

INDEX TO MINUTES OF REGULAR MEETING
OF BOARD OF COUNTY COMMISSIONERS
OF FEBRUARY 19, 2008

1. CALL TO ORDER1

2. INVOCATION1

3. PLEDGE OF ALLEGIANCE.....1

4. ADDITIONS/DELETIONS TO THE AGENDA/EMERGENCY
ITEMS-NONE.....2

5. PROCLAMATIONS AND PRESENTATIONS2

 5.A. PRESENTATION BY CIRCUIT JUDGE ROBERT L. PEGG2

 5.B. PRESENTATION BY FLORIDA ATLANTIC UNIVERSITY PRESIDENT FRANK T.
 BROGAN3

 5.C. PRESENTATION OF 2007 ANNUAL REPORT BY WORKFORCE DEVELOPMENT
 BOARD PRESIDENT/CEO GWENDA THOMPSON4

 5.D. PRESENTATION BY NEW HORIZONS PRESIDENT/CEO JOHN B. ROMANO4

 5.E. PRESENTATION OF PROCLAMATION HONORING AFRICAN AMERICAN PIONEER
 MONTH4

 5.F. PRESENTATION OF PROCLAMATION COMMEMORATING STEP UP FLORIDA!5

 5.G. PRESENTATION BY DONNA BARONE, PRESIDENT, SEBASTIAN RIVER HIGH
 SCHOOL ROWING SHARKS BOOSTER CLUB.....6

6.	APPROVAL OF MINUTES-NONE	6
7.	CONSENT AGENDA	6
	<i>7.A. REPORT ON FILE IN THE OFFICE OF THE CLERK TO THE BOARD: INDIAN RIVER COUNTY HOSPITAL DISTRICT MEETING SCHEDULE</i>	<i>7</i>
	<i>7.B. APPROVAL OF WARRANTS - FEBRUARY 1 – FEBRUARY 7, 2008</i>	<i>7</i>
	<i>7.C. APPOINTMENT TO THE ECONOMIC DEVELOPMENT COUNCIL</i>	<i>7</i>
	<i>7.D. APPOINTMENT TO EMERGENCY SERVICES DISTRICT ADVISORY COMMITTEE</i>	<i>8</i>
	<i>7.E. RESOLUTION RECOGNIZING THE EFFORT OF THE WEST WABASSO COMMUNITY TO PRESERVE AND FORTIFY THEIR HERITAGE, HISTORICAL SIGNIFICANCE, AND THE CHARACTER OF THE COMMUNITY</i>	<i>8</i>
	<i>7.F. RESOLUTION ACCEPTING DEDICATION OF THE “PARK AREA” ON THE PLAT OF VERO LAKE ESTATES UNIT M</i>	<i>9</i>
	<i>7.G. FINAL PAYMENT FOR WORK ORDER NO. 1 (UTILITIES) CARTER ASSOCIATES, INC. FOR: SURVEY SERVICES, COUNTY ROAD 510 & US HIGHWAY 1</i>	<i>9</i>
	<i>7.H. REQUEST FOR APPROVAL OF AN AMENDMENT TO AND EXTENSION OF A WETLAND MAINTENANCE SERVICES AGREEMENT WITH ECOTECH CONSULTANTS, INC. FOR PROFESSIONAL SERVICES TO IMPLEMENT A U.S. FISH AND WILDLIFE SERVICE COST-SHARE GRANT FOR RESTORATION AND PLANNING ACTIVITIES ON THE LOST TREE ISLANDS</i>	<i>9</i>
	<i>7.I. CHESTER E. AND LYNN R. WILCOX, RIGHT OF WAY 70TH AVENUE (POWERLINE ROAD)</i>	<i>10</i>
	<i>7.J. WABASSO BEACH PARK RESTORATION; WORK ORDER CT-2; PROFESSIONAL ENGINEERING SERVICES FOR MASTER LIFT STATION AND FORCE MAIN CONNECTION; COASTAL TECHNOLOGY CORPORATION</i>	<i>10</i>
	<i>7.K. HARLAN AND CATHERINE DAVIS REQUEST FOR PARTIAL RELEASE OF AN EASEMENT AT 605 18TH AVE. (LOTS 7 & 8, BLOCK 6, FRESARD GLENDALE SUBDIVISION)</i>	<i>11</i>
	<i>7.L. CR 512, I-95 TO ROSELAND ROAD – IRC PROJECT NO. 9611, ADDENDUM #8, TASK E, REQUEST FOR FINAL RELEASE OF RETAINAGE</i>	<i>11</i>

7.M.	RELEASE OF RETAINAGE (\$966,832) TO TURNER CONSTRUCTION COMPANY ON CONSTRUCTION OF COUNTY ADMINISTRATION BUILDINGS.....	12
7.N.	IRC JAIL EXPANSION PROJECT CHANGE ORDER #16 – VIDEO VISITATION SYSTEM	12
7.O.	IRC JAIL EXPANSION PROJECT PROPOSED CHANGE ORDER #17.....	13
7.P.	RELEASE OF RETAINAGE (\$143,743) TO TURNER CONSTRUCTION COMPANY ON CONSTRUCTION OF EMERGENCY OPERATIONS CENTER.....	13
7.Q.	WOODSIDE TRILLIUM’S REQUEST FOR REPLAT OF A PORTION OF TRILLIUM WEST TO BE KNOWN AS DREXEL PARK.....	14
8.	CONSTITUTIONAL OFFICERS AND GOVERNMENTAL AGENCIES	14
8.A.	INDIAN RIVER COUNTY SHERIFF – ROY RAYMOND.....	14
1.	APPLICATION FOR THE VICTIMS OF CRIME ACT (VOCA) GRANT.....	14
2.	FORFEITURE TRUST FUND.....	15
9.	PUBLIC ITEMS.....	15
9.A.	PUBLIC HEARINGS.....	15
9.A.1.	REQUEST FOR AUTHORIZATION TO SUBMIT AN FY 2007/08 GRANT APPLICATION FOR 49 USC CH. 53, SECTION 5307 MASS TRANSIT CAPITAL AND OPERATING ASSISTANCE (LEGISLATIVE).....	15
9.A.2.	AMENDMENT TO ORDINANCE No. 2003-03, CODIFYING AND PUBLISHING THE ORDINANCES TO READOPT THE CODE UP TO AND INCLUDING SUPPLEMENT 65 (LEGISLATIVE)	17
9.B.	PUBLIC DISCUSSION ITEMS-NONE	18
9.C.	PUBLIC NOTICE ITEMS.....	18
1.	NOTICES OF SCHEDULED PUBLIC HEARINGS FOR MARCH 4, 2008:.....	18
A.	WINTER GROVE SUBDIVISION PETITION WATER SERVICE, 28 TH & 29 TH COURTS & 70 TH PLACE, NORTH OF NORTH WINTER BEACH ROAD – 69 TH STREET, INDIAN RIVER COUNTY PROJECT No. UCP-3013 (ADMINISTRATIVE).....	18

	<i>B. BOARD CONSIDERATION TO APPROVE PURCHASE OF THE “JONES’S PIER” SITE UNDER THE COUNTY ENVIRONMENTAL LAND ACQUISITION PROGRAM (ADMINISTRATIVE).....</i>	<i>18</i>
10.	COUNTY ADMINISTRATOR’S MATTERS.....	18
	<i>10A. DODGERS AGREEMENT.....</i>	<i>18</i>
11.	DEPARTMENTAL MATTERS.....	21
	<i>11.A. COMMUNITY DEVELOPMENT-NONE.....</i>	<i>21</i>
	<i>11.B. EMERGENCY SERVICES-NONE</i>	<i>21</i>
	<i>11.C. GENERAL SERVICES-NONE.....</i>	<i>21</i>
	<i>11.D. HUMAN RESOURCES</i>	<i>21</i>
	<i>11.D.1. COLLECTIVE BARGAINING AGREEMENT BETWEEN INDIAN RIVER COUNTY AND TEAMSTERS LOCAL 769</i>	<i>21</i>
	<i>11.E. HUMAN SERVICES-NONE.....</i>	<i>22</i>
	<i>11.F. LEISURE SERVICES-NONE</i>	<i>23</i>
	<i>11.G. OFFICE OF MANAGEMENT AND BUDGET.....</i>	<i>23</i>
	<i>11.G.1. TAX REFORM – AMENDMENT NO. 1.....</i>	<i>23</i>
	<i>11.H. RECREATION-NONE</i>	<i>26</i>
	<i>11.I. PUBLIC WORKS-NONE</i>	<i>26</i>
	<i>11.J. UTILITIES SERVICES-NONE.....</i>	<i>26</i>
12.	COUNTY ATTORNEY MATTERS-NONE.....	26
13.	COMMISSIONER ITEMS-NONE.....	27
	<i>13.A. COMMISSIONER SANDRA L. BOWDEN, CHAIRMAN-NONE.....</i>	<i>27</i>
	<i>13.B. COMMISSIONER WESLEY S. DAVIS, VICE CHAIRMAN-NONE.....</i>	<i>27</i>
	<i>13.C. COMMISSIONER JOSEPH E. FLESCHER-NONE</i>	<i>27</i>
	<i>13.D. COMMISSIONER PETER D. O’BRYAN-NONE</i>	<i>27</i>
	<i>13.E. COMMISSIONER GARY C. WHEELER-NONE.....</i>	<i>27</i>

14.	SPECIAL DISTRICTS AND BOARDS.....	27
	<i>14.A. EMERGENCY SERVICES DISTRICT.....</i>	<i>27</i>
	<i>14.A.1. APPROVAL OF MINUTES – MEETING OF JANUARY 8, 2008</i>	<i>27</i>
	<i>14.A.2. APPROVAL OF MINUTES – MEETING OF JANUARY 15, 2008.....</i>	<i>27</i>
	<i>14.A.3. EMERGENCY SERVICES STATION 2, DEDUCTIVE CHANGE ORDER No. 4.....</i>	<i>27</i>
	<i>14.A.4. APPROVAL TO PURCHASE (1) CHEVROLET TYPE III MEDIUM DUTY AMBULANCE FROM TEN-8 FIRE EQUIPMENT, INC.....</i>	<i>28</i>
	<i>14.B. SOLID WASTE DISPOSAL DISTRICT-NONE.....</i>	<i>28</i>
	<i>14.C. ENVIRONMENTAL CONTROL BOARD-NONE</i>	<i>28</i>
15.	ADJOURNMENT	28

February 19, 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 St., Vero Beach, Florida, on Tuesday, February 19, 2008. Present were Chairman Sandra L. Bowden, Vice Chairman Wesley S. Davis, and 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

Reverend Shelly Satran, Our Savior Evangelical Lutheran Church, delivered the Invocation.

3. PLEDGE OF ALLEGIANCE

Commissioner Gary C. Wheeler led the Pledge of Allegiance to the Flag.

**4. ADDITIONS/DELETIONS TO THE AGENDA/EMERGENCY
ITEMS-NONE**

5. PROCLAMATIONS AND PRESENTATIONS

5.A. PRESENTATION BY CIRCUIT JUDGE ROBERT L. PEGG

Judge Robert L. Pegg presented information about an electronic monitoring system that could be used on a 24-hour, 7-day basis to track juvenile offenders, as an alternative to sending them to the Ft. Pierce Detention Center, where they are kept for up to twenty-one (21) days. Judge Pegg talked about the benefits of using the electronic monitoring, which would cost \$12.00 per day versus the approximately \$170.00 per day for housing at the Detention Center. He noted that Indian River County currently sends about \$40,000.00 per month to help house juvenile offenders at the Detention Center.

Judge Pegg discussed the success rate of this procedure for other counties that are utilizing it; told the Board that there is a 99% compliance rate among the juvenile offenders on the system; and requested Board approval for the electronic monitoring system.

County Administrator Baird arranged with Judge Pegg to get the complete costs, and Chairman Bowden said that the Board would give serious consideration to this item.

5.B. PRESENTATION BY FLORIDA ATLANTIC UNIVERSITY PRESIDENT
FRANK T. BROGAN

Frank T. Brogan presented a video highlighting Florida Atlantic University (FAU). He then provided an overview of Florida Atlantic University's history, development, and projected plans. Some of the recent accomplishments of the University are their partnership with Harbor Branch Oceanographic Institute, their athletic wins at the Sunbelt Conference and the New Orleans Bowl, their hosting of the Presidential Debates, and their Lifelong Learning Programs. President Brogan thanked the Commissioners for their partnership with Florida Atlantic University and for their service to the community.

Bill Penney, Vice President of Marine Bank, and a 1978 graduate of FAU, expressed appreciation for the quality of the education he had received at the University.

Commissioner Bowden noted President Brogan's long history of involvement with Indian River County, and assured Mr. Brogan that the County would be happy to partner with Florida Atlantic University at any time desired.

The Commissioners offered positive comments regarding their personal experiences with Florida Atlantic University, and acknowledged the importance of having quality education available in the community.

5.C. PRESENTATION OF 2007 ANNUAL REPORT BY WORKFORCE DEVELOPMENT BOARD PRESIDENT/CEO GWENDA THOMPSON

Gwenda Thompson read the highlights of the Workforce Development Board's 2007 Annual Report (copy on file). She then discussed future plans for programs, projects, and services, including a new "brand", Workforce Solutions, which would unite the One Stop Career Centers and the Workforce Development Board.

Chairman Bowden thanked Ms. Thompson for her presentation.

5.D. PRESENTATION BY NEW HORIZONS PRESIDENT/CEO JOHN B. ROMANO

John B. Romano reviewed some statistics from the Units of Service Report (copy on file) which had been provided to each Commissioner. He acknowledged that he had received Commissioner Wheeler's letter asking for information on how the community health centers save the County money, and would be obtaining and providing that information to the Board.

5.E. PRESENTATION OF PROCLAMATION HONORING AFRICAN AMERICAN PIONEER MONTH

Commissioner Flescher read the Proclamation and presented individual proclamations to the eleven African American pioneers who came forward to receive them. Detective Teddy Floyd would make sure the three remaining pioneers received their

proclamations. (Pioneers: Bruce McIntosh, Ervin Cartwright, Habakkuk B. Whitfield, Doretha McGriff, Fred Plair, Robert “Jake” Taylor, Larry Staley, Lawrence Trap, Teri Lynn Moody, Venda Rhea Burgess, and Earthine Plair).

Larry Staley, a 26-year employee of the Indian River County Recreation Department, talked about his experiences and thanked everyone for the opportunity to serve the community.

Deputy Teddy Floyd thanked the Commissioners for their acknowledgement of the African American pioneers, and said that everyone would work together on behalf of all citizens of the County.

**5.F. PRESENTATION OF PROCLAMATION COMMEMORATING STEP UP
FLORIDA!**

Miranda Swanson, Administrator of the Health Department, and Director Cliff Crawford and Assistant Director Mike Redstone, of the Recreation Department, were on hand to receive the Proclamation, which was read by Chairman Bowden. Miranda Swanson discussed the background of Step Up, Florida!, which purpose is to promote healthy lifestyles and decrease obesity throughout the State. Mr. Redstone and Ms. Swanson detailed some of the upcoming community events, which were designed to promote physical activity.

**5.G. PRESENTATION BY DONNA BARONE, PRESIDENT, SEBASTIAN RIVER
HIGH SCHOOL ROWING SHARKS BOOSTER CLUB**

Donna Barone invited the Commissioners to Sebastian River High School's Inaugural Regatta, to be held on Saturday, February 23, 2008, at 8:00 a.m., at the C-54 Canal. She informed the Board that the Rowing Club would be hosting seven other schools, and asked the Commissioners to support the rowing program. Ms. Barone described the benefits accruing to the students who participate in this program.

Commissioner Flescher encouraged the Commissioners to show their support for this event, and for the Rowing Sharks Booster Club.

Rene Renzi, Waverly Place, asked for information regarding public access, which Ms. Barone and Vice Chairman Davis provided.

6. APPROVAL OF MINUTES-NONE

7. CONSENT AGENDA

Vice Chairman Davis asked that Item 7.D. be pulled for discussion.

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

**7.A. REPORT ON FILE IN THE OFFICE OF THE CLERK TO THE BOARD:
INDIAN RIVER COUNTY HOSPITAL DISTRICT MEETING SCHEDULE**

The Board noted the Report on file.

7.B. APPROVAL OF WARRANTS - FEBRUARY 1 – FEBRUARY 7, 2008

ON MOTION by Vice Chairman Davis, SECONDED by Commissioner Wheeler, the Board unanimously approved the list of Warrants as issued by the Clerk to the Board for the time period of February 1, 2008 to February 7, 2008, as requested in the memorandum dated February 7, 2008.

7.C. APPOINTMENT TO THE ECONOMIC DEVELOPMENT COUNCIL

ON MOTION by Vice Chairman Davis, SECONDED by Commissioner Wheeler, the Board unanimously approved the appointment of Ms. Gwenda Thompson as the Treasure Coast Appointee to the Economic Development Council, with her term expiring in 2010, as recommended in the memorandum of February 13, 2008.

7.D. APPOINTMENT TO EMERGENCY SERVICES DISTRICT ADVISORY COMMITTEE

Vice Chairman Davis introduced Mr. Charles M. Martoe and thanked him for serving on the Committee.

ON MOTION by Vice Chairman Davis, SECONDED by Commissioner O'Bryan, the Board unanimously approved the appointment of Mr. Charles M. Martoe as the District 1 representative to the Emergency Services District Advisory Committee, with his term to expire in 2010, as recommended in the memorandum of February 12, 2007.

7.E. RESOLUTION RECOGNIZING THE EFFORT OF THE WEST WABASSO COMMUNITY TO PRESERVE AND FORTIFY THEIR HERITAGE, HISTORICAL SIGNIFICANCE, AND THE CHARACTER OF THE COMMUNITY

ON MOTION by Vice Chairman Davis, SECONDED by Commissioner Wheeler, the Board unanimously approved **Resolution 2008-014**, declaring the formal recognition of the West Wabasso Community neighborhood.

**7.F. RESOLUTION ACCEPTING DEDICATION OF THE “PARK AREA” ON THE
PLAT OF VERO LAKE ESTATES UNIT M**

ON MOTION by Vice Chairman Davis, SECONDED by Commissioner Wheeler, the Board unanimously approved **Resolution 2008-015**, accepting the dedication of a ± 8.25 acre parcel of land as a park as shown on the plat of Vero Lake Estates Unit M recorded in Indian River County Plat Book 5, Page 87.

7.G. FINAL PAYMENT FOR WORK ORDER NO. 1 (UTILITIES) CARTER ASSOCIATES, INC. FOR: SURVEY SERVICES, COUNTY ROAD 510 & US HIGHWAY 1

ON MOTION by Vice Chairman Davis, SECONDED by Commissioner Wheeler, the Board unanimously approved final payment for Work Order 1 (Utilities) to Carter Associates, Inc. for \$1,268.00, as recommended in the memorandum of February 6, 2008.

7.H. REQUEST FOR APPROVAL OF AN AMENDMENT TO AND EXTENSION OF A WETLAND MAINTENANCE SERVICES AGREEMENT WITH ECOTECH CONSULTANTS, INC. FOR PROFESSIONAL SERVICES TO IMPLEMENT A U.S. FISH AND WILDLIFE SERVICE COST-SHARE GRANT FOR RESTORATION AND PLANNING ACTIVITIES ON THE LOST TREE ISLANDS

ON MOTION by Vice Chairman Davis, SECONDED by Commissioner Wheeler, the Board unanimously approved the Amendment and Extension to Wetland Maintenance Services Agreement with Ecotech Consultants, Inc., and authorized the Chairman to execute same, as recommended in the memorandum of February 8, 2008.

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

**7.I. CHESTER E. AND LYNN R. WILCOX, RIGHT OF WAY 70TH AVENUE
(POWERLINE ROAD)**

ON MOTION by Vice Chairman Davis, SECONDED by Commissioner Wheeler, the Board unanimously approved Alternative No. 1, the \$30,180.00 purchase, and authorized the Chairman to execute the Agreement, as recommended in the memorandum of February 11, 2008.

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

**7.J. WABASSO BEACH PARK RESTORATION; WORK ORDER CT-2;
PROFESSIONAL ENGINEERING SERVICES FOR MASTER LIFT STATION
AND FORCE MAIN CONNECTION; COASTAL TECHNOLOGY
CORPORATION**

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

Work Order CT-2 with Coastal Technology Corporation, for the above professional engineering services in the total amount of \$7,310.00, as recommended in the memorandum of February 13, 2008.

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

7.K. HARLAN AND CATHERINE DAVIS REQUEST FOR PARTIAL RELEASE OF AN EASEMENT AT 605 18TH AVE. (LOTS 7 & 8, BLOCK 6, FRESARD GLENDALE SUBDIVISION)

ON MOTION by Vice Chairman Davis, SECONDED by Commissioner Wheeler, the Board unanimously approved Resolution **2008-016**, releasing a portion of an easement on Lots 7 and 8, Block 6, Fresard Glendale Subdivision.

7.L. CR 512, I-95 TO ROSELAND ROAD – IRC PROJECT NO. 9611, ADDENDUM #8, TASK E, REQUEST FOR FINAL RELEASE OF RETAINAGE

ON MOTION by Vice Chairman Davis, SECONDED by Commissioner Wheeler, the Board unanimously approved releasing the retainage to Masteller & Moler, Inc., for Addendum No. 8 – Task E, in the amount of \$1,315.60, as recommended in the memorandum of February 8, 2008.

7.M. RELEASE OF RETAINAGE (\$966,832) TO TURNER CONSTRUCTION COMPANY ON CONSTRUCTION OF COUNTY ADMINISTRATION BUILDINGS

ON MOTION by Vice Chairman Davis, SECONDED by Commissioner Wheeler, the Board unanimously approved the release to Turner Construction Company of the \$966,832.00 held in retainage, recommended in the memorandum of February 13, 2008. The County is still holding \$500,303.00 of other funds invoiced by Turner Construction.

7.N. IRC JAIL EXPANSION PROJECT CHANGE ORDER #16 – VIDEO VISITATION SYSTEM

ON MOTION by Vice Chairman Davis, SECONDED by Commissioner Wheeler, the Board unanimously approved Change Order #16, deducting the remaining balance (\$56,667) of the Video Visitation Guaranteed Maximum Price of \$792,841.00 for the Indian River County Jail expansion project, and authorized the Chairman to execute the final document after receipt from the Contractor, as recommended in the memorandum of February 12, 2008.

7.O. IRC JAIL EXPANSION PROJECT PROPOSED CHANGE ORDER #17

ON MOTION by Vice Chairman Davis, SECONDED by Commissioner Wheeler, the Board unanimously approved Change Order #17, with Peter R. Brown Construction, Inc., for IRC Jail Expansion, and authorized the Chairman to execute the final document after approval of the legal staff and receipt of the executed Change Order from the Contractor, as recommended in the memorandum of February 12, 2008.

7.P. RELEASE OF RETAINAGE (\$143,743) TO TURNER CONSTRUCTION COMPANY ON CONSTRUCTION OF EMERGENCY OPERATIONS CENTER

ON MOTION by Vice Chairman Davis, SECONDED by Commissioner Wheeler, the Board unanimously approved the release of the \$143,743.00 in held retainage to Turner Construction Company, as recommended in the memorandum of February 13, 2008. The County is still holding \$70,619.00 of other funds invoiced by Turner Construction.

7.Q. WOODSIDE TRILLIUM'S REQUEST FOR REPLAT OF A PORTION OF TRILLIUM WEST TO BE KNOWN AS DREXEL PARK

ON MOTION by Vice Chairman Davis, SECONDED by Commissioner Wheeler, the Board unanimously granted final plat approval for Drexel Park Subdivision, as recommended in the memorandum of February 11, 2008.

Clerk's Note: Vice Chairman Davis exited the meeting at 10:08 a.m.

8. CONSTITUTIONAL OFFICERS AND GOVERNMENTAL AGENCIES

8.A. INDIAN RIVER COUNTY SHERIFF – ROY RAYMOND

1. APPLICATION FOR THE VICTIMS OF CRIME ACT (VOCA) GRANT

ON MOTION by Commissioner Wheeler, SECONDED by Commissioner Flescher, the Board, by a 4-0 vote (Vice Chairman Davis absent) approved the Sheriff's Office application for the Victims of Crime Act (VOCA) Grant (\$43,920.00 VOCA funding and \$11,389.00 local In-Kind Match), as requested in Sheriff Roy Raymond's letter of February 11, 2008.

2. FORFEITURE TRUST FUND

ON MOTION by Commissioner Wheeler, SECONDED by Commissioner Flescher, the Board, by a 4-0 vote (Vice Chairman Davis absent), approved that \$6,367.48 from the Sheriff's Law Enforcement Trust Fund be used to support the 211 Palm Beach/Treasure Coast agency, the Neighborhood Watch program, and the Florida Missing Children's Day ceremony, as requested in Sheriff Roy Raymond's letter of February 08, 2008.

9. PUBLIC ITEMS

9.A. PUBLIC HEARINGS

9.A.1. REQUEST FOR AUTHORIZATION TO SUBMIT AN FY 2007/08 GRANT APPLICATION FOR 49 USC CH. 53, SECTION 5307 MASS TRANSIT CAPITAL AND OPERATING ASSISTANCE (LEGISLATIVE)

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

Phil Matson, Metropolitan Planning Organization (MPO) Staff Director, through a review of the backup memorandum of February 2, 2007, presented this item to the Board. He reported that this year's grant funds would be used to cover the capital and operating expenses for the Indian River Transit/Community Coach transit system throughout the next year. Mr.

Matson explained that the County receives three dollars (\$3.00) for every one (\$1.00) dollar which it puts into the system. He then asked for Board approval to submit the Grant Application.

In response to Commissioner O'Bryan's query, Mr. Matson affirmed that the County's share was already included in this year's budget.

The Chairman opened the public hearing.

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

ON MOTION by Commissioner O'Bryan, SECONDED by Commissioner Flescher, the Board, by a 4-0 vote (Vice Chairman Davis absent), approved **Resolution 2008-017**, authorizing the filing of a FY 2007/08 Grant Application for 49 USC Ch. 53, Section 5307 Mass Transit Capital and Operating Assistance.

9.A.2. AMENDMENT TO ORDINANCE No. 2003-03, CODIFYING AND PUBLISHING THE ORDINANCES TO READOPT THE CODE UP TO AND INCLUDING SUPPLEMENT 65 (LEGISLATIVE)

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

County Attorney Will Collins explained that it is a requirement of State law to periodically update County Code. The Code is considered the best evidence of the current law of the County, but it is periodically supplemented as new Ordinances are adopted. Attorney Collins explained that today's request is to incorporate Supplements 44 through 65 into the official Code for purposes of evidence of law.

The Chairman opened the public hearing.

There were no speakers, and the Chairman closed the public hearing.

ON MOTION by Commissioner O'Bryan, SECONDED by Commissioner Flescher, the Board, by a 4-0 vote (Vice Chairman Davis absent), adopted **Ordinance 2008-005**, amending Ordinance No. 2003-03, codifying and publishing the Ordinances published in the Code of Indian River County up to and including Supplement 65 thereto, readopting the Code of Indian River County, designating the code of Indian River County as the best evidence of the current law of Indian River County, Florida, and

providing for severability, codification, and an effective date.

9.B. PUBLIC DISCUSSION ITEMS-NONE

9.C. PUBLIC NOTICE ITEMS

1. NOTICES OF SCHEDULED PUBLIC HEARINGS FOR MARCH 4, 2008:

A. WINTER GROVE SUBDIVISION PETITION WATER SERVICE, 28TH & 29TH COURTS & 70TH PLACE, NORTH OF NORTH WINTER BEACH ROAD – 69TH STREET, INDIAN RIVER COUNTY PROJECT No. UCP-3013 (ADMINISTRATIVE)

B. BOARD CONSIDERATION TO APPROVE PURCHASE OF THE “JONES’S PIER” SITE UNDER THE COUNTY ENVIRONMENTAL LAND ACQUISITION PROGRAM (ADMINISTRATIVE)

The Chairman read the notices into the record.

10. COUNTY ADMINISTRATOR’S MATTERS

10A. DODGERS AGREEMENT

County Administrator Baird outlined the details of the two Agreements which have been negotiated with the Dodgers regarding their departure from Dodgertown. He noted that the arrangements with the Dodgers must be finalized so the County can have dates with which to begin working with another team. Brief summaries of the Agreements are as follows:

(1) Third Amendment to Facility Lease Agreement:

- (a) Provide for a new final termination date, with the options of remaining at Dodgertown through April 20, 2021 or leaving Dodgertown earlier than May 31, 2009
- (b) Transfer ownership to County of all personal property currently owned and used by Dodgers at Dodgertown
- (c) Remove and terminate Dodgers' rights to purchase or reacquire Dodgertown

(2) Termination and Release Agreement:

Removal of record of purchase and repurchase rights of the Dodgers which were included in the Warranty Deed when ownership was transferred to the County

Commissioner O'Bryan asked Administrator Baird whether the Dodgers were prepared to execute the Agreements and learned that they have already signed five originals.

John Clinton, Mockingbird Drive, objected to the County's allowing the Dodgers to not pay off their bonds in view of the fact that no new team has made a commitment to the County.

Administrator Baird addressed Mr. Clinton's concerns, and pointed out that for economic development reasons, it was in the County's best interest to keep the facility in its current character, and to bring in another baseball team.

Commissioner O'Bryan stated that it was a tough thing to have the Dodgers leave, but the Agreements would allow the County and the Dodgers to move forward gracefully.

MOTION WAS MADE by Commissioner O'Bryan, SECONDED by Chairman Bowden, to approve the Release and Termination Agreement, and the Third Amendment to Facility Lease Agreement, and any other related documents, with the Los Angeles Dodgers.

Under Discussion, Chairman Bowden recognized the long and joyful relationship between the County and the Dodgers, and wished them well. She was also looking forward to having a new team, and had confidence that Administrator Baird would make that happen.

Commissioner O'Bryan acknowledged all the efforts made by Administrator Baird in advancing this item.

Administrator Baird recognized Craig Callan, the Dodger's Vice President of Spring Training, as a professional and a gentleman who has made the Dodgers successful in this community.

Commissioner Wheeler acknowledged the many contributions made by the Dodgers to Indian River County, and wished the organization and Mr. Callan success.

The Chairman CALLED THE QUESTION and the Board, by a 4-0 vote (Vice Chairman Davis absent) approved the Agreements with the Los Angeles Dodgers; authorized the Chairman to execute the Release and Termination Agreement; and approved the Third Amendment to Facility Lease Agreement and any related documents, as recommended in the memorandum of February 15, 2008.

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

11. DEPARTMENTAL MATTERS

11.A. COMMUNITY DEVELOPMENT-NONE

11.B. EMERGENCY SERVICES-NONE

11.C. GENERAL SERVICES-NONE

11.D. HUMAN RESOURCES

11.D.1. COLLECTIVE BARGAINING AGREEMENT BETWEEN INDIAN RIVER COUNTY AND TEAMSTERS LOCAL 769

Jim Sexton, Human Resources Director, reported that the Collective Bargaining Agreement with Teamsters Local 769 had taken several months to iron out. He invited questions from the Board and as none were forthcoming, he asked for Board approval of the Contract.

MOTION WAS MADE by Commissioner Flescher, SECONDED by Chairman Bowden, to approve the Collective Bargaining Agreement with Teamsters Local Union No. 769.

Under discussion, Chairman Bowden commended and thanked staff and the Teamsters for their hard work.

Commissioner O'Bryan acknowledged Steve Myers for his work on the negotiating team of Teamsters Local 769.

Administrator Baird also recognized Mr. Myers for his cooperation.

The Chairman CALLED THE QUESTION and the Board, by a 4-0 vote (Vice Chairman Davis absent), approved the Collective Bargaining Agreement with Teamsters Local Union No. 769, as recommended in the memorandum of February 12, 2008.

Commissioner Flescher and Administrator Baird thanked Jim Sexton for his hard work on this item.

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

The Chairman called a recess at 10:28 a.m. and reconvened the meeting at 10:43 a.m., with Vice Chairman Davis absent.

11.E. HUMAN SERVICES-NONE

11.F. LEISURE SERVICES-NONE

11.G. OFFICE OF MANAGEMENT AND BUDGET

11.G.1. TAX REFORM – AMENDMENT NO. 1

County Budget Director Jason Brown, through a PowerPoint presentation, gave a broad overview of the County's overall 2008 financial status, which has been impacted by an economic slowdown and by the passage of Amendment 1, the property tax reform. He conveyed that today's discussion was intended to provide an overall framework for next year's budget, and no specific recommendations would be made at today's meeting.

Commissioner Wheeler posed a question about whether the Land Acquisition Bonds would be included in the budget cuts, and Director Brown affirmed that those bonds would be impacted under Amendment 1.

Director Brown reported that Amendment 1 would result in an estimated \$5.7 million in lost revenues. With the addition of declining real estate values, there would be an estimated total revenue loss of \$15.9 million, or 15.6%, for the County (exclusive of other revenue losses).

Using slides and charts to illustrate his points, Director Brown stated that, in order to achieve the 15% cut, we must have assistance from the Constitutional Officers, since their budget comprises 59% of the General Fund. If there was no cut in that area, everything else would have to be cut by 38% to reach the 15% goal. Director Brown stated that any cuts would be prioritized, and staff would be making recommendations to the Board, who would have to make the policy decisions as to what gets cut.

Director Brown outlined taxing fund expenditures by type and by service, and pointed out that Public Safety (services) constitutes the largest fund expenditure at 58.2%. He reiterated that staff was mindful of the importance of public safety; however, if no cuts were made in public safety, everything else would need to be cut by 37% to reach the 15% cut.

Clerk's Note: Vice Chairman Davis rejoined the meeting at 11:06 a.m.

Director Brown reported that budget cuts were being made across the State, citing some of the reductions that were being made in neighboring counties. He reiterated that the County would be prioritizing the budget cuts, and there would not be 15% cuts made “across the board.” Director Brown stated that the County had initiated a hiring freeze, and he outlined further possible budget cuts as follows:

- Increased efficiencies - staffing reductions
- Privatizations where savings possible
- Reduced operations for libraries, pools, etc.
- Reduced services - guarded beaches, parks maintenance, ROW mowing, ALS engines
- Energy savings contractors
- Phone bill analysis
- Reorganization/consolidation of programs
- User fee analysis
- Re-bid, re-negotiate contracts with outside vendors (SWDD)
- Health insurance adjustments
- Salary freeze (?)

- Property insurance changes

Staff responded to questions posed by Vice Chairman Davis regarding measures taken to reduce the County's property insurance costs, and on tax savings as related to Enterprise Fund operations which are privatized.

Vice Chairman Davis asked whether early retirements could be used as a cost-savings mechanism. Administrator Baird said the County would be evaluating this, but some cooperation from the State would be required.

Commissioner Wheeler opined that the State was using local governments as a scapegoat. At his request, Director Brown would review and include information on unfunded State mandates in the budget information.

Chairman Bowden tasked Director Brown with exploring cooperation between the County and the municipalities, to see if anything could be done to reduce costs for services.

Commissioner O'Bryan felt that due to falling home prices, the tax assessment rolls might be fairly flat for the next several years, thus the County should think in terms of making changes for more than one year.

Commissioner Flescher offered comments about the necessity of giving the taxpayers relief, no matter what the source of the current economic situation.

Vice Chairman Davis agreed with Commissioner Flescher and declared that we needed to move forward in cutting costs.

Chairman Bowden said that cooperation would be required among all the constitutional officers. She invited anyone with cost-cutting strategies to bring them to the Board.

A brief discussion ensued between Vice Chairman Davis and Commissioner Wheeler as they discussed the role of the State, and State-mandated programs, as related to the current economic situation.

Administrator Baird informed the Board that there were currently 67 employment vacancies in the County, of which only 10 are posted. He stated that the County will not be replacing vacancies when they occur. Administrator Baird established that the goal was to try to make everything work as painlessly as possible, yet still accomplish the job.

Bob Johnson, Coral Winds Subdivision, felt that this could be a good start on reducing costs for the County.

(Clerk's Note: Mr. Johnson was heard after the Emergency Services District Meeting, and his comment is placed here for continuity).

11.H. RECREATION-NONE

11.I. PUBLIC WORKS-NONE

11.J. UTILITIES SERVICES-NONE

12. COUNTY ATTORNEY MATTERS-NONE

13. COMMISSIONER ITEMS-NONE

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

13.B. COMMISSIONER WESLEY S. DAVIS, VICE CHAIRMAN-NONE

13.C. COMMISSIONER JOSEPH E. FLESCHER-NONE

13.D. COMMISSIONER PETER D. O'BRYAN-NONE

13.E. COMMISSIONER GARY C. WHEELER-NONE

14. SPECIAL DISTRICTS AND BOARDS

14.A. EMERGENCY SERVICES DISTRICT

The Chairman announced that immediately upon adjournment, the Board would reconvene as the Board of Commissioners of the Emergency Services District. Those Minutes are being prepared separately and appended to this document.

14.A.1. APPROVAL OF MINUTES – MEETING OF JANUARY 8, 2008

14.A.2. APPROVAL OF MINUTES – MEETING OF JANUARY 15, 2008

14.A.3. EMERGENCY SERVICES STATION 2, DEDUCTIVE CHANGE ORDER No. 4

**14.A.4. APPROVAL TO PURCHASE (1) CHEVROLET TYPE III MEDIUM DUTY
AMBULANCE FROM TEN-8 FIRE EQUIPMENT, INC.**

14.B. SOLID WASTE DISPOSAL DISTRICT-NONE

14.C. ENVIRONMENTAL CONTROL BOARD-NONE

15. ADJOURNMENT

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

There being no further business, on Motion duly made, seconded and
carried, the Board adjourned at 11:30 a.m.

ATTEST:

Jeffrey K. Barton, Clerk

Sandra L. Bowden, Chairman

Minutes Approved: _____

BCC/MG/2008Minutes