



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

**TUESDAY, JULY 20, 2010 - 9:00 A.M.**

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

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**COUNTY COMMISSIONERS**

**Peter D. O’Bryan, Chairman  
Bob Solari, Vice Chairman  
Wesley S. Davis  
Joseph E. Flescher  
Gary C. Wheeler**

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

**Joseph A. Baird, County Administrator  
Alan S. Polackwich, Sr., County Attorney  
Jeffrey K. Barton, Clerk to the Board**

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- | <b>1.</b> | <b><u>CALL TO ORDER</u></b>   | <b><u>9:00 A.M.</u></b>                                | <b><u>PAGE</u></b> |
|-----------|---|--|--------------------|
| <b>2.</b> | <b><u>INVOCATION</u></b>  | Deputy Terry Floyd, Indian River County Sheriff Office |                    |
| <b>3.</b> | <b><u>PLEDGE OF ALLEGIANCE</u></b>  | Alan S. Polackwich, Sr., County Attorney               |                    |
| <b>4.</b> | <b><u>ADDITIONS/DELETIONS TO THE AGENDA / EMERGENCY ITEMS</u></b>   |  |                    |
| <b>5.</b> | <b><u>PROCLAMATIONS and PRESENTATIONS</u></b>   |  |                    |
| A.        | Presentation of Proclamation Designating July 18 – 24, 2010 as Probation, Parole and Community Supervision Week |  | 1                  |
| B.        | Update from Director of Emergency Services, John King, Regarding the Deepwater Horizon Oil Spill                |  |                    |

<b>6.</b>	<b><u>APPROVAL OF MINUTES</u></b>	<b><u>PAGE</u></b>
	None	
<b>7.</b>	<b><u>INFORMATIONAL ITEMS FROM STAFF OR COMMISSIONERS NOT REQUIRING BOARD ACTION</u></b>	
<b>A.</b>	Environmental Services: Purchase Orders processed February 6 <sup>th</sup> , 2010 through June 25 <sup>th</sup> , 2010 (Memo No. 2) (memorandum dated July 1, 2010)	2-3
<b>8.</b>	<b><u>CONSENT AGENDA</u></b>	
<b>A.</b>	Approval of Warrants and Wires – July 2, 2010 to July 8, 2010 (memorandum dated July 8, 2010)	4-11
<b>B.</b>	Segovia Lakes PD – Temporary Blanket Utility Easement (memorandum dated July 9, 2010)	12-18
<b>C.</b>	Authorization for Out of County Travel for County Administrator (memorandum dated July 13, 2010)	19-21
<b>D.</b>	Traffic Control Device Ledger (memorandum dated July 12, 2010)	22-41
<b>E.</b>	Indian River County Bid #2010035, Remove and Replace an Uninterruptible Power System (memorandum dated July 7, 2010)	42-44
<b>F.</b>	Amendment No. 4 to The Professional Architectural and Engineering Services Agreement with Edlund, Dritenbas, Binkley Architects and Associates, P.A., Indian River County Parks Maintenance Complex – IRC Project No. 0701 (memorandum dated July 6, 2010)	45-50
<b>G.</b>	Kimley-Horn and Associates, Inc. Approval Work Order No. 1 to the Annual Professional Engineering Services Agreement Old Dixie Highway Sidewalk from 38 <sup>th</sup> Lane to 65 <sup>th</sup> Street – IRC Project No. 0845 (memorandum dated July 8, 2010)	51-57
<b>H.</b>	Right-of-Way Acquisition, 66 <sup>th</sup> Avenue, Project #0370, 6840/6810 41 <sup>st</sup> Street (Located west of 66 <sup>th</sup> Avenue on 41 <sup>st</sup> Street) Owner: Richard L. and Linda Waddell (memorandum dated July 7, 2010)	58-67

<b>8.</b>	<b><u>CONSENT AGENDA</u></b>	<b><u>PAGE</u></b>
<b>I.</b>	Drainage/Temporary Construction Easement Acquisition, Oslo Road (27 <sup>th</sup> Avenue to 43 <sup>rd</sup> Avenue), Owner: Bruce L. and Nancy G. Stamile (memorandum dated June 21, 2010)	68-79
<b>J.</b>	Resolution Requesting Assistance from State of Florida Beach Erosion Control Program (memorandum dated July 13, 2010)	80-81
<b>K.</b>	Approval of Audit Firm (memorandum dated July 12, 2010)	82-107
<b>L.</b>	Miscellaneous Budget Amendment 015 (memorandum dated July 13, 2010)	108-113
<b>9.</b>	<b><u>CONSTITUTIONAL OFFICERS and GOVERNMENTAL AGENCIES</u></b>	
	None	
<b>10.</b>	<b><u>PUBLIC ITEMS</u></b>	
<b>A.</b>	<b><u>PUBLIC HEARINGS</u></b>	
<b>1.</b>	Indian River County's Request for Special Exception Use Approval to Rebuild the Oslo Convenience Center/Transfer Station (memorandum dated July 6, 2010)	114-125
	<b>Quasi-Judicial</b>	
<b>2.</b>	Consideration of an Amendment to County Chapter 300 to Modify the County's Locational Requirements For Premises Serving Alcoholic Beverages To Correspond To State Requirements (memorandum dated July 7, 2010)	126-147
	<b>Legislative</b>	
<b>3.</b>	Pain Clinic Moratorium Ordinance (memorandum dated July 9, 2010)	148-154
	<b>Legislative</b>	
<b>B.</b>	<b><u>PUBLIC DISCUSSION ITEMS</u></b>	
	Please give your name and address, and then give your remarks. Please try to limit your remarks to three minutes.	
<b>1.</b>	Request to Speak from Jennifer Lahman Regarding Lien imposed against Oaks of Vero Development	155

10. **PUBLIC ITEMS** **PAGE**
- C. **PUBLIC NOTICE ITEMS**  
None
11. **COUNTY ADMINISTRATOR MATTERS**  
None
12. **DEPARTMENTAL MATTERS**
- A. **Community Development**  
None
- B. **Emergency Services**  
None
- C. **General Services**  
None
- D. **Human Resources**  
None
- E. **Human Services**  
None
- F. **Leisure Services**  
None
- G. **Office of Management and Budget**  
None
- H. **Recreation**  
None
- I. **Public Works**  
None

<b>12.</b>	<b><u>DEPARTMENTAL MATTERS</u></b>	<b><u>PAGE</u></b>
	<b>J. <u>Utilities Services</u></b>	
	None	
<b>13.</b>	<b><u>COUNTY ATTORNEY MATTERS</u></b>	
	<b>A. Update on Vista Gardens Code Enforcement Issues (memorandum dated July 9, 2010)</b>	156-157
	<b>B. Hiring of Outside Counsel to Assist in Electric, Water and Sewer Franchise Issues (memorandum dated July 9, 2010)</b>	158-159
<b>14.</b>	<b><u>COMMISSIONERS ITEMS</u></b>	
	<b>A. <u>Commissioner Peter D. O’Bryan, Chairman</u></b>	
	None	
	<b>B. <u>Commissioner Bob Solari, Vice Chairman</u></b>	
	None	
	<b>C. <u>Commissioner Wesley S. Davis</u></b>	
	None	
	<b>D. <u>Commissioner Joseph E. Flescher</u></b>	
	None	
	<b>E. <u>Commissioner Gary C. Wheeler</u></b>	
	None	
<b>15.</b>	<b><u>SPECIAL DISTRICTS AND BOARDS</u></b>	
	<b>A. <u>Emergency Services District</u></b>	
	None	
	<b>B. <u>Solid Waste Disposal District</u></b>	
	None	

15. **SPECIAL DISTRICTS AND BOARDS**

**PAGE**

C. **Environmental Control Board**

None

16. **ADJOURNMENT**

Anyone who may wish to appeal any decision which may be made at this meeting will need to ensure that a verbatim record of the proceedings is made which includes the testimony and evidence upon which the appeal will be based.

Anyone who needs a special accommodation for this meeting may contact the County's Americans with Disabilities Act (ADA) Coordinator at (772) 226-1223 (TDD # 772-770-5215) at least 48 hours in advance of meeting.

The full agenda is available on line at the Indian River County Website at [www.ircgov.com](http://www.ircgov.com) The full agenda is also available for review in the Board of County Commission Office, the Indian River County Main Library, the IRC Courthouse Law Library, and the North County Library.

***Commission Meeting may be broadcast live by Comcast Cable Channel 27  
Rebroadcasts continuously with the following proposed schedule:  
Tuesday at 6:00 p.m. until Wednesday at 6:00 a.m.,  
Wednesday at 9:00 a.m. until 5:00 p.m.,  
Thursday at 1:00 p.m. through Friday Morning,  
and Saturday at 12:00 Noon to 5:00 p.m.***