

**INDEX TO MINUTES OF REGULAR MEETING**  
**OF BOARD OF COUNTY COMMISSIONERS**  
**OF APRIL 7, 2009**

1. CALL TO ORDER .....1

2. INVOCATION .....1

3. PLEDGE OF ALLEGIANCE.....1

4. ADDITIONS/DELETIONS TO THE AGENDA/EMERGENCY  
 ITEMS .....2

5. PROCLAMATIONS AND PRESENTATIONS-NONE.....2  
*5.A. ADDITION: PROCLAMATION HONORING JAMES M. GRANSE (1919-2009).....2*

6. APPROVAL OF MINUTES .....2  
*6.A. GOALS FOR 2009 WORKSHOP OF FEBRUARY 5, 2009.....2*

7. INFORMATIONAL ITEMS FROM STAFF OR  
 COMMISSIONERS NOT REQUIRING BOARD ACTION.....3  
*7.A. RESIGNATION OF CITIZEN-AT-LARGE APPOINTEE TO THE HISTORIC  
 RESOURCES ADVISORY COMMITTEE .....3*  
*7.B. RESIGNATION OF MEMBER-AT-LARGE APPOINTEE TO THE ENVIRONMENTAL  
 CONTROL HEARING BOARD.....3*

<b>8.</b>	<b>CONSENT AGENDA.....</b>	<b>3</b>
	<i>8.A. APPROVAL OF WARRANTS MARCH 13, 2009 THRU MARCH 19, 2009 .....</i>	<i>4</i>
	<i>8.B. APPROVAL OF WARRANTS AND WIRES MARCH 20, 2009 THRU MARCH 26, 2009.....</i>	<i>4</i>
	<i>8.C. RESOLUTION DESIGNATING THE COUNTY ADMINISTRATOR’S OFFICE AS THE COUNTY ECONOMIC DEVELOPMENT AGENCY FOR ALL PURPOSES .....</i>	<i>4</i>
	<i>8.D. MAINTENANCE AGREEMENT WITH CITY OF SEBASTIAN OVER COUNTY ROAD 512 RIGHT-OF-WAY .....</i>	<i>6</i>
	<i>8.E. APPROVAL OF AMENDMENT NO. 1 TO DEP AGREEMENT NO. G0143 FOR THE EGRET MARSH REGIONAL STORMWATER PARK.....</i>	<i>7</i>
	<i>8.F. RACETRAC PETROLEUM, INC. DEVELOPER’S AGREEMENT FOR DEVELOPER CONTRIBUTIONS TO INTERSECTION IMPROVEMENTS AT CR512 AND 108<sup>TH</sup> AVENUE .....</i>	<i>7</i>
	<i>8.G. FINAL PAY AND RELEASE OF RETAINAGE TO POOLE AND KENT COMPANY OF FLORIDA, INC. FOR THE EXPANSION OF THE NORTH COUNTY RO WATER TREATMENT PLANT.....</i>	<i>8</i>
	<i>8.H. ADOPTION OF INDIGENT CREMATION/BURIAL POLICY AND RESOLUTION DESIGNATING THE COUNTY ADMINISTRATOR OR HIS DESIGNEE AS THE “LEGALLY AUTHORIZED PERSON” AS DEFINED WITHIN SECTION 497.005(37) FLORIDA STATUTES .....</i>	<i>8</i>
	<i>8.I. FOURTH OF JULY FIREWORKS FUNDING, MISCELLANEOUS BUDGET AMENDMENT 011 .....</i>	<i>9</i>
	<i>8.J. TRANSFER OF JAIL MAINTENANCE EXPENSES TO SHERIFF’S BUDGET, MISCELLANEOUS BUDGET AMENDMENT 010.....</i>	<i>9</i>
	<i>8.K. FDOT LOCAL AGENCY AGREEMENT (LAP) A094 (FM NUMBER 416084-1-58- 01), SUPPLEMENTAL AGREEMENT (FM NUMBER 423188-1-58-01) AND RESOLUTION AUTHORIZING THE CHAIRMAN’S SIGNATURE, 12<sup>TH</sup> STREET FOR SIDEWALK CONSTRUCTION FROM 27<sup>TH</sup> AVENUE TO 43<sup>RD</sup> AVENUE – IRC PROJECT No. 0604.....</i>	<i>10</i>
	<i>8.L. FDOT LOCAL AGENCY AGREEMENT (LAP) AOU94 (FM NUMBER 416083-1- 58-01) SUPPLEMENTAL AGREEMENT (FM NUMBER 4231987-1-58-01) AND RESOLUTION AUTHORIZING THE CHAIRMAN’S SIGNATURE, 12<sup>TH</sup> STREET FOR</i>	

*SIDEWALK CONSTRUCTION FROM VERO BEACH ELEMENTARY SCHOOL TO 11<sup>TH</sup> AVENUE – IRC PROJECT No. 0216*.....11

**8.M. AMENDMENT NO. 1 TO THE PROFESSIONAL SERVICE AGREEMENTS FOR ANNUAL LAND SURVEYING AND MAPPING/GIS SERVICES CONTRACT IRC PROJECT No. 0725**.....11

**8.N. CHANGE ORDER NO. 1, FINAL PAYMENT AND RELEASE OF RETAINAGE, 1<sup>ST</sup> ROAD (35<sup>TH</sup> AVENUE TO 32<sup>ND</sup> AVENUE), 10<sup>TH</sup> COURT (OSLO ROAD TO 7<sup>TH</sup> STREET S.W.), PROJECT # 0522 & 0436, BID NUMBER 2008062**.....12

**8.O. CHANGE ORDER NO. 1 AND RETAINAGE RELEASE FOR BID # 2008029 – POWERLINE ROAD – IRC PROJECT No. 0217**.....13

**8.P. PROFESSIONAL ENGINEERING SERVICES AGREEMENT, CR 512 CORRIDOR IMPROVEMENTS – IRC PROJECT No. 9611, ADDENDUM NO. 15 (MASTELLER & MOLER, INC.)** .....13

**8.Q. WORK ORDER NO. 10 (ENGINEERING/SURVEYING) MASTELLER, MOLER, REED AND TAYLOR, INC., 66<sup>TH</sup> AVENUE ROAD-WAY IMPROVEMENTS PROJECT RIGHT-OF-WAY ACQUISITION BOUNDARY SURVEYS – FINAL PAY & RELEASE OF RETAINAGE** .....14

**8.R. FLORIDA DEPARTMENT OF EMERGENCY MANAGEMENT (FDEM), AERIAL PHOTOGRAPHS AND LIDAR MAPPING PROJECT – WOOLPERT, INC., FINAL PAY AND RELEASE OF RETAINAGE** .....14

**8.S. THE ENCLAVE, BID NUMBER 2009019, CHANGE ORDER NO. 1**.....15

**8.T. APPROVAL OF BID AWARD FOR IRC BID No. 2009035, DEMOLITION OF THREE (3) STRUCTURES** .....15

**8.U. PROCLAMATION & RETIREMENT AWARD HONORING GEORGE CREASER ON HIS RETIREMENT FROM INDIAN RIVER COUNTY DEPARTMENT OF GENERAL SERVICES WITH 21 YEARS OF SERVICE**.....16

**9. CONSTITUTIONAL OFFICERS AND GOVERNMENTAL AGENCIES** .....16

**9.A. DERYL LOAR, INDIAN RIVER COUNTY SHERIFF**.....16

**2009 RECOVERY ACT: EDWARD BYRNE MEMORIAL JUSTICE ASSISTANCE GRANT  
(JAG) FORMULA PROGRAM: LOCAL SOLICITATION .....16**

**10. PUBLIC ITEMS.....17**

**10.A. PUBLIC HEARINGS .....17**

**10.A.1. COUNTY INITIATED REQUEST TO AMEND THE TEXT OF THE COMPREHENSIVE  
PLAN’S FUTURE LAND USE ELEMENT AND THE COASTAL MANAGEMENT  
ELEMENT TO CHANGE THE DEFINITION OF THE COASTAL HIGH HAZARD  
AREA; AMEND THE COASTAL HIGH HAZARD AREA MAP, FIGURE 9.24 OF THE  
COASTAL MANAGEMENT ELEMENT; AMEND THE COASTAL HIGH HAZARD  
MAP, FIGURE 2.29 OF THE FUTURE LAND USE ELEMENT; AND AMEND THE  
FUTURE LAND USE MAP BY DEPICTING THE REVISED COASTAL HIGH HAZARD  
LINE (CPTA 2008070046-62333) (LEGISLATIVE).....17**

**10.B. PUBLIC DISCUSSION ITEMS .....19**

**10.B.1. REQUEST TO SPEAK FROM HOLLIS HOIER, SPECIAL OLYMPIC AQUATICS  
COACH & SRHS TEACHER (SCIENCE & AUTISM CLASSES) REGARDING  
PROPOSAL TO DEDICATE/RENAME THE NORTH COUNTY AQUATICS CENTER TO  
“FRAN ADAMS AQUATICS COMPLEX” IN HONOR OF HER EFFORTS TO MAKING  
THIS BENEFICIAL RESOURCE AVAILABLE TO SO MANY OF OUR IRC CITIZENS  
AND OUR VISITORS .....19**

**10.B.2. REQUEST TO SPEAK FROM BRIAN HEADY REGARDING ECONOMIC RECOVERY...21**

**10.C. PUBLIC NOTICE ITEMS.....22**

**10.C.1. NOTICE OF SCHEDULED PUBLIC HEARING APRIL 14, 2009: .....22**

**WINDSOR PROPERTIES, INC.’S REQUEST TO MODIFY THE WINDSOR  
CONCEPTUAL PD PLAN TO CHANGE THE PROJECT BOUNDARY AND TO OBTAIN  
CONCURRENT PRELIMINARY PD PLAN APPROVAL FOR THE OCEAN BLUFF  
PHASE OF THE WINDSOR PROJECT (LEGISLATIVE).....22**

**11. COUNTY ADMINISTRATOR’S MATTERS-NONE.....22**

**12. DEPARTMENTAL MATTERS.....22**

12.A.	<b>COMMUNITY DEVELOPMENT</b> .....	22
12.A.1.	<b>REQUEST FOR AUTHORIZATION TO ISSUE REQUEST FOR PROPOSALS (RFP) FOR NON-PROFIT HOUSING ORGANIZATIONS AND/OR GOVERNMENTAL AGENCIES TO PROVIDE SERVICES NEEDED TO CARRY OUT COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) NEIGHBORHOOD STABILIZATION PROGRAM (NSP) TASKS</b> .....	22
12.B.	<b>EMERGENCY SERVICES-NONE</b> .....	26
12.C.	<b>GENERAL SERVICES-NONE</b> .....	26
12.D.	<b>HUMAN RESOURCES-NONE</b> .....	26
12.E.	<b>HUMAN SERVICES-NONE</b> .....	26
12.F.	<b>LEISURE SERVICES-NONE</b> .....	26
12.G.	<b>OFFICE OF MANAGEMENT AND BUDGET</b> .....	27
12.G.1.	<b>BUDGET UPDATE – 2009/2010 ESTIMATED BUDGET CUTS</b> .....	27
12.H.	<b>RECREATION-NONE</b> .....	30
12.I.	<b>PUBLIC WORKS-NONE</b> .....	30
12.J.	<b>UTILITIES SERVICES</b> .....	30
12.J.1.	<b>CONSULTING SERVICES WORK ORDER NO. 2 (UTILITY) WITH CARTER ASSOCIATES, INC. FOR SURVEY SERVICES FOR THE BIOSOLIDS HANDLING FACILITY – UCP 2697</b> .....	30
12.J.2.	<b>APPROVAL FOR ADDITIONAL MATERIALS AND AMENDMENT NO. 1 TO WORK AUTHORIZATION DIRECTIVE NO. 2007-006 FOR ADDITIONAL LABOR AND APPROVAL OF FINAL PAY TO DERRICO CONSTRUCTION CORPORATION FOR UTILITY CONFLICT RESOLUTIONS ON US1 AT OSLO ROAD</b> .....	31
13.	<b>COUNTY ATTORNEY MATTERS-NONE</b> .....	32
14.	<b>COMMISSIONER ITEMS</b> .....	32
14.A.	<b>COMMISSIONER WESLEY S. DAVIS, CHAIRMAN-NONE</b> .....	32
14.B.	<b>COMMISSIONER JOSEPH E. FLESCHER, VICE CHAIRMAN-NONE</b> .....	32
14.C.	<b>COMMISSIONER GARY C. WHEELER-NONE</b> .....	32
14.D.	<b>COMMISSIONER PETER D. O'BRYAN-NONE</b> .....	32

	<i>14.E. COMMISSIONER BOB SOLARI-NONE</i> .....	32
<b>15.</b>	<b>SPECIAL DISTRICTS AND BOARDS</b> .....	<b>32</b>
	<i>15.A. EMERGENCY SERVICES DISTRICT-NONE</i> .....	32
	<i>15.B. SOLID WASTE DISPOSAL DISTRICT</i> .....	33
	<i>15.B.1. APPROVAL OF EASEMENT TO THE CITY OF FELLSMERE FOR THE FELLSMERE CUSTOMER CONVENIENCE CENTER</i> .....	33
	<i>15.C. ENVIRONMENTAL CONTROL BOARD-NONE</i> .....	33
<b>16.</b>	<b>ADJOURNMENT</b> .....	<b>33</b>

April 7, 2009

**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 27<sup>th</sup> Street, Vero Beach, Florida, on Tuesday, 2008. Present were Vice Chairman Joseph E. Flescher, and Commissioners Peter D. O’Bryan, Bob Solari, and Gary C. Wheeler. Chairman Wesley S. Davis was absent. Also present were County Administrator Joseph A. Baird, County Attorney William G. Collins II, and Deputy Clerk Maureen Gelfo.

**1. CALL TO ORDER**

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

**2. INVOCATION**

Jim Davis, Public Works Director, 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**

Vice Chairman Flescher announced the following changes to today's Agenda:

**Addition:** Item 5.A. Proclamation Honoring James M. Granse

**Deletion:** Item 9.A. To be deferred until the Board meeting of April 14, 2009

ON MOTION by Commissioner O'Bryan, SECONDED by Commissioner Solari, by a 4-0 vote (Chairman Davis absent), the Board approved the above changes to the Agenda.

#### **5. PROCLAMATIONS AND PRESENTATIONS-NONE**

##### **5.A. ADDITION: PROCLAMATION HONORING JAMES M. GRANSE (1919-2009)**

Commissioner Wheeler read and presented the Proclamation to Mr. Granse's wife, Dorothy Granse, and to his son and daughter-in-law.

#### **6. APPROVAL OF MINUTES**

##### **6.A. GOALS FOR 2009 WORKSHOP OF FEBRUARY 5, 2009**

The Chairman asked if there were any corrections or additions to the Minutes of the Goals for 2009 Workshop Meeting of February 5, 2009. There were none.

ON MOTION by Commissioner Wheeler, SECONDED by Commissioner O'Bryan, by a 4-0 vote (Chairman Davis absent), the Board approved the Minutes of the



Goals for 2009 Workshop Meeting of February 5, 2009, as written.

**7. INFORMATIONAL ITEMS FROM STAFF OR COMMISSIONERS  
NOT REQUIRING BOARD ACTION**

**7.A. RESIGNATION OF CITIZEN-AT-LARGE APPOINTEE TO THE HISTORIC  
RESOURCES ADVISORY COMMITTEE**

Noted for the record was the resignation of Elizabeth Armistead, Citizen-at-Large Appointee to the Historic Resources Advisory Committee.

**7.B. RESIGNATION OF MEMBER-AT-LARGE APPOINTEE TO THE  
ENVIRONMENTAL CONTROL HEARING BOARD**

Noted for the record was the resignation of Clete Deller, Member-at-Large Appointee to the Environmental Control Hearing Board.

**8. CONSENT AGENDA**

Commissioner Solari asked to pull Items 8.C. and 8.M. for discussion.

ON MOTION by Commissioner Solari, SECONDED  
Commissioner O'Bryan, by a 4-0 vote (Chairman Davis  
absent), the Board approved the Consent Agenda as  
amended.

**8.A. APPROVAL OF WARRANTS MARCH 13, 2009 THRU MARCH 19, 2009**

ON MOTION by Commissioner Solari, SECONDED Commissioner O'Bryan, by a 4-0 vote (Chairman Davis absent), the Board approved the list of Warrants, issued by the Clerk to the Board for the time period of March 13, 2009 to March 19, 2009, as requested in the memorandum of March 19, 2009.

**8.B. APPROVAL OF WARRANTS AND WIRES MARCH 20, 2009 THRU MARCH 26, 2009**

ON MOTION by Commissioner Solari, SECONDED Commissioner O'Bryan, by a 4-0 vote (Chairman Davis absent), the Board approved the list of Warrants and Wires as issued by the Clerk to the Board for the time period of March 20, 2009 to March 26, 2009, as requested in the memorandum of March 19, 2009.

**8.C. RESOLUTION DESIGNATING THE COUNTY ADMINISTRATOR'S OFFICE AS THE COUNTY ECONOMIC DEVELOPMENT AGENCY FOR ALL PURPOSES**

Commissioner Solari required further details on the Resolution.

Attorney Collins stated that the Resolution designates the County Administrator's Office as the County Economic Development Agency, and the County Administrator and the Commissioner Liaison to the County Economic Development Council, as Officers of the County Economic Development Agency. Pursuant to the Resolution, they, and any County employee so designated by the County Administrator, can maintain the confidentiality of certain information during negotiations pertaining to economic development projects.

Commissioner Solari questioned the parameters of the Resolution, and expressed concerns about the four Commissioners who were not designated as Officers, being left "out of the loop."

Commissioner O'Bryan felt that the Resolution would allow the Officers and staff to verify the financial backing of a company without having to release the information on a public records request, but he did not believe it would preclude the Officers from sharing the information with any Commissioner.

Attorney Collins did not think the Officers would release specific financial data, but rather that they would provide a general sense of whether a company was solid enough to move forward with a project.

Commissioner Solari wanted to see the Resolution administered in a narrower sense, and to keep in mind that the Commissioners would not want anyone saying that the County was trying to avoid the Sunshine requirements.

Administrator Baird suggested including a paragraph in the Resolution narrowing its application to new industries, or existing industry which was trying to expand in the County.

Commissioner Solari stated that he would be comfortable with Administrator Baird's suggestion, and with the additional caveat to try to administer the Resolution in a narrower, rather than a broader, sense.

ON MOTION by Commissioner Solari, SECONDED by Commissioner Wheeler, by a 4-0 vote (Chairman Davis absent), the Board approved **Resolution 2009-033**, *as amended*, designating the County Administrator's Office as the County Economic Development Agency for all purposes; designating the County Administrator's office as the County Economic Development Agency with respect to the Indian River County Solid Waste Disposal District, a dependent Special District of Indian River County; designating that the County Administrator is the Economic Development Officer of the County Economic Development Agency for all purposes involving new business coming into the County or expanding businesses; providing for certain other matters in connection therewith; and providing an effective date.

**8.D. MAINTENANCE AGREEMENT WITH CITY OF SEBASTIAN OVER COUNTY ROAD 512 RIGHT-OF-WAY**

ON MOTION by Commissioner Solari, SECONDED by Commissioner O'Bryan, by a 4-0 vote (Chairman Davis absent), the Board approved **Resolution 2009-034**, approving a Maintenance Agreement with the City of

Sebastian, a Florida Municipal Corporation, for C.R. 512  
Improvements.

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

**8.E. APPROVAL OF AMENDMENT NO. 1 TO DEP AGREEMENT NO. G0143  
FOR THE EGRET MARSH REGIONAL STORMWATER PARK**

ON MOTION by Commissioner Solari, SECONDED by  
Commissioner O'Bryan, by a 4-0 vote (Chairman Davis  
absent), the Board approved Amendment No. 1 to DEP  
Agreement No. GO143, and authorized the Chairman to  
execute same. The Agreement has already been executed  
by the Florida Department of Environmental Protection, as  
recommended and stated in the memorandum of March  
20, 2009.

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

**8.F. RACETRAC PETROLEUM, INC. DEVELOPER'S AGREEMENT FOR  
DEVELOPER CONTRIBUTIONS TO INTERSECTION IMPROVEMENTS AT  
CR512 AND 108<sup>TH</sup> AVENUE**

ON MOTION by Commissioner Solari, SECONDED by  
Commissioner O'Bryan, by a 4-0 vote (Chairman Davis  
absent), the Board approved Alternative No. 1, the

Developer's Agreement with Racetrac Petroleum, Inc., as recommended in the memorandum of March 23, 2009.

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

**8.G. FINAL PAY AND RELEASE OF RETAINAGE TO POOLE AND KENT COMPANY OF FLORIDA, INC. FOR THE EXPANSION OF THE NORTH COUNTY RO WATER TREATMENT PLANT**

ON MOTION by Commissioner Solari, SECONDED by Commissioner O'Bryan, by a 4-0 vote (Chairman Davis absent), the Board approved Pay Request No. 29, final and release of retainage in the amount of \$174,843.04 to Poole and Kent Company of Florida, Inc., as presented and recommended in the memorandum of March 20, 2009.

**8.H. ADOPTION OF INDIGENT CREMATION/BURIAL POLICY AND RESOLUTION DESIGNATING THE COUNTY ADMINISTRATOR OR HIS DESIGNEE AS THE "LEGALLY AUTHORIZED PERSON" AS DEFINED WITHIN SECTION 497.005(37) FLORIDA STATUTES**

ON MOTION by Commissioner Solari, SECONDED by Commissioner O'Bryan, by a 4-0 vote (Chairman Davis absent), the Board: (1) approved the policy which establishes a maximum payment of \$300 towards the disposition of the indigent body and lays out the procedure to be followed by the Human Services Department in

handling of indigent bodies or unclaimed bodies, as recommended in the memorandum of March 25, 2009; and (2) approved **Resolution 2009-035**, with respect to unclaimed bodies pursuant to Florida Statutes Section 406.50.

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

**8.I. FOURTH OF JULY FIREWORKS FUNDING, MISCELLANEOUS BUDGET AMENDMENT 011**

ON MOTION by Commissioner Solari, SECONDED by Commissioner O'Bryan, by a 4-0 vote (Chairman Davis absent), the Board: (1) approved Alternative No. 2 to approve funding the fireworks displays for the Cities of Sebastian and Vero Beach in the amount of \$2,500 each and also that any contribution serve as a match for the amount funded by the respective city up to \$2,500, as recommended in the memorandum of March 31, 2009; and (2) approved **Resolution 2009-036**, amending the fiscal year 2008-2009 Budget.

**8.J. TRANSFER OF JAIL MAINTENANCE EXPENSES TO SHERIFF'S BUDGET, MISCELLANEOUS BUDGET AMENDMENT 010**

ON MOTION by Commissioner Solari, SECONDED by Commissioner O'Bryan, by a 4-0 vote (Chairman Davis

absent), the Board: (1) approved the transfer of building maintenance for the Sheriff's Administration Building, substations, airport hangar, and the County Jail from Facilities Management to the Sheriff's Office in accordance with the memorandum dated March 16, 2009. This will result in the elimination of three full-time Tradesworker II positions in Facilities Management and the addition of three full-time positions in the Sheriff's Office; (2) approved the change become effective May 15, 2009, all as recommended in the memorandum of March 31, 2009; and (3) approved **Resolution 2009-037**, amending the Fiscal Year 2008-2009 Budget.

**8.K. FDOT LOCAL AGENCY AGREEMENT (LAP) A094 (FM NUMBER 416084-1-58-01), SUPPLEMENTAL AGREEMENT (FM NUMBER 423188-1-58-01) AND RESOLUTION AUTHORIZING THE CHAIRMAN'S SIGNATURE, 12<sup>TH</sup> STREET FOR SIDEWALK CONSTRUCTION FROM 27<sup>TH</sup> AVENUE TO 43<sup>RD</sup> AVENUE – IRC PROJECT NO. 0604**

ON MOTION by Commissioner Solari, SECONDED by Commissioner O'Bryan, by a 4-0 vote (Chairman Davis absent), the Board approved **Resolution 2009-038**, authorizing execution of a Supplemental Agreement for sidewalk construction for 12<sup>th</sup> Street from 27<sup>th</sup> Avenue to 43<sup>rd</sup> Avenue in Indian River County.

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



**8.L. FDOT LOCAL AGENCY AGREEMENT (LAP) AOU94 (FM NUMBER 416083-1-58-01) SUPPLEMENTAL AGREEMENT (FM NUMBER 4231987-1-58-01) AND RESOLUTION AUTHORIZING THE CHAIRMAN'S SIGNATURE, 12<sup>TH</sup> STREET FOR SIDEWALK CONSTRUCTION FROM VERO BEACH ELEMENTARY SCHOOL TO 11<sup>TH</sup> AVENUE – IRC PROJECT No. 0216**

ON MOTION by Commissioner Solari, SECONDED by Commissioner O'Bryan, by a 4-0 vote (Chairman Davis absent), the Board approved **Resolution 2009-039**, authorizing execution of a Supplemental Agreement for 12<sup>th</sup> Street for sidewalk construction from Vero Beach Elementary School to 11<sup>th</sup> Avenue in Indian River County.

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

**8.M. AMENDMENT No. 1 TO THE PROFESSIONAL SERVICE AGREEMENTS FOR ANNUAL LAND SURVEYING AND MAPPING/GIS SERVICES CONTRACT IRC PROJECT No. 0725**

Commissioner Solari said he would approve staff's recommendation to allow Purchase Orders to be issued for individual surveying projects with proposals less than \$15,000.00, providing the information is subsequently provided to the Board, under Item 7, Informational Items, on the Board of County Commission Agenda.

ON MOTION by Commissioner Solari, SECONDED by Vice Chairman Flescher, by a 4-0 vote (Chairman Davis absent), the Board approved Amendment No. 1 to the Professional Services Agreement for Annual Land Surveying and Mapping/GIS Services Contract for each of the six (6) firms: Carter Associates, Inc., Creech Engineering, Inc., Kimley-Horn & Associates, Inc., Masteller, Moler, Reed & Taylor, Inc., Morgan Eklund, Inc., and Woolpert, Inc., modifying the Agreement to allow for Purchase Orders to be issued for individual projects with proposals less than \$15,000.00, *with the directive to staff to subsequently provide the information to the Board under Item 7, Informational Items, on the Board of County Commission Agenda.*

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

**8.N. CHANGE ORDER NO. 1, FINAL PAYMENT AND RELEASE OF RETAINAGE, 1<sup>ST</sup> ROAD (35<sup>TH</sup> AVENUE TO 32<sup>ND</sup> AVENUE), 10<sup>TH</sup> COURT (OSLO ROAD TO 7<sup>TH</sup> STREET S.W.), PROJECT # 0522 & 0436, BID NUMBER 2008062**

ON MOTION by Commissioner Solari, SECONDED by Commissioner O'Bryan, by a 4-0 vote (Chairman Davis absent), the Board approved Final Pay Request and Release of Retainage to S.P.S. Contracting, Inc., in the

amount of \$32,529.57, as recommended in the memorandum of March 19, 2009.

**8.O. CHANGE ORDER NO. 1 AND RETAINAGE RELEASE FOR BID # 2008029  
– POWERLINE ROAD – IRC PROJECT NO. 0217**

ON MOTION by Commissioner Solari, SECONDED by Commissioner O’Bryan, by a 4-0 vote (Chairman Davis absent), the Board approved Change Order No. 1 with J.W. Cheatham, L.L.C., and release of retainage of \$30,821.30, as recommended in the memorandum of March 25, 2009.

**8.P. PROFESSIONAL ENGINEERING SERVICES AGREEMENT, CR 512  
CORRIDOR IMPROVEMENTS – IRC PROJECT NO. 9611, ADDENDUM  
NO. 15 (MASTELLER & MOLER, INC.)**

ON MOTION by Commissioner Solari, SECONDED by Commissioner O’Bryan, by a 4-0 vote (Chairman Davis absent), the Board approved Addendum No. 15 with Masteller & Moler, Inc. for \$6,650.00, as recommended in the memorandum of March 20, 2009.

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

**8.O. WORK ORDER NO. 10 (ENGINEERING/SURVEYING) MASTELLER,  
MOLER, REED AND TAYLOR, INC., 66<sup>TH</sup> AVENUE ROAD-WAY  
IMPROVEMENTS PROJECT RIGHT-OF-WAY ACQUISITION BOUNDARY  
SURVEYS – FINAL PAY & RELEASE OF RETAINAGE**

ON MOTION by Commissioner Solari, SECONDED by Commissioner O’Bryan, by a 4-0 vote (Chairman Davis absent), the Board approved payment of Masteller, Moler, Reed & Taylor, Inc. Invoice No. 2739-7790, dated 03/24/09 for final pay and release of retainage for Work Order No. 10, as recommended in the memorandum of March 25, 2009.

**8.R. FLORIDA DEPARTMENT OF EMERGENCY MANAGEMENT (FDEM),  
AERIAL PHOTOGRAPHS AND LIDAR MAPPING PROJECT – WOOLPERT,  
INC., FINAL PAY AND RELEASE OF RETAINAGE**

ON MOTION by Commissioner Solari, SECONDED by Commissioner O’Bryan, by a 4-0 vote (Chairman Davis absent), the Board approved payment of Invoice No. 2009001348, dated February 26, 2009, to Woolpert, Inc., as recommended in the memorandum of March 23, 2009.

**8.S. THE ENCLAVE, BID NUMBER 2009019, CHANGE ORDER No. 1**

ON MOTION by Commissioner Solari, SECONDED by Commissioner O'Bryan, by a 4-0 vote (Chairman Davis absent), the Board approved Change Order No. 1 with Sheltra & Son Construction Company, Inc., increasing the contract amount by \$16,375.00 to a total contract price of \$88,873.20, as recommended in the memorandum of March 24, 2009.

**8.T. APPROVAL OF BID AWARD FOR IRC BID No. 2009035, DEMOLITION OF THREE (3) STRUCTURES**

ON MOTION by Commissioner Solari, SECONDED by Commissioner O'Bryan, by a 4-0 vote (Chairman Davis absent), the Board approved the Bid Award to LGT Enterprises, LLC, in the amount of \$9,144.00 as the lowest most responsive and responsible bidder, meeting the specifications as set forth in the Invitation to Bid. The low bidder, Frank-Lin Excavating, Inc. is not licensed in Indian River County, as recommended and stated in the memorandum of March 30, 2009.

**8.U. PROCLAMATION & RETIREMENT AWARD HONORING GEORGE  
CREASER ON HIS RETIREMENT FROM INDIAN RIVER COUNTY  
DEPARTMENT OF GENERAL SERVICES WITH 21 YEARS OF SERVICE**

ON MOTION by Commissioner Solari, SECONDED by Commissioner O'Bryan, by a 4-0 vote (Chairman Davis absent), the Board approved the Proclamation and Retirement Award honoring George Creaser on his retirement from Indian River County Department of General Services with 21 years of service.

**9. CONSTITUTIONAL OFFICERS AND GOVERNMENTAL  
AGENCIES**

**9.A. DERYL LOAR, INDIAN RIVER COUNTY SHERIFF  
2009 RECOVERY ACT: EDWARD BYRNE MEMORIAL JUSTICE  
ASSISTANCE GRANT (JAG) FORMULA PROGRAM: LOCAL  
SOLICITATION**

Deleted. To be brought back on April 14, 2009.

## **10. PUBLIC ITEMS**

### **10.A. PUBLIC HEARINGS**

#### **10.A.1. COUNTY INITIATED REQUEST TO AMEND THE TEXT OF THE COMPREHENSIVE PLAN'S FUTURE LAND USE ELEMENT AND THE COASTAL MANAGEMENT ELEMENT TO CHANGE THE DEFINITION OF THE COASTAL HIGH HAZARD AREA; AMEND THE COASTAL HIGH HAZARD AREA MAP, FIGURE 9.24 OF THE COASTAL MANAGEMENT ELEMENT; AMEND THE COASTAL HIGH HAZARD MAP, FIGURE 2.29 OF THE FUTURE LAND USE ELEMENT; AND AMEND THE FUTURE LAND USE MAP BY DEPICTING THE REVISED COASTAL HIGH HAZARD LINE (CPTA 2008070046-62333) (LEGISLATIVE)**

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

Community Development Director Robert Keating, used a PowerPoint presentation (copy on file), to provide background, description, and analysis on the County initiated request to amend the text of the Comprehensive Plan's Future Land Use Element and the Coastal Management Element to change the definition of the Coastal High Hazard Area (CHHA); amend the Coastal High Hazard Area maps of the Coastal Management Element and the Future Land Use Element; and amend the Future Land Use Map by depicting the revised Coastal High Hazard Line. He displayed maps depicting the proposed changes to the CHHA, which no longer includes most of the Barrier Island, and then presented staff's recommendation for the Board to adopt and transmit the proposed Comprehensive Plan Amendment to the Department of Community Affairs (DCA) for compliance review.

Responding to Commissioner O'Bryan's query, Director Keating stated that the Comprehensive Plan Amendments would not affect the evacuation times or policies. He noted that in a Category 1 storm, the recommendation would be for the entire Barrier Island to be evacuated.

Commissioner O'Bryan, although he understood that the County must comply with the State's revised definition of CHHA, remarked that it made no sense to him to remove the Barrier Island from the CHHA.

The Vice Chairman opened the Public Hearing.

**Bob Johnson**, Coral Wind Subdivision, inquired whether the Comprehensive Plan Amendment would affect the flood insurance requirements of the Barrier Island property owners.

Director Keating advised that the Amendment does not change the flood hazard areas in the National Flood Insurance Program, and would not affect the insurance policies or the flood hazard areas.

There were no additional speakers and the Vice Chairman closed the Public Hearing.

ON MOTION by Commissioner Solari, SECONDED by Vice Chairman Flescher, by a 3-1 vote (Commissioner Wheeler opposed, Chairman Davis absent), the Board unanimously adopted **Ordinance No. 2009-004**, amending the future Land Use Element and the Coastal Management Element of the Comprehensive Plan by



amending the text of the Comprehensive Plan to change the definition of the Coastal High Hazard Area; amending the Coastal High Hazard Area Map, Figure 9.24 of the Coastal Management Element; amending the Coastal High Hazard Area Map, Figure 2.29 of the Future Land Use Element; and amending the Future Land Use Map by depicting the revised Coastal High Hazard Line; and providing codification, severability, and effective date.

**10.B. PUBLIC DISCUSSION ITEMS**

**10.B.1. REQUEST TO SPEAK FROM HOLLIS HOIER, SPECIAL OLYMPIC**

**AQUATICS COACH & SRHS TEACHER (SCIENCE & AUTISM CLASSES)**  
**REGARDING PROPOSAL TO DEDICATE/RENAME THE NORTH COUNTY**  
**AQUATICS CENTER TO “FRAN ADAMS AQUATICS COMPLEX” IN**  
**HONOR OF HER EFFORTS TO MAKING THIS BENEFICIAL RESOURCE**  
**AVAILABLE TO SO MANY OF OUR IRC CITIZENS AND OUR VISITORS**

**Hollis Hoier**, 9805 Fleming Grant Rd, Micco, Special Olympics Aquatics Coach at Sebastian River High School (SRHS), had initially wanted to dedicate and rename the “North County Aquatics Center”, the “Fran Adams Aquatics Complex”. However, she had learned that there were two Fran Adamses in the County who should be honored, and to avoid confusion, she proposed renaming the “North County Aquatics Center”, “Sebastian River Aquatics Complex”, and then dedicate a memorial plaque to former Commissioner Fran Adams.

Commissioner O'Bryan supported maintaining an identity or location for the Complex, and either retaining the name "North County Aquatics Coach", changing the name to "Sebastian River Aquatics Complex", or naming the pool after Fran Adams.

Vice Chairman Flescher was not aware of any discussion that was being brought forward to rename the North County Aquatics Center. He acknowledged the role of Fran Adams in obtaining the pool, and advised Ms. Hoier that her input would be considered, if, in the future, the Board undertakes to rename the Aquatics Complex.

Commissioner Wheeler was opposed to naming facilities after elected officials, and honoring people who are being paid to do a job. He preferred to reserve that honor for local citizens, who have supported and given of their time freely to the community.

Vice Chairman Flescher agreed with Commissioner Wheeler, stating that naming a facility after an individual has normally been done as a posthumous tribute to a citizen who has been a driving force, and not to elected officials.

**Bob Johnson**, Coral Wind Subdivision, declared that Caroline Ginn had also worked very hard on the North County Aquatics Center, and that if the pool was renamed to honor Ms. Adams, it should include Ms. Ginn's name and be called "Adams/Ginn Aquatics Complex", to honor both former Commissioners.

NO ACTION REQUIRED OR TAKEN.

**10.B.2. REQUEST TO SPEAK FROM BRIAN HEADY REGARDING ECONOMIC RECOVERY**

**Brian Heady**, Vero Beach, offered comments and the following suggestions for economic recovery:

- Government and businesses must follow, and the Sheriff should enforce, the requirement to hire a legal workforce
- Government and citizens should purchase American-made products
- Smart use of tax dollars
- Benefits available in the Enterprise Zone should be available to the small local businessman

Vice Chairman Flescher encouraged Mr. Heady to discuss with the Sheriff his concerns about the legal workforce.

A brief discussion ensued between Commissioners and Mr. Heady about the difficulty of locating American-made products to purchase, in today's market.

Commissioner O'Bryan clarified for Mr. Heady that the Enterprise Zone is available to any business, large or small, that is located within the Enterprise Zone.

NO ACTION REQUIRED OR TAKEN.

**10.C. PUBLIC NOTICE ITEMS**

**10.C.1. NOTICE OF SCHEDULED PUBLIC HEARING APRIL 14, 2009:**

**WINDSOR PROPERTIES, INC.'S REQUEST TO MODIFY THE WINDSOR  
CONCEPTUAL PD PLAN TO CHANGE THE PROJECT BOUNDARY AND TO  
OBTAIN CONCURRENT PRELIMINARY PD PLAN APPROVAL FOR THE  
OCEAN BLUFF PHASE OF THE WINDSOR PROJECT (LEGISLATIVE)**

The Chairman read the notice into the record.

**11. COUNTY ADMINISTRATOR'S MATTERS-NONE**

**12. DEPARTMENTAL MATTERS**

**12.A. COMMUNITY DEVELOPMENT**

**12.A.1. REQUEST FOR AUTHORIZATION TO ISSUE REQUEST FOR PROPOSALS  
(RFP) FOR NON-PROFIT HOUSING ORGANIZATIONS AND/OR  
GOVERNMENTAL AGENCIES TO PROVIDE SERVICES NEEDED TO  
CARRY OUT COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG)  
NEIGHBORHOOD STABILIZATION PROGRAM (NSP) TASKS**

Community Development Director Robert Keating provided background and analysis on staff's request to issue a Request for Proposals (RFP) to non-profits and governmental agencies to provide services needed to carry out the Community Development Block Grant (CDBG) Neighborhood Stabilization Program (NSP). He revealed that the objective of the Neighborhood Stabilization Program, for which the County has been allocated almost \$4.7 million, was to stabilize neighborhoods by having local governments, with

partners, purchase and fix up foreclosed properties for either sale or rental to qualifying households. He related that prior to May 6, 2009 (the deadline application), the County Administrator would set up a Selection Committee to evaluate the proposals, with the final decision to be made by the Board. Director Keating thereafter asked the Board to approve staff's recommendation to issue the RFP, which would be advertised on April 13, 2009. He added that on April 21, 2009, staff would be bringing forward a request to issue a Request for Bids (RFB) to secure contractors to do pre-application activities.

Vice Chairman Flescher opened the floor to public input.

**Tom Tierney**, 6755 4<sup>th</sup> Street, Board Member of the Homeless Family Center and the Coalition for Attainable Homes, wanted to know how members would be chosen for the Selection Committee, and required further information on the role of the Citizens Advisory Task Force.

Director Keating responded to Mr. Tierney's above questions.

**Mr. Tierney** then asked for clarification on the roles of the non-profits in the selection of applicants for the rental or purchase of the refurbished foreclosed homes, and inquired whether the non-profits would have to select housing applicants from a list created by the County.

Director Keating briefed Mr. Tierney on the NSP requirement to select applicants from the County's or the non-profit's waiting lists for housing.

Chief of Long-Range Planning Sasan Rohani provided to the Board, Clerk, and interested citizens, "Public Comment and Response" handouts (copy on file), which contained

detailed responses by staff to questions posed in an email from the Coalition for Attainable Homes.

**Louise Hubbard**, Treasure Coast Services Council, Coalition for Attainable Homes, 2525 St. Lucie Ave., aired concerns regarding the requirement to select from the County's waiting lists (the Public Housing Authority and SHIP), and stated that the non-profits should be able, instead, to select from the most appropriate applicants. Additionally, she was not certain whether the local non-profits maintained waiting lists of applicants seeking housing.

Director Keating advised Ms. Hubbard that the SHIP program was for ownership only, and thus would not apply to the rentals. He clarified that the selection criteria set forth in the application would allow the non-profits to select from their own clients, as long as the non-profits establish a waiting list.

Director Keating confirmed for Commissioner Solari that the non-profits should, at the beginning of the process, begin to search for the houses they wish to acquire, while at the same time, begin the list of potential applicants for those homes.

Pursuant to Vice Chairman Flescher's request, Director Keating presented the following timeline for activities related to the Neighborhood Stabilization Program:

- April 13, 2009 Staff would advertise the Request for Proposals (RFP)
- April 20, 2009 at 2:00 p.m. – Non-mandatory pre-proposal meeting at which staff would provide information, clarification, and assistance to any non-profit or government agency who is interested in submitting a proposal
- May 6, 2009 – Application deadline for the non-profits or government agencies

**Pete Sherrill**, 540 7<sup>th</sup> Square Place, asked questions about whether the proposed developer's fees (see page 187 of the backup) could provide an opportunity to create jobs for staff to maintain the rental portion of the NSP.

Director Keating explained that there was not much flexibility in the use of the developer's fees, as DCA had structured their use into its rules for managing the NSP.

Commissioner Solari remarked that a lot of the rental properties would not be income-producing, and keeping costs down would allow the non-profits to minimize any loss over time; thus, he did not know if it would help to incorporate the cost of a staff person into the NSP.

**Mr. Sherrill** asked about the possibility of incorporating into the NSP a requirement for the non-profits to offer mental health services to their tenants. Although Vice Chairman Flescher acknowledged the benefits of Mr. Sherrill's suggestion, he reminded him that the focus of the program was providing to members of the community housing opportunities not normally available.

**Andy Bowler**, President of Indian River County Habitat for Humanity, divulged that the organization would be submitting a proposal in response to the County's RFP. He corrected erroneous statements published in the April 7, 2009 Press Journal, which stated that Habitat for Humanity would be administering 75% of the Grant, and then outlined both the objectives and concerns of his Organization.

Further discussion ensued between Commissioners, staff, and Ms. Hubbard regarding the developer's fees and the point system delineated in the selection criteria of the RFP. Vice Chairman Flescher encouraged Ms. Hubbard and other interested groups to submit their questions prior to the Pre-Proposal Meeting on April 20, 2009.

ON MOTION by Commissioner Solari, SECONDED by Commissioner Wheeler, by a 4-0 vote (Chairman Davis absent), the Board authorized County staff to issue the RFP (Request for Proposal) to solicit non-profit housing organizations and/or governmental agencies that will assist the County in implementing its NSP (Neighborhood Stabilization Program) Community Development Block Grant (CDBG) activities, as recommended in the memorandum of March 30, 2009.

**12.B. EMERGENCY SERVICES-NONE**

**12.C. GENERAL SERVICES-NONE**

**12.D. HUMAN RESOURCES-NONE**

**12.E. HUMAN SERVICES-NONE**

**12.F. LEISURE SERVICES-NONE**

*The Vice Chairman called a break at 10:32 a.m. and reconvened the meeting at 10:43 a.m., with all members present.*



**12.G. OFFICE OF MANAGEMENT AND BUDGET**

**12.G.1. BUDGET UPDATE – 2009/2010 ESTIMATED BUDGET CUTS**

County Budget Director Jason Brown used a PowerPoint Presentation (copy on file), to present an overview of the estimated budget shortfalls and proposed budget cuts for fiscal year 2009/2010. Based on an estimated 15% decrease in the taxroll, he presented the following estimated revenue shortages and the budget cuts which would be required to balance the taxing fund budgets:

	<b>Estimated Revenue Shortages</b>	<b>Estimated Budget Cuts</b>
GENERAL FUND	\$10.1 million	12.3%
M.S.T.U.	\$2.5 million	8.7%
EMERGENCY SERVICES DISTRICT	\$4.1 million	14.4%
TRANSPORTATION	\$1.6 million	10%
<b>TOTAL SHORTFALL</b>	<b>\$18.4 million</b>	<b>11.8%</b>

Of the funds listed above, Director Brown noted that the General Fund was the largest, and the Board of County Commission Departments represented 22%, and the Constitutional Officers 62%, of the General Fund Budget. He then outlined what the 12.3% cut would mean for each category under the General Fund, noting that it might be necessary to cut the budget in varying amounts in different categories, rather than effecting a 12.3% cut across the board. Director Brown displayed an interactive spreadsheet depicting various scenarios showing what would happen if budget cuts were not made in one of the General Fund categories. Director Brown remarked that the budget cuts were going to be challenging to achieve, and would require cooperation from each component of the General Fund.

Concluding his PowerPoint, Director Brown outlined the revenue reductions which had occurred in fiscal year 2008/2009, noting that there was one source of revenue, ALS (Advanced Life Support), which had increased. He thereafter summarized actions taken by the County in 2008/2009 to reduce expenses, and detailed some of the challenges and strategies for moving forward in fiscal year 2009/2010.

Administrator Baird believed the taxroll could decrease by 20%, rather than the estimated 15% used for today's presentation. He stated that staff was requesting Board direction to send out letters, since the County provides funding for the Constitutional Officers, Non-Profits and Child Care Services. He suggested asking for a 12.3% reduction across the Board.

Mr. Wheeler noted that tough decisions would have to be made. He did not want to see any increases in millage; however, he urged caution in approaching reductions for essential government services, such as Law Enforcement, Emergency Services, and Roads and Bridges.

Commissioner Solari also acknowledged that hard cuts would have to be made. He observed that the Constitutional Officers and all the government groups would have to work with the County to make the difficult cuts, and to try to maximize the County's resources.

Commissioner O'Bryan wanted to consider using a "Citizens Budget Input Form", to obtain feedback on where the public believes spending should be prioritized, and said he would bring that item back to the April 14, 2009 Board of County Commissioner Meeting.

Administrator Baird said that if the budgets of the Constitutional Officers were not reduced in the General Fund, the County would be unable to attain its budgetary goals for

fiscal year 2009/2010. He recommended that the Board ask the Constitutionals for a 12.3% reduction.

Commissioner Solari said he would make the Motion reflecting Administrator Baird's suggestion for the 12.3% cut; however, he noted that he would be happy with a 10% cut from the Sheriff, since Law Enforcement is a priority. He added that it might be hard for the other Constitutional Officers to make up the Sheriff's difference, so the County might have to cut 15-20% on some of its business.

MOTION WAS MADE by Commissioner Solari,  
SECONDED by Vice Chairman Flescher, for discussion,  
to provide notice to the Constitutional Officers of  
requested budget reductions of 12.3%.

Commissioner Wheeler stated that it was important to send the request for budget reductions to the Constitutional Officers and see what they could do, and Vice Chairman Flescher added that the budgetary information would provide the Constitutional Officers with a baseline of operations.

Administrator Baird announced that he would like to send a letter to Children's Services and the Non-Profits informing them that their budgets would be reduced by a target rate of 15%.

MOTION WAS AMENDED by Commissioner Solari,  
SECONDED by Vice Chairman Flescher, to include  
providing notice of a 15% budget reduction to Children's  
Services and the Non-Profit Organizations.

A brief explanation was provided by Commissioner Solari, wherein he noted the 10% budget cut he wanted to see for the Sheriff was just a benchmark, not a hard figure.

The Chairman CALLED THE QUESTION, and by a 4-0 vote (Chairman Davis absent), the Amended Motion carried. The Board approved notice of an estimated 12.3% budget cut for Constitutional Officers, and notice of a 15% budget cut to Children's Services and the Non-Profit Organizations.

**12.H. RECREATION-NONE**

**12.I. PUBLIC WORKS-NONE**

**12.J. UTILITIES SERVICES**

**12.J.1. CONSULTING SERVICES WORK ORDER NO. 2 (UTILITY) WITH  
CARTER ASSOCIATES, INC. FOR SURVEY SERVICES FOR THE  
BIOSOLIDS HANDLING FACILITY – UCP 2697**

ON MOTION by Commissioner Solari, SECONDED by Commissioner O'Bryan, by a 4-0 vote (Chairman Davis absent), the Board approved Work Order No. 2 with Carter Associates, Inc. in the amount of \$2,340.00 for survey services associated with granting a utility easement to FP&L, and authorized the Chairman to execute same, as

presented and recommended in the memorandum of  
March 17, 2009.

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

**12.J.2. APPROVAL FOR ADDITIONAL MATERIALS AND AMENDMENT NO. 1 TO  
WORK AUTHORIZATION DIRECTIVE NO. 2007-006 FOR ADDITIONAL  
LABOR AND APPROVAL OF FINAL PAY TO DERRICO CONSTRUCTION  
CORPORATION FOR UTILITY CONFLICT RESOLUTIONS ON US1 AT  
OSLO ROAD**

MOTION WAS MADE by Commissioner Wheeler,  
SECONDED by Commissioner Solari, to approve an  
increase in the amount of \$35,000.00 for materials;  
approve and authorize the Chairman to execute  
Amendment No. 1 to Work Authorization Directive 2007-  
006 in the amount of \$10,740.42; and to approve  
Application for Payment No. 4 Final from Derrico  
Construction Corporation for \$40,423.20.

Utilities Director Erik Olson confirmed for Commissioner O'Bryan that the  
additional conflicts which were identified in the road project at US1 and Oslo Road, were  
discovered subsequent to an initial field inspection, and after digging had commenced.

The Chairman CALLED THE QUESTION, and by a 4-0  
vote (Chairman Davis absent), the Board: (1) approved an  
increase in the amount of \$35,000.00 for materials; (2)

approved and authorized the Chairman to execute Amendment No. 1 to Work Authorization Directive 2007-006 in the amount of \$10,740.42; and (3) approved Application for Payment No. 4 Final from Derrico Construction Corporation for \$40,423.20, as recommended in the memorandum of March 30, 2009.

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

**13. COUNTY ATTORNEY MATTERS-NONE**

**14. COMMISSIONER ITEMS**

**14.A. COMMISSIONER WESLEY S. DAVIS, CHAIRMAN-NONE**

**14.B. COMMISSIONER JOSEPH E. FLESCHER, VICE CHAIRMAN-NONE**

**14.C. COMMISSIONER GARY C. WHEELER-NONE**

**14.D. COMMISSIONER PETER D. O'BRYAN-NONE**

**14.E. COMMISSIONER BOB SOLARI-NONE**

**15. SPECIAL DISTRICTS AND BOARDS**

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

**15.B. SOLID WASTE DISPOSAL DISTRICT**

The Chairman announced that immediately upon adjournment of the regular BCC 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.

**15.B.1. APPROVAL OF EASEMENT TO THE CITY OF FELLSMERE FOR THE FELLSMERE CUSTOMER CONVENIENCE CENTER**

**15.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

**16. ADJOURNMENT**

There being no further business, the Chairman declared the meeting adjourned at 11:27 a.m.

ATTEST:

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

\_\_\_\_\_  
Wesley S. Davis, Chairman

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

BCC/MG/2009Minutes