maintain current impact fee rates
- (b) Schools: Maintain current impact fee rates
- (c) Parks: Maintain current impact fee rates



- (d) Libraries: Maintain current impact fee rates
- (e) Law Enforcement: Accept consultants' report and increase fees accordingly
- (f) Quantifying the Impact: Look at the recommended increase of fees and see how current impact fees impact the creation of jobs and the profitability of new commercial facilities

Concluding the joint presentation, Ms. Mitchell told the Board that the Impact Fee Task Force Committee's overall final recommendation was for the County Commission to maintain the current rate for impact fees for all subcommittees.

Commissioner O'Bryan wanted to move forward with the public workshop process.

Vice Chairman Davis inquired whether the Impact Fee Task Force had come up with any recommendations as far as the ramifications of current impact fees on the creation of jobs and commercial facilities. He felt that our economic structure was single dimensional, and would like to "roll out the welcome mat" for those industries that the County would like to attract.

**Ms. Mitchell** revealed that the Committee had discussed the legality of whether the County could carve out impact fees as an economic incentive. She encouraged the Board to look at Chris Bieber's report (found on pages 13 and 14 of the Impact Fee Task Force Report), which addressed the cost of doing business in Indian River County, and the consequences of imposing additional impact fees on some of the projects.

Commissioner Wheeler agreed that economic development was important and also wanted to move ahead with workshops. However, he pointed out that if the County had

inadequate impact fees, it would fall to the taxpayers to pick up at the other end. He remarked that if the County splits the fees, people would need to be informed as to “how” and “why.”

**Nancy Offutt**, Government Affairs Director for the Treasure Coast Builders Association (TCBA), and a member of the Impact Fee Task Force, told the Board that Financial Economist Kirk Sorenson had been requested by the TCBA to do an analysis of County Impact Fees, also based on the Duncan Associates Report. Mr. Sorenson’s preliminary observations had been provided to the Impact Fee Task Force, with the complete report being provided to the Commissioners as of today, January 22, 2008. Mr. Sorensen supported the Task Force consensus that increasing impact fees would further stifle an already stifled economy. Ms. Offutt asked the Board to consider Mr. Sorensen’s report, as they moved ahead with the workshop meetings.

The Board’s consensus was to have staff schedule some workshops and public hearings on this issue.

## **6. APPROVAL OF MINUTES**

### **A. SPECIAL CALL MEETING – MINING MORATORIUM ORDINANCE, JANUARY 7, 2008**

The Chairman asked if there were any additions, deletions or corrections to the Minutes of the Special Call Meeting of January 7, 2008. There were none.

ON MOTION by Commissioner Flescher, SECONDED  
by Vice Chairman Davis, the Board unanimously

approved the Minutes of the Special Call Meeting of January 7, 2008, as written and distributed.

## **7. CONSENT AGENDA**

Commissioner O'Bryan asked that Item 7.K. be pulled for discussion.

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

### **7.A. APPROVAL OF WARRANTS – JANUARY 4 – 10, 2008**

ON MOTION by Vice Chairman Davis, SECONDED by Commissioner Flescher, the Board unanimously approved the list of Warrants as issued by the Clerk to the Board for the time period of January 4, 2008 to January 10, 2008, as recommended in the memorandum of January 10, 2008.

### **7.B. DORI SLOSBERG DRIVER EDUCATION SAFETY ACT, INDIAN RIVER COUNTY TRAFFIC EDUCATION PROGRAM TRUST FUND**

ON MOTION by Vice Chairman Davis, SECONDED by Commissioner Flescher, the Board unanimously accepted the Indian River County Traffic Education Program Trust Fund Report, as recommended in the memorandum of January 14, 2008.

**7.C. OUT OF COUNTY TRAVEL TO ATTEND THE TREASURE COAST  
LEGISLATIVE CONFERENCE IN TALLAHASSEE**

ON MOTION by Vice Chairman Davis, SECONDED by Commissioner Flescher, the Board unanimously approved Out of County Travel for Commissioners and Staff to attend the Treasure Coast Legislative Conference in Tallahassee from Wednesday, February 20, 2008 through Friday, February 22, 2008, as recommended in the memorandum of January 14, 2008.

**7.D. 2008 ELECTION OF UTILITY ADVISORY COMMITTEE CHAIRMAN AND  
VICE CHAIRMAN**

The Board acknowledged, for the record, the election of Andrew Allocco as Chairman, and John Tschinkel as Vice Chairman, of the Utility Advisory Committee for the year 2008.

*No Board action is required.*

**7.E. 2008 ELECTION OF ECONOMIC DEVELOPMENT COUNCIL (EDC)  
CHAIRMAN AND VICE CHAIRMAN**

The Board acknowledged, for the record, the election of Scott Carson as Chairman, and the re-election of Peter Robinson as Vice Chairman, of the Economic Development Council for the year 2008.

*No Board action is required.*

**7.F. 2008 ELECTION OF PLANNING AND ZONING COMMISSION (P&Z)**  
**CHAIRMAN AND VICE CHAIRMAN**

The Board acknowledged, for the record, the election of George Hamner as Chairman, and Craig Fletcher as Vice Chairman, of the Planning and Zoning Agency Committee for the year 2008.

*No Board action is required.*

**7.G. ANNUAL CERTIFICATION AND ANNUAL REPORT OF COMPLIANCE WITH**  
**FLORIDA STATUTES SECTION 119.071(5)**

ON MOTION by Vice Chairman Davis, SECONDED by Commissioner Flescher, the Board unanimously: (1) authorized the Chairman to sign the Certification of Compliance with Collection of Social Security numbers and the Annual Report as to Commercial Entity Inquiries; and (2) delegated the authority to sign future Certifications and Annual Reports to the County Attorney or his designee, as recommended in the memorandum of January 15, 2008.

**7.H. DRAINAGE EASEMENT TO UNITED PARCEL SERVICE**

ON MOTION by Vice Chairman Davis, SECONDED by Commissioner Flescher, the Board unanimously authorized the Chairman to execute a 10-foot drainage easement in favor of United Parcel Service, as recommended in the memorandum of January 15, 2008.

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

**7.I. APPROVAL OF BID AWARD AND SAMPLE AGREEMENT FOR IRC BID #2008020 VERO LAKE ESTATES MASTER PLAN WATER MAIN PHASE II – UCP #2958, UTILITIES DEPARTMENT**

ON MOTION by Vice Chairman Davis, SECONDED by Commissioner Flescher, the Board unanimously approved the Bid Award to Timothy Rose Contracting, Inc., Vero Beach, FL, 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 same 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, as recommended in the memorandum of January 15, 2008.

**7.J. APPROVAL TO MOVE FORWARD WITH MODSPACE WITH THE  
REMOVAL OF MODULARS**

ON MOTION by Vice Chairman Davis, SECONDED by Commissioner Flescher, the Board unanimously approved a not-to-exceed amount of \$66,285.00 by ModSpace for the removal of the modular units formerly used as the Elections Office, as recommended in the memorandum of January 16, 2008.

**7.K. AS-BUILT RESOLUTION & ASSESSMENT ROLL FOR PAVING AND  
DRAINAGE IMPROVEMENTS TO 32<sup>ND</sup> AVENUE SW FROM 15<sup>TH</sup> STREET  
SW TO 13<sup>TH</sup> PLACE SW IN GROVENOR ESTATES S/D, IRC PROJECT  
#03-127**

Commissioner O'Bryan commended staff for bringing in the bid at a lower than expected cost.

Vice Chairman Davis felt that since good prices were currently coming in, it might be a good time to proceed with other projects.

ON MOTION by Vice Chairman Davis, SECONDED by Commissioner Flescher, the Board unanimously approved **Resolution 2008-006**, certifying "As-Built" costs for certain paving and drainage improvements to 32<sup>nd</sup> Avenue

SW from 15<sup>th</sup> Street SW to 13<sup>th</sup> Place SW, designated as Project No. 03-127, and other construction necessitated by such project; providing for formal completion date, and date for payment without penalty and interest.

**7.L. AWARD OF BID #2008013, OSLO ROAD CLEARING, 31<sup>ST</sup> AVENUE SW TO 43<sup>RD</sup> AVENUE AND 43<sup>RD</sup> AVENUE CLEARING, 6<sup>TH</sup> PLACE SW TO SOUTH RELIEF CANAL**

ON MOTION by Vice Chairman Davis, SECONDED by Commissioner Flescher, the Board unanimously approved the Bid Award to Clearzone Maintenance, Inc., including the alternate for total amount of \$45,000.00, as recommended in the memorandum of January 14, 2008.

**7.M. WORK ORDER NO. 4 (ENGINEERING/SURVEYING) FULL & FINAL PAY, KIMLEY-HORN AND ASSOCIATES, INC., DISNEY PARCEL – CR510, BOUNDARY SURVEY**

ON MOTION by Vice Chairman Davis, SECONDED by Commissioner Flescher, the Board unanimously approved payment to Kimley-Horn and Associates, Inc., of Invoice No. 3271563, dated 12/30/07, in the amount of \$1,500.00, as recommended in the memorandum of January 14, 2008.



**7.N. REQUEST TO REJECT BIDS FOR UTILITY MOWING CONTRACT**

ON MOTION by Vice Chairman Davis, SECONDED by Commissioner Flescher, the Board unanimously rejected all mowing bids and will continue using existing staff to perform mowing duties, as recommended in the memorandum of January 10, 2008.

**7.O. ADDITIONAL EXCESS EQUIPMENT TO DECLARE SURPLUS FOR SALE OR DISPOSAL, GENERAL SERVICES/PURCHASING DIVISION**

ON MOTION by Vice Chairman Davis, SECONDED by Commissioner Flescher, the Board unanimously (1) declared the excess items surplus and authorized their sale and/or proper disposal; (2) granted the authority to have the surplus equipment delivered to the Indian River County Fairgrounds to be sold at public auction on January 26, 2008; and (3) authorized the Clerk to remove the assets not found during inventory from the Board's capital asset inventory list, all as recommended in the memorandum of January 15, 2008.

**7.P. WORK ORDER NO. 2 (ENGINEERING/SURVEYING), FINAL PAY & RELEASE OF RETAINAGE, MASTELLER, MOLER, REED, AND TAYLOR, INC., CR 512 PHASE 4 – DESIGN/TOPOGRAPHIC SURVEY – TREE LOCATIONS**

ON MOTION by Vice Chairman Davis, SECONDED by Commissioner Flescher, the Board unanimously approved payment to Masteller, Moler, Reed and Taylor, Inc. for Invoice No. 2453-6033, dated 01/09/08, in the amount of \$1,267.50, as recommended in the memorandum of January 10, 2008.

**7.Q. REQUEST PERMISSION TO ADVERTISE FOR A PUBLIC HEARING TO ADOPT AN ORDINANCE TO AMEND SECTION 201.08.H OF THE CODE AND TO AMEND THE RATE RESOLUTION TO COMPLY WITH NEW FLORIDA LAW ON COLLECTION OF SOCIAL SECURITY NUMBERS**

ON MOTION by Vice Chairman Davis, SECONDED by Commissioner Flescher, the Board unanimously authorized staff to advertise for a public hearing on February 12, 2008 to amend Section 201.08.H of the Code, together with public hearing at the same date and time to amend the Rate Resolution to delete the interest rate, as recommended in the memorandum of January 15, 2008.

**7.R. CHANGE ORDER #4 – GREAT LAKES DREDGE AND DOCK COMPANY,  
SECTORS 1 & 2 BEACH RESTORATION**

ON MOTION by Vice Chairman Davis, SECONDED by Commissioner Flescher, the Board unanimously approved Change Order #4, to Great Lakes Dredge and Dock Co., for Sectors 1 & 2 Beach Restoration, as recommended in the memorandum of January 14, 2008. The segment of the work covered in Change Order #4 is subject to cost sharing with FEMA under PW#458 at a 95% level. Funding of this segment of the work is from 128-14472-066510-05041.

CHANGE ORDER #4 IS ON FILE IN THE OFFICE OF THE CLERK TO THE BOARD

**7.S. NOTICE OF LIMITATION OF USE/SITE DEDICATION FOR NORTH  
SEBASTIAN CONSERVATION AREA**

ON MOTION by Vice Chairman Davis, SECONDED by Commissioner Flescher, the Board unanimously approved the Notice of Limitation of Use/Site Dedication for the North Sebastian Conservation Area, Land and Water Conservation Fund Grant, #12-00475, and authorized the Chairman to sign the appropriate documents for transmittal to the Florida Department of Environmental Protection, Office of Information and Recreation Services, as recommended in the memorandum of January 3, 2008.

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

**8. CONSTITUTIONAL OFFICERS AND GOVERNMENTAL AGENCIES-NONE**

**9. PUBLIC ITEMS**

**9.A. PUBLIC HEARINGS**

**9.A.1. PUBLIC HEARING TO ADOPT AN ORDINANCE TO DESIGNATE AN OFFICIAL COUNTY SEAL (LEGISLATIVE)**

PROOF OF PUBLICATION OF ADVERTISEMENT FOR HEARING IS ON FILE IN THE OFFICE OF THE CLERK TO THE BOARD

Assistant County Attorney Marian Fell reviewed the memorandum of January 15, 2008, and explained that in August 2006, the Board had given staff direction to draft an Ordinance which would change the center of the Official County Seal from an elk's head to three grapefruit, making it more consistent with the current County logo and letterhead. She noted that current Florida law requires that a new Seal be adopted by Ordinance.

Attorney Fell revealed that the Clerk of Court, who is the custodian of the Seal, had asked the Board to consider getting an electric Seal to replace the current, worn out, mechanical seal. Ms. Fell presented estimated costs as follows:

- Electric Embosser: \$750.00 + \$350.00 for the artwork
- Mechanical Seal \$100.00 + \$100.00 to change artwork from elk to grapefruit

Vice Chairman Davis wanted to know if this historically significant item had been presented to any committees or to the Historical Resources Advisory Council for their input, and learned from Administrator Baird that no feedback had been sought from those sources.

*The Chairman opened the public hearing.*

**Fred Mensing**, 7580 129<sup>th</sup> Street, was opposed to changing the Seal and noted the importance of maintaining some tradition in the County.

*There were no additional speakers and the Chairman closed the public hearing.*

Chairman Bowden conveyed that the County's historical records show that periodically the question of why an elk was at the center of the Seal has come up. Apparently, Indian River County had been part of Saint Lucie County, whose official seal had been an elk, and it is believed that when it branched off in 1925, Indian River County took with it the Seal. It was believed that the elk had been purchased as a generic stamp, with no particular thought put into it, as elk do not inhabit this region.

Chairman Bowden informed the Board that on August 22, 2006, a former Commission, on which she, Vice Chairman Davis, and Commissioner Wheeler had served, had voted 4-1 to change the Seal from the elk to the grapefruit. She asked the Commissioners if it was appropriate to keep the elk, or to make the change to something more appropriate.

Vice Chairman Davis understood the need for an updated electric stamp, but voiced his opposition to changing the center of the Seal from the elk to the grapefruit. He felt that since the symbol of the elk has served us well since 1925, that was enough to give it historic significance.

Commissioner Flescher supported retaining the elk in the center of the Seal, stated that it was part of our history and culture, and observed that it has served us well for eighty-plus years. He was opposed to adding to the cost of buying a new seal, and the unnecessary cost factors of changing the Seal's design.

Commissioner Wheeler believed that since the Seal must be replaced at this time, it would be a good time to change the artwork, the cost of which would be the same whether it was done for the elk or the grapefruit. He declared that the County's "unofficial seal" was the grapefruit that could be found on County trucks, stationery, and business cards, and he pointed out that most citizens already felt that the grapefruit was the County's Seal.

MOTION WAS MADE by Commissioner Wheeler,  
SECONDED by Commissioner O'Bryan, for discussion,  
to adopt the Ordinance amending the official County Seal  
from the elk to the three grapefruit.

Commissioner O'Bryan observed that the biggest problem with the elk was that there was no good story or historical reason behind it. He added that if Commissioner Davis could come up with a good elk story, he would favor keeping the elk.

Chairman Bowden supported changing the logo from the elk to the grapefruit. She stated that the grapefruit, which is on our trucks, emblem, and logo, is reflective of Indian River County, which has the finest grapefruit in the world, and the County should be consistent.

Vice Chairman Davis implored Commissioners Flescher and O'Bryan to join him in defeating the move to change the Seal.

Chairman Bowden read a segment of the minutes of the August 22, 2006 Board meeting, (excerpt on file), at which the Board approved, by a 4-1 vote (Commissioner Davis opposed), the use of grapefruit for the County's Seal.

*The Chairman reopened the public hearing.*

**Margarita Sudnykovich**, 7575 1<sup>st</sup> Street SW, was opposed to changing the Seal. She declared that changing history was very scary, and it does not make the County look strong if it was too easy to effect such changes.

*Seeing no further speakers, the Chairman closed the public hearing.*

Commissioner O'Bryan asked if there was anything precluding the County from using the grapefruit as a logo. Administrator Baird did not believe so. Attorney Fell added that the Official County Seal and the Logo were two separate things.

The Chairman Called the Question. The MOTION FAILED by a 2-3 vote, (Commissioners O'Bryan, Flescher, and Davis opposed), to change the elk to grapefruit.

ON MOTION by Vice Chairman Davis, SECONDED by Commissioner O'Bryan, the Board, by a 4-1 vote (Chairman Bowden opposed) authorized the Clerk of the Court to purchase the electric embosser, with NO change to the current Seal.

**9.B. PUBLIC DISCUSSION ITEMS-NONE**

**9.C. PUBLIC NOTICE ITEMS-NONE**

**10. COUNTY ADMINISTRATOR MATTERS**

**10.A. 2008 AMERICAN CANCER SOCIETY CITRUS GALA & CATTLE BARON'S**

**BALL**

County Administrator Joe Baird presented this request to permit the American Cancer Society to use Indian River County's light carts at their March 1, 2008 Citrus Gala & Cattle Baron's Ball. He informed the Board that the group needs four or five of the County's light generators, and they also need a stage. He noted that the County's lights have been furnished free for other events in the past, for safety reasons. He requested direction from the Board regarding donating the equipment for this function.

Chairman Bowden, Vice Chairman Davis, and Commissioner Flescher expressed support for this community event.

ON MOTION by Commissioner Flescher, SECONDED by Vice Chairman Davis, the Board unanimously approved the donation of the use of the County's equipment for the 2008 American Cancer Society's Citrus Gala & Cattle Baron's Ball, to be held on March 1<sup>st</sup>, 2008, as recommended in the memorandum of January 16, 2008.

**11. DEPARTMENTAL MATTERS**

**11.A. COMMUNITY DEVELOPMENT-NONE**



**11.B. EMERGENCY SERVICES-NONE**

**11.C. GENERAL SERVICES-NONE**

**11.D. HUMAN RESOURCES-NONE**

**11.E. HUMAN SERVICES-NONE**

**11.F. LEISURE SERVICES-NONE**

**11.G. OFFICE OF MANAGEMENT AND BUDGET-NONE**

**11.H. RECREATION-NONE**

**11.I. PUBLIC WORKS-NONE**

**11.J. UTILITIES SERVICES**

**11.J.1. CHANGE ORDER NO. 3 TO IRC CONTRACT 2006012 WITH POOLE AND  
KENT COMPANY OF FLORIDA, INC. FOR THE EXPANSION OF THE  
NORTH RO PLANT**

ON MOTION by Commissioner Wheeler, SECONDED  
by Commissioner O'Bryan, the Board unanimously  
approved Change Order No. 3 to IRC Contract 2006012

with Poole and Kent Company of Florida, Inc. to increase the contract in the amount of \$200,527.00, and authorized the Chairman to execute same, as recommended in the memorandum of January 15, 2008.

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

**11.J.2. AMENDMENT NO. 2 TO WORK ORDER NO. 2 WITH CAMP DRESSER AND MCKEE, INC. FOR ENGINEERING SERVICES TO RELOCATE THE BIOSOLIDS DEWATERING FACILITY TO THE COUNTY LANDFILL SITE**

MOTION WAS MADE BY Commissioner Wheeler, SECONDED by Vice Chairman Davis, for discussion, to approve staff's recommendation.

To Vice Chairman Davis's query, Utilities Director Erik Olson explained that this issue was strictly for the construction of the facility, and had no bearing on who ultimately operated the plant.

Commissioner O'Bryan asked Director Olson if it was Camp Dresser and McKee, Inc. (CDM) or the County that had selected the original site, and wanted to know if the Biosolids Facility would be moving closer to the Ocean Spray Plant. To the first query, Director Olson responded that the County had selected the site, and to the latter, he said that the facility would be moving about 1,500 feet closer to Ocean Spray, but the site would still be contained within the landfill.

A discussion ensued as the Board and Director Olson discussed the problems at the old facility, as well as the improvements, particularly better odor control, which would be put in place at the new facility.

The Chairman CALLED THE QUESTION. The Board unanimously approved: (a) Addendum No. 2 to Work Order No. 2 with Camp Dresser and McKee, Inc. (CDM) in the amount of \$69,903.00 to provide engineering design and permitting services for Relocation of the Biosolids Dewatering Facility within the County Landfill Site, and (b) authorized the Chairman to execute the same, as recommended in the memorandum of January 14, 20088.

AMENDMENT NUMBER 2 IS ON FILE IN THE OFFICE OF THE CLERK TO THE BOARD

## **12. COUNTY ATTORNEY MATTERS-NONE**

## **13. COMMISSIONERS ITEMS**

### **13.A COMMISSIONER SANDRA L. BOWDEN, CHAIRMAN-NONE**

**13.B. COMMISSIONER WESLEY S. DAVIS, VICE CHAIRMAN**

**1. MODIFY RESOLUTION 2003-125 ESTABLISHING THE AGRICULTURE  
ADVISORY COMMITTEE**

Vice Chairman Davis informed the Board that the Agriculture Advisory Committee's (AAC) Chairman Robert Adair had been asked to remain in position for an additional one-year term. Since Mr. Adair has already served two one-year terms, per the governing Resolution of the Committee, it would be necessary to amend the Resolution to allow Mr. Adair to serve the additional term. Vice Chairman Davis supported retaining Mr. Adair, in light of the mining and water issues the County was evaluating, and he also noted that Mr. Adair was the only candidate at this time.

ON MOTION by Commissioner Wheeler, SECONDED by Chairman Bowden, the Board unanimously approved **Resolution 2008-007**, amending Section 7, General Provisions, of Resolution No. 2003-125 to allow the Chair of the Agriculture Advisory Committee to serve for an additional one year for the 2008-2009 term.

**13.C. COMMISSIONER JOSEPH E. FLESCHER-NONE**

**13.D. COMMISSIONER PETER D. O'BRYAN**

**1. SEA TURTLE LIGHTING WORKSHOP AND SEA GRAPE GIVE-A-WAY**

Commissioner O'Bryan made a public announcement regarding the Sea Turtle Lighting Workshop, which would be held on February 2, 2008, from 1:00 to 4:00 p.m. at the Vero Beach Community Center. He stated that it was important to oceanfront property owners to learn how to prevent their lights from interfering with sea turtle nesting. A give-away of Sea Grape plants, which are useful to block out the light, will also take place. Commissioner O'Bryan noted that Environmental and Code Enforcement Chief Roland DeBlois had sent notices to beachside property owners, and the event was also featured on the County's website.

*NO BOARD ACTION REQUIRED OR TAKEN*

**13.E. COMMISSIONER GARY C. WHEELER-NONE**

**14. SPECIAL DISTRICTS AND BOARDS**

**14.A. EMERGENCY SERVICES DISTRICT-NONE**

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

The Chairman announced that immediately upon adjournment of the Regular Board of County Commissioner's meeting, the Board would reconvene as the Board of Commissioners of the Solid Waste Disposal District. Those Minutes are being prepared separately and appended to this document.

**14.B.1. WORK ORDER NO. 14 TO GEOSYNTEC CONSULTANTS, INC. FOR  
ENGINEERING SERVICES WITH THE 2008 COMPLIANCE MONITORING  
& GENERAL TECHNICAL ASSISTANCE**

**14.B.2. SOLID WASTE DISPOSAL DISTRICT CUSTOMER CONVENIENCE  
CENTERS**

**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

**15. ADJOURNMENT**

There being no further business, on Motion duly made, seconded and carried, the  
Board adjourned at 10:04 a.m.

ATTEST:

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

\_\_\_\_\_  
Sandra L. Bowden, Chairman

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

BCC/MG/2008/Minutes