

JEFFREY K. BARTON
Clerk to the Board



INDEX TO MINUTES OF REGULAR MEETING

OF BOARD OF COUNTY COMMISSIONERS

AUGUST 17, 2010

1.	CALL TO ORDER.....	1
2.	INVOCATION.....	1
3.	PLEDGE OF ALLEGIANCE	1
4.	ADDITIONS/DELETIONS TO THE AGENDA/EMERGENCY ITEMS	2
	ADDITION: 8.F. REQUEST TO SPEAK FROM ST. LUCIE COUNTY SHERIFF KEN MASCARA - RECOGNITION OF COMMISSIONER WHEELER SERVING ON THE COMMISSION FOR FLORIDA LAW ENFORCEMENT ACCREDITATION	2
	MOVED: ITEM 10.B.1. REQUEST TO SPEAK FROM RON O'CONNOR, TO BE HEARD IN CONJUNCTION WITH ITEM 13.C.2.....	2
	MOVED: ITEMS 12.A.1. AND 12.A.2. REQUESTS FOR LOCAL JOBS GRANT, TO FOLLOW CONSENT AGENDA	2
	ADDITION: 10.B.4. REQUEST TO SPEAK FROM ALTHEA MCKENZIE REGARDING THE WEST GIFFORD INDUSTRY COMPLEX AND GIFFORD PARKS.....	2
5.	PROCLAMATIONS AND PRESENTATIONS	3

5.A.	PRESENTATION OF PROCLAMATION IN RECOGNITION OF TREASURE COAST COMMUNITY HEALTH.....	3
5.B.	PRESENTATION OF PROCLAMATION DESIGNATING AUGUST 16 – 20, 2010 AS FLORIDA WATER PROFESSIONALS WEEK	3
5.C.	PRESENTATION OF PROCLAMATION AND RETIREMENT AWARD HONORING THOMAS W. FRAME ON HIS RETIREMENT FROM INDIAN RIVER COUNTY BOARD OF COUNTY COMMISSIONERS DEPARTMENT OF GENERAL SERVICES	3
5.D.	PRESENTATION OF FLORIDA COMMISSION FOR THE TRANSPORTATION DISADVANTAGED 2010 PLANNING AGENCY OF THE YEAR AWARD TO INDIAN RIVER COUNTY METROPOLITAN PLANNING ORGANIZATION AND ITS DIRECTOR, PHIL MATSON	4
5.E.	PRESENTATION BY DAVID DANGERFIELD OF THE INDIAN RIVER COUNTY FIREFIGHTERS’ ANNUAL CHILI COOK-OFF SATURDAY, NOVEMBER 13 TH AT POINTE WEST, AND REQUEST FOR BOARD OF COUNTY COMMISSIONER PARTICIPATION FROM COMMISSIONER BOB SOLARI	4
5.F.	FINAL INDIAN RIVER COUNTY SITUATION REPORT BY DIRECTOR OF EMERGENCY SERVICES, JOHN KING, REGARDING THE DEEPWATER HORIZON OIL SPILL	5
5.G.	REQUEST TO SPEAK FROM ST. LUCIE COUNTY SHERIFF KEN MASCARA FOR RECOGNITION OF COMMISSIONER WHEELER SERVING ON THE COMMISSION OF FLORIDA LAW ENFORCEMENT ACCREDITATION	5
6.	APPROVAL OF MINUTES	6
6.A.	REGULAR MEETING OF JUNE 8, 2010	6
6.B.	REGULAR MEETING OF JUNE 15, 2010	6
6.C.	REGULAR MEETING OF JUNE 22, 2010	6
6.D.	REGULAR MEETING OF JULY 6, 2010	7
7.	INFORMATIONAL ITEMS FROM STAFF OR COMMISSIONERS NOT REQUIRING BOARD ACTION.....	7
7.A.	2010 ELECTION OF SCHOOL PLANNING ELECTED OFFICIALS OVERSIGHT COMMITTEE CHAIRMAN	7

7.B.	RESIGNATION OF THE ARCHITECT REPRESENTATIVE TO THE CONSTRUCTION BOARD OF ADJUSTMENT AND APPEALS.....	8
7.C.	RECOGNITION OF APPOINTEE TO THE TRANSPORTATION DISADVANTAGED LOCAL COORDINATING BOARD	8
7.D.	APPOINTMENT OF MR. GREG SMITH TO THE AFFORDABLE HOUSING ADVISORY COMMITTEE.....	8
7.E.	RECOGNITION OF APPOINTEE TO THE TRANSPORTATION DISADVANTAGED LOCAL COORDINATING BOARD	8
7.F.	PROOF OF PUBLICATION OF UNCLAIMED MONIES FOR CASH BONDS DEPOSITED WITH THE CLERK OF THE CIRCUIT COURT PRIOR TO JANUARY 1, 2009 IS ON FILE IN THE OFFICE OF THE CLERK TO THE BOARD.....	9
8.	CONSENT AGENDA	9
8.A.	APPROVAL OF WARRANTS AND WIRES JULY 9, 2010 TO JULY 15, 2010	9
8.B.	APPROVAL OF WARRANTS AND WIRES JULY 16, 2010 TO JULY 22, 2010	9
8.C.	APPROVAL OF WARRANTS AND WIRES JULY 23, 2010 TO JULY 29, 2010	10
8.D.	APPROVAL OF WARRANTS AND WIRES JULY 30, 2010 TO AUGUST 5, 2010	10
8.E.	INDIAN RIVER COUNTY INVESTMENT ADVISORY COMMITTEE QUARTERLY INVESTMENT REPORT FOR THE QUARTER ENDING 06/30/2010	10
8.F.	DORI SLOSBERG DRIVER EDUCATION SAFETY ACT INDIAN RIVER COUNTY TRAFFIC EDUCATION PROGRAM TRUST FUND	11
8.G.	OPEB TRUST REPORT FOR THE PERIOD 10/1/09 THROUGH 06/30/10.....	11
8.H.	PROCLAMATION AND RETIREMENT AWARD HONORING GARY G. MURDOCK ON HIS RETIREMENT FROM INDIAN RIVER COUNTY BOARD OF COUNTY COMMISSIONERS GENERAL SERVICES DEPARTMENT PARKS DIVISION.....	11
8.I.	AUTHORIZATION FOR OUT OF COUNTY TRAVEL	12
8.J.	APPROVAL OF AMENDMENT NO. 1 TO WORK ORDER NUMBER M2 – ADDITIONAL ASSISTANCE FOR THE FINAL REPORT FOR THE MAIN RELIEF CANAL POLLUTION CONTROL SYSTEM 319 GRANT CONTRACT	12
8.K.	M.A.C.E. (MULTI-AGENCY CRIMINAL ENFORCEMENT UNIT) GRANT PROJECT GENERATED INCOME (PGI) MISCELLANEOUS BUDGET AMENDMENT 016	13
8.L.	MISCELLANEOUS BUDGET AMENDMENT 017.....	13
8.M.	MISCELLANEOUS BUDGET AMENDMENT 018.....	13

8.N.	DIVOSTA HOMES L. P. REQUEST FOR APPROVAL OF A REPLAT OF A PORTION OF WATERWAY VILLAGE PD, PLAT 1C TO BE KNOWN AS ISLES AT WATERWAY VILLAGE, PLAT 1C, REPLAT 1	15
8.O.	GRAND HARBOR SPOONBILL MARSH SITE EXECUTION OF REVISED SUBMERGED LAND LEASE AREA EASEMENT	15
8.P.	ACCEPTANCE OF CHANGE ORDER #1 TO GIFFORD COMMUNITY CENTER REPAIR	15
8.Q.	APPROVAL OF PAYMENT FOR WORK ORDER NO. 2 FOR SEDIMENTATION SYSTEM DREDGING AT PC MAIN (MAIN RELIEF CANAL POLLUTION CONTROL FACILITY).....	16
8.R.	APPROVAL OF BID AWARD FOR IRC BID No. 2010046 DEMOLITION OF TWO (2) CONDEMNED STRUCTURES	16
8.S.	APPROVAL OF EMERGENCY MANAGEMENT STATE FUNDED SUB-GRANT (#10-BG-25-10-40-01-068) EXPENDITURES	17
8.T.	BID AWARD: IRC #2011002 ANNUAL BID FOR HARRIS FX SOFTWARE SERVICES, EMERGENCY SERVICES	17
8.U.	RFP FOR DESIGN SERVICES FOR REPLACEMENT FIRE ALARM SYSTEM AT COUNTY JAIL.....	18
8.V.	SENIOR RESOURCE ASSOCIATES (SRA) TRANSIT FACILITY PROPOSED AMENDED LEASE	18
8.W.	WORK ORDER NO. 22 TO THE PROFESSIONAL BRIDGE DESIGN SERVICES AGREEMENT WITH BRIDGE DESIGN ASSOCIATES, INC. FOR CR512 BRIDGE OVER FELLSMERE WATER CONTROL DISTRICT (F.W.C.D.) PARK LATERAL CANAL	19
8.X.	WORK ORDER NO. 21 TO THE PROFESSIONAL BRIDGE DESIGN SERVICES AGREEMENT WITH BRIDGE DESIGN ASSOCIATES, INC. FOR CR512 BRIDGE OVER FELLSMERE WATER CONTROL DISTRICT (F.W.C.D.) LATERAL "U" CANAL	19
8.Y.	APPROVAL FOR LOCAL AGENCY PROGRAM (LAP) CERTIFICATION WITH THE FLORIDA DEPARTMENT OF TRANSPORTATION	20
8.Z.	RECOMMENDED SETTLEMENT FOR IRC PARKS MAINTENANCE COMPLEX, DEANGELIS DIAMOND CONSTRUCTION, INC., IRC PROJECT No. 0701.....	20

8.A.A.	FINAL PAYMENT AND RELEASE OF RETAINAGE FOR APPLIED TECHNOLOGY & MANAGEMENT FOR WO# 14 – SECTORS 1&2 POST CONSTRUCTION MONITORING	21
8.B.B.	FINAL PAYMENT AND RELEASE OF RETAINAGE FOR APPLIED TECHNOLOGY & MANAGEMENT FOR WO# 15 – SECTOR 7 POST CONSTRUCTION MONITORING	21
9.	CONSTITUTIONAL OFFICERS AND GOVERNMENTAL AGENCIES	22
9.A.	DERYL LOAR, INDIAN RIVER COUNTY SHERIFF - BUDGET AMENDMENT.....	22
10.	PUBLIC ITEMS.....	23
10.A.	PUBLIC HEARING(S)	23
10.A.1.	MACEDONIA BAPTIST CHURCH’S REQUEST FOR ABANDONMENT OF A PORTION OF 44 TH STREET BETWEEN 30 TH AVENUE AND THE LATERAL H CANAL (LEGISLATIVE).....	23
10.B.	PUBLIC DISCUSSION ITEMS	25
10.B.1.	REQUESTS TO SPEAK FROM RON O’CONNOR REGARDING COUNTY COMMISSIONERS ENFORCE STATUTES, PROPERTY OWNERS MADE TO CORRECT VIOLATION AND COUNTY COMMISSIONERS DISCIPLINARY ACTION ON COUNTY STAFF VIOLATORS	25
10.B.2.	REQUEST TO SPEAK FROM MANFRED G. MEIDEL REGARDING REVIEW APPROVED USE AT LAPORTE FARMS	25
10.B.3.	REQUEST TO SPEAK FROM CITY OF VERO BEACH COUNCILMEMBER BRIAN HEADY REGARDING UPDATE ON LATEST DEVELOPMENTS REGARDING CITY OF VERO BEACH ELECTRIC UTILITY	26
10.B.4.	REQUEST TO SPEAK FROM ALTHEA MCKENZIE REGARDING THE WEST GIFFORD INDUSTRY COMPLEX AND GIFFORD PARKS	27
10.C.	PUBLIC NOTICE ITEMS - NONE	28
11.	COUNTY ADMINISTRATOR MATTERS - NONE.....	28
12.	DEPARTMENTAL MATTERS	29

12.A.	COMMUNITY DEVELOPMENT	29
12.A.1.	CONSIDERATION OF ALGAGEN LLC’S REQUEST FOR A LOCAL JOBS GRANT	29
12.A.2.	CONSIDERATION OF EUREKA GROWTH CAPITAL’S REQUEST FOR A LOCAL JOBS GRANT	30
12.A.3.	REQUEST TO APPROVE THE HURRICANE WILMA COMMUNITY DEVELOPMENT BLOCK GRANT DISASTER RECOVERY INITIATIVE GROUP 6 APPLICANT LIST, TO AUTHORIZE STAFF TO SOLICIT BIDS FOR GROUP 6 HURRICANE WILMA HARDENING WORK ACTIVITIES, AND TO APPROVE THE CONTRACT AWARDS FOR REHABILITATION OF THREE GROUP 5 HURRICANE WILMA CDBG DISASTER RECOVERY INITIATIVE HOUSES	31
12.B.	EMERGENCY SERVICES - NONE.....	33
12.C.	GENERAL SERVICES	33
12.C.1.	INDEPENDENT REVIEW OF ACCIDENTAL SHOOTING INCIDENT AT THE INDIAN RIVER COUNTY SHOOTING RANGE.....	33
12.D.	HUMAN RESOURCES.....	33
12.D.1.	IAFF LOCAL 2201 – MEMORANDUM OF AGREEMENT – EXTENSION OF THE COLLECTIVE BARGAINING AGREEMENT BETWEEN INDIAN RIVER COUNTY AND IAFF LOCAL 2201.....	33
12.E.	HUMAN SERVICES - NONE	34
12.F.	LEISURE SERVICES - NONE	34
12.G.	OFFICE OF MANAGEMENT AND BUDGET - NONE	34
12.H.	RECREATION.....	34
12.H.1.	REQUEST FOR USE OF HOLMAN STADIUM	34
12.H.2.	JAKE OWEN CONCERT AT THE VERO BEACH SPORTS VILLAGE.....	36
12.I.	PUBLIC WORKS - NONE	37
12.J.	UTILITIES SERVICES.....	37
12.J.1.	APPROVAL OF FPL UNDERGROUND DISTRIBUTION FACILITIES INSTALLATION AGREEMENT AND REVISED CONTRIBUTION IN AID OF CONSTRUCTION FOR PROVISION OF POWER TO TWO (2) WELL SITES LOCATED AT THE NORTH COUNTY RO PLANT	37
12.J.2.	SPOONBILL FLOATING VEGETATION MATS.....	38

12.J.3.	RESCISSION OF AGREEMENT WITH EQUITY LIFESTYLES PROPERTIES, INC. FOR MHC COUNTRYSIDE NORTH, LLC AND APPROVAL OF A NEW MEMORANDUM OF UNDERSTANDING	39
12.J.4.	WORK ORDER NO. 19 – PROFESSIONAL SERVICES TO KIMLEY-HORN & ASSOCIATES, INC. FOR DEMONSTRATION OF 4-LOG VIRUS TREATMENT OF GROUND WATER RULE AT NORTH AND SOUTH RO WATER TREATMENT PLANT AMENDMENT #1.....	40
13.	COUNTY ATTORNEY MATTERS.....	41
13.A.	APPROVAL OF MEDIATED SETTLEMENT AGREEMENT FOR TERRY AND LYNDELL FLEMING: 16 TH STREET BETWEEN 66 TH AND 74 TH AVENUES.....	41
13.B.	ECONOMIC DEVELOPMENT AD VALOREM TAX EXEMPTION ORDINANCE PROPOSED DOCUMENTS: EXEMPTION AGREEMENT, EXEMPTION ORDINANCE, EXEMPTION APPLICATION AND EXEMPTION SCORE SHEET/MATRIX	42
13.C.	O’CONNOR FLOODING	44
14.	COMMISSIONER ITEMS.....	45
14.A.	COMMISSIONER PETER D. O’BRYAN, CHAIRMAN - NONE.....	45
14.B.	COMMISSIONER BOB SOLARI, VICE CHAIRMAN - NONE	45
14.C.	COMMISSIONER WESLEY S. DAVIS - NONE.....	45
14.D.	COMMISSIONER JOSEPH E. FLESCHER - NONE	45
14.E.	COMMISSIONER GARY C. WHEELER - NONE	45
15.	SPECIAL DISTRICTS AND BOARDS	46
15.A.	EMERGENCY SERVICES DISTRICT	46
15.A.1.	APPROVAL OF MINUTES REGULAR MEETING OF JUNE 8, 2010.....	46
15.A.2.	APPROVAL OF MINUTES REGULAR MEETING OF JUNE 22, 2010.....	46
15.A.3.	FEMA, ASSISTANCE TO FIREFIGHTERS GRANT PROGRAM, GRANT NO. EMW-2009-FP-00738.....	46
15.A.4.	APPROVAL OF HOMELAND SECURITY TRAINING GRANT #10-DS-39-13-00-16-414.....	46
15.B.	SOLID WASTE DISPOSAL DISTRICT	46

15.B.1.	APPROVAL OF MINUTES REGULAR MEETING OF JUNE 22, 2010.....	46
15.B.2.	APPROVAL OF MINUTES REGULAR MEETING OF JULY 6, 2010.....	46
15.B.3.	2010 PETITION HEARING, SOLID WASTE DISPOSAL DISTRICT ASSESSMENT FEES	47
15.B.4.	SECOND MEMORANDUM OF UNDERSTANDING WITH WASTE MANAGEMENT, INC. OF FLORIDA AND REQUEST FOR BIDS	47
15.C.	ENVIRONMENTAL CONTROL BOARD	47
15.C.1.	APPROVAL OF MINUTES REGULAR MEETING OF MAY 4, 2010.....	47
15.C.2.	REPORT OF ACTIVITIES FOR THIRD QUARTER FY 09/10 (APRIL THROUGH JUNE 2010)	47
16.	ADJOURNMENT	47

JEFFREY K. BARTON

Clerk to the Board



August 17, 2010

**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, August 17, 2010. Present were Chairman Peter D. O'Bryan, Vice Chairman Bob Solari, Commissioners Wesley S. Davis, Joseph E. Flescher, and Gary C. Wheeler. Also present were County Administrator Joseph A. Baird, County Attorney Alan S. Polackwich, Sr., and Deputy Clerk Leona Adair Allen.

1. CALL TO ORDER

Chairman O'Bryan called the meeting to order at 9:00 a.m.

2. INVOCATION

Stan Boling, Planning Director delivered the Invocation.

3. PLEDGE OF ALLEGIANCE

Administrator Baird led the Pledge of Allegiance to the Flag.

Chairman O'Bryan disclosed that the County's Emergency Management Coordinator and Fire Marshall Chief Brian Nolan had passed away over the weekend, and he offered a moment of silence.

4. ADDITIONS/DELETIONS TO THE AGENDA/EMERGENCY ITEMS

Chairman O'Bryan outlined the following requests for Agenda changes:

**ADDITION: 8.F. REQUEST TO SPEAK FROM ST. LUCIE COUNTY SHERIFF KEN MASCARA -
RECOGNITION OF COMMISSIONER WHEELER SERVING ON THE COMMISSION FOR
FLORIDA LAW ENFORCEMENT ACCREDITATION**

**MOVED: ITEM 10.B.1. REQUEST TO SPEAK FROM RON O'CONNOR, TO BE HEARD IN
CONJUNCTION WITH ITEM 13.C.2**

**MOVED: ITEMS 12.A.1. AND 12.A.2. REQUESTS FOR LOCAL JOBS GRANT, TO FOLLOW
CONSENT AGENDA**

**ADDITION: 10.B.4. REQUEST TO SPEAK FROM ALTHEA MCKENZIE REGARDING THE WEST
GIFFORD INDUSTRY COMPLEX AND GIFFORD PARKS**

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

5. PROCLAMATIONS AND PRESENTATIONS

**5.A. PRESENTATION OF PROCLAMATION IN RECOGNITION OF TREASURE
COAST COMMUNITY HEALTH**

Commissioner Davis read the Proclamation and Vicki Soule accepted on behalf of the Governing Board, providers, and staff.

**5.B. PRESENTATION OF PROCLAMATION DESIGNATING AUGUST 16 – 20, 2010
AS FLORIDA WATER PROFESSIONALS WEEK**

Vice Chairman Solari read the Proclamation, then recognized and thanked Directors Erik Olson, Terry Southard, and Rob Bolton for a job well done.

**5.C. PRESENTATION OF PROCLAMATION AND RETIREMENT AWARD HONORING
THOMAS W. FRAME ON HIS RETIREMENT FROM INDIAN RIVER COUNTY
BOARD OF COUNTY COMMISSIONERS DEPARTMENT OF GENERAL
SERVICES**

Chairman O'Bryan read and presented the Proclamation to Thomas W. Frame. Mr. Frame acknowledged numerous individuals and expressed his appreciation to the Board and staff for the support he received throughout his 38-year career.

**5.D. PRESENTATION OF FLORIDA COMMISSION FOR THE TRANSPORTATION
DISADVANTAGED 2010 PLANNING AGENCY OF THE YEAR AWARD TO
INDIAN RIVER COUNTY METROPOLITAN PLANNING ORGANIZATION AND
ITS DIRECTOR, PHIL MATSON**

Chairman O'Bryan read and presented the award to Director Phil Matson, and thereafter presented him with a plaque. Director Matson acknowledged his appreciation to the Board, his staff, and the Senior Resource Association (SRA). He provided the Board with current operation statistics and discussed system efficiency.

**5.E. PRESENTATION BY DAVID DANGERFIELD OF THE INDIAN RIVER COUNTY
FIREFIGHTERS' ANNUAL CHILI COOK-OFF SATURDAY, NOVEMBER 13TH
AT POINTE WEST, AND REQUEST FOR BOARD OF COUNTY COMMISSIONER
PARTICIPATION FROM COMMISSIONER BOB SOLARI**

David Dangerfield, Indian River Fire Department, informed the Board that the Firefighter's 7th Annual Chili Cook-off would be held on Saturday, November 13, 2010, from 4:00 p.m. to 9:00 p.m., at Pointe West. He pointed out that Vice Chairman Solari would be participating in the chili cook-off as "lead cook" and Commissioner Flescher would be assisting with the judging. Mr. Dangerfield mentioned that more information could be obtained through www.ircffa.org, and emphasized that 100% of the proceeds would be donated to local child care resources.

5.F. FINAL INDIAN RIVER COUNTY SITUATION REPORT BY DIRECTOR OF EMERGENCY SERVICES, JOHN KING, REGARDING THE DEEPWATER HORIZON OIL SPILL

Emergency Services Director John King, using a PowerPoint presentation (on file) provided a recapitulation and wrap-up of the Deep Horizon Oil Spill. He summarized the oil spill timeline events, the 205,000,000+ gallons of oil that leaked into the Gulf of Mexico, attempts to control the leak, the oil cleanup, the impacts to wildlife, and the County's actions/participation.

Chairman O'Bryan thanked Director King for the weekly updates and staff for the efforts they put into ensuring that Indian River County would have been prepared if the need arose.

5.G. REQUEST TO SPEAK FROM ST. LUCIE COUNTY SHERIFF KEN MASCARA FOR RECOGNITION OF COMMISSIONER WHEELER SERVING ON THE COMMISSION OF FLORIDA LAW ENFORCEMENT ACCREDITATION

Sheriff Ken Mascara, St. Lucie County, recognized Commissioner Wheeler for his service on the Commission of Florida Law Enforcement Accreditation. He presented him with a plaque recognizing his commitment, contributions and dedication to the law enforcement profession.

Commissioner Wheeler thanked the Florida Association of Counties for appointing him to the Committee and allowing him to serve; he thereafter explained the specifics of "accreditation."

6. APPROVAL OF MINUTES

6.A. REGULAR MEETING OF JUNE 8, 2010

The Chairman asked if there were any corrections or additions to the Minutes of the Regular Meeting of June 8, 2010. There were none.

ON MOTION by Commissioner Davis, SECONDED by Commissioner Flescher, the Board unanimously approved the Minutes of the Regular Meeting of June 8, 2010, as written.

6.B. REGULAR MEETING OF JUNE 15, 2010

The Chairman asked if there were any corrections or additions to the Minutes of the Regular Meeting of June 15, 2010. There were none.

ON MOTION by Commissioner Davis, SECONDED by Commissioner Flescher, the Board unanimously approved the Minutes of the Regular Meeting of June 15, 2010, as written.

6.C. REGULAR MEETING OF JUNE 22, 2010

The Chairman asked if there were any corrections or additions to the Minutes of the Regular Meeting of June 22, 2010. There were none.

ON MOTION by Commissioner Davis, SECONDED by Commissioner Flescher, the Board unanimously approved the Minutes of the Regular Meeting of June 22, 2010, as written.

6.D. REGULAR MEETING OF JULY 6, 2010

The Chairman asked if there were any corrections or additions to the Minutes of the Regular Meeting of July 6, 2010. There were none.

ON MOTION by Commissioner Davis, SECONDED by Commissioner Flescher, the Board unanimously approved the Minutes of the Regular Meeting of July 6, 2010, as written.

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

**7.A. 2010 ELECTION OF SCHOOL PLANNING ELECTED OFFICIALS OVERSIGHT
COMMITTEE CHAIRMAN**

The Board noted the appointment of Mayor Susan Adams, City of Fellsmere, as the Chairman of the School Planning Elected Officials Oversight Committee.

**7.B. RESIGNATION OF THE ARCHITECT REPRESENTATIVE TO THE
CONSTRUCTION BOARD OF ADJUSTMENT AND APPEALS**

Noted for the record was the vacancy of Greg Burke, Architect Representative to the Construction Board of Adjustment and Appeals, effective immediately.

**7.C. RECOGNITION OF APPOINTEE TO THE TRANSPORTATION DISADVANTAGED
LOCAL COORDINATING BOARD**

Noted for the record was the appointment of Kathleen “Cookie” Geyer as the Citizen’s Advocate Representative on the Transportation Disadvantaged Local Coordinating Board. She is the former Director of Transportation for the School Board.

**7.D. APPOINTMENT OF MR. GREG SMITH TO THE AFFORDABLE HOUSING
ADVISORY COMMITTEE**

Noted for the record was the appointment of Greg Smith as the Planning and Zoning (P&Z) representative to the Affordable Housing Advisory Committee (AHAC). This position was formerly held by Gerard Weick.

**7.E. RECOGNITION OF APPOINTEE TO THE TRANSPORTATION DISADVANTAGED
LOCAL COORDINATING BOARD**

Noted for the record was the Area Agency on Aging’s appointment of Dalia Dillon, Customer Services Consultant, as the representative of the Florida Department of Elderly Affairs to the Transportation Disadvantaged Local Coordinating Board. This position was formerly held by Hylan Bryan.

**7.F. PROOF OF PUBLICATION OF UNCLAIMED MONIES FOR CASH BONDS
DEPOSITED WITH THE CLERK OF THE CIRCUIT COURT PRIOR TO JANUARY
1, 2009 IS ON FILE IN THE OFFICE OF THE CLERK TO THE BOARD**

8. CONSENT AGENDA

Chairman O'Bryan requested to pull Item 8.M. from the Consent Agenda for discussion.

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

8.A. APPROVAL OF WARRANTS AND WIRES JULY 9, 2010 TO JULY 15, 2010

ON MOTION by Commissioner Davis, SECONDED by
Commissioner Flescher, the Board unanimously approved
the list of Warrants and Wires as issued by the Clerk to the
Board for the time period of July 9, 2010 to July 15, 2010,
as requested in the memorandum of July 15, 2010.

8.B. APPROVAL OF WARRANTS AND WIRES JULY 16, 2010 TO JULY 22, 2010

ON MOTION by Commissioner Davis, SECONDED by
Commissioner Flescher, the Board unanimously approved
the list of Warrants and Wires as issued by the Clerk to the
Board for the time period of July 16, 2010 to July 22,
2010, as requested in the memorandum of July 22, 2010.

8.C. APPROVAL OF WARRANTS AND WIRES JULY 23, 2010 TO JULY 29, 2010

ON MOTION by Commissioner Davis, SECONDED by Commissioner Flescher, the Board unanimously approved the list of Warrants and Wires as issued by the Clerk to the Board for the time period of July 23, 2010 to July 29, 2010, as recommended in the memorandum of July 29, 2010.

8.D. APPROVAL OF WARRANTS AND WIRES JULY 30, 2010 TO AUGUST 5, 2010

ON MOTION by Commissioner Davis, SECONDED by Commissioner Flescher, the Board unanimously approved the list of Warrants and Wires as issued by the Clerk to the Board for the time period of July 30, 2010 to August 5, 2010, as recommended in the memorandum of August 5, 2010.

8.E. INDIAN RIVER COUNTY INVESTMENT ADVISORY COMMITTEE QUARTERLY INVESTMENT REPORT FOR THE QUARTER ENDING 06/30/2010

ON MOTION by Commissioner Davis, SECONDED by Commissioner Flescher, the Board unanimously accepted the Indian River County Investment Advisory Committee Quarterly Investment Report, as recommended in the memorandum of August 3, 2010.

**8.F. DORI SLOSBERG DRIVER EDUCATION SAFETY ACT INDIAN RIVER
COUNTY TRAFFIC EDUCATION PROGRAM TRUST FUND**

ON MOTION by Commissioner Davis, SECONDED by Commissioner Flescher, the Board unanimously accepted the Report of the Indian River County Traffic Education Program Trust Fund from the inception of the \$3 fee (October 1, 2002) through June 30, 2010, as recommended in the memorandum of July 12, 2010.

8.G. OPEB TRUST REPORT FOR THE PERIOD 10/1/09 THROUGH 06/30/10

ON MOTION by Commissioner Davis, SECONDED by Commissioner Flescher, the Board unanimously approved the quarterly OPEB (Other Post-Employment Benefits) Trust Report, for the period October 1, 2009 through June 30, 2010, as recommended in the memorandum of August 3, 2010.

**8.H. PROCLAMATION AND RETIREMENT AWARD HONORING GARY G.
MURDOCK ON HIS RETIREMENT FROM INDIAN RIVER COUNTY BOARD OF
COUNTY COMMISSIONERS GENERAL SERVICES DEPARTMENT PARKS
DIVISION**

ON MOTION by Commissioner Davis, SECONDED by Commissioner Flescher, the Board unanimously approved the Proclamation honoring Gary G. Murdock on his

retirement from the General Services Department Parks Division.

8.I. AUTHORIZATION FOR OUT OF COUNTY TRAVEL

ON MOTION by Commissioner Davis, SECONDED by Commissioner Flescher, the Board unanimously approved out-of-County travel for the County Administrator to attend the Florida Association of Counties (FAC) Policy Conference in St. Petersburg, Florida, from September 22 through September 24, 2010, as requested in the memorandum of August 5, 2010.

**8.J. APPROVAL OF AMENDMENT NO. 1 TO WORK ORDER NUMBER M2 –
ADDITIONAL ASSISTANCE FOR THE FINAL REPORT FOR THE MAIN RELIEF
CANAL POLLUTION CONTROL SYSTEM 319 GRANT CONTRACT**

ON MOTION by Commissioner Davis, SECONDED by Commissioner Flescher, the Board unanimously approved Amendment No. 1 to Work Order No. M2 with Malcolm Pirnie, Inc., and authorized the Chairman to execute same on behalf of the County, as recommended in the memorandum of July 26, 2010.

AMENDMENT ON FILE IN THE OFFICE OF THE CLERK TO THE BOARD

8.K. M.A.C.E. (MULTI-AGENCY CRIMINAL ENFORCEMENT UNIT) GRANT
PROJECT GENERATED INCOME (PGI) MISCELLANEOUS BUDGET
AMENDMENT 016

ON MOTION by Commissioner Davis, SECONDED by Commissioner Flescher, the Board unanimously approved: (1) **Resolution 2010-063**, amending the Fiscal Year 2009-2010 Budget, and (2) the utilization of Project Generated Income totaling \$5,662.34 as recommended in the memorandum dated August 9, 2010.

8.L. MISCELLANEOUS BUDGET AMENDMENT 017

ON MOTION by Commissioner Davis, SECONDED by Commissioner Flescher, the Board unanimously approved **Resolution 2010-064**, amending the Fiscal Year 2009-2010 Budget.

8.M. MISCELLANEOUS BUDGET AMENDMENT 018

Chairman O'Bryan requested to pull this item to discuss the portion of the Budget Amendment (under Amendment 018, Item No. 8) pertaining to the transferring of the lifeguard tower from Treasure Shores Park to Round Island Park. He felt it premature to spend money to move the tower before the actual action is taken at the September 8th Preliminary Budget Hearing, on whether to keep or eliminate the lifeguards at Treasure Shores. He suggested approving all other Budget Amendments and tabling Item No. 8 until after the Preliminary Budget Hearing.

MOTION was made by Commissioner Flescher, to TABLE Item No. 8 (under Miscellaneous Budget Amendment 018), until after the September 8, 2010 Preliminary Budget Hearing.

(Clerk's Note: There was no SECOND at this point.)

Administrator Baird noted that Item No. 8 did not provide an accurate explanation in the backup. He clarified that the item is for a survey to move the lifeguard tower forward for an improved line of sight at Round Island Park, not Treasure Shores Park. He said if Treasure Shores does close, moving their tower to Round Island would be an alternative if Round Island's tower is not structurally sound.

Management and Budget Director Jason Brown clarified that the tower cannot be moved until November 1st, due to turtle nesting season. He stated that the estimated \$3,000 cost is only for the survey, and that moving the tower from Treasure Shores Park to Round Island Park is only a contingency, should the tower not be structurally sound.

Commissioner Flescher AMENDED HIS MOTION, SECONDED by Chairman O'Bryan, to approve in its entirety **Resolution 2010-065**, amending the Fiscal Year 2009-2010 Budget.

The Chairman CALLED THE QUESTION and the Motion carried unanimously.

8.N. DIVOSTA HOMES L. P. REQUEST FOR APPROVAL OF A REPLAT OF A PORTION OF WATERWAY VILLAGE PD, PLAT 1C TO BE KNOWN AS ISLES AT WATERWAY VILLAGE, PLAT 1C, REPLAT 1

ON MOTION by Commissioner Davis, SECONDED by Commissioner Flescher, the Board unanimously granted final plat approval for Isles at Waterway Village, Plat 1C, Replat 1 Subdivision, as recommended in the memorandum of August 5, 2010.

8.O. GRAND HARBOR SPOONBILL MARSH SITE EXECUTION OF REVISED SUBMERGED LAND LEASE AREA EASEMENT

ON MOTION by Commissioner Davis, SECONDED by Commissioner Flescher, the Board unanimously approved the Sovereignty Submerged Lands Easement, and authorized the Chairman to execute same, as recommended in the memorandum of August 13, 2010.

EASEMENT ON FILE IN THE OFFICE OF THE CLERK TO THE BOARD

8.P. ACCEPTANCE OF CHANGE ORDER #1 TO GIFFORD COMMUNITY CENTER REPAIR

ON MOTION by Commissioner Davis, SECONDED by Commissioner Flescher, the Board unanimously approved Change Order #1, with A. Thomas Construction, Inc., to the Gifford Community Center Repair Agreement, in the

amount of \$4,070, the revised contract amount totaling \$61,070, and authorized the Chairman to execute same, as recommended in the memorandum of August 10, 2010.

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

8.Q. APPROVAL OF PAYMENT FOR WORK ORDER NO. 2 FOR SEDIMENTATION SYSTEM DREDGING AT PC MAIN (MAIN RELIEF CANAL POLLUTION CONTROL FACILITY)

ON MOTION by Commissioner Davis, SECONDED by Commissioner Flescher, the Board unanimously authorized payment of Work Order No. 2, to Environmental and Marine Construction (EMC) Divers, Inc., in the amount of \$6,820, for dredging services, as recommended in the memorandum of July 28, 2010.

8.R. APPROVAL OF BID AWARD FOR IRC BID No. 2010046 DEMOLITION OF TWO (2) CONDEMNED STRUCTURES

ON MOTION by Commissioner Davis, SECONDED by Commissioner Flescher, the Board unanimously approved bid award to DJP General Contracting Services, Inc., in the amount of \$6,990, for demolition of two condemned structures, as the lowest most responsive and responsible bidder, meeting the specifications as set forth in the Invitation to Bid, as recommended in the memorandum of July 30, 2010.

**8.S. APPROVAL OF EMERGENCY MANAGEMENT STATE FUNDED SUB-GRANT
(#10-BG-25-10-40-01-068) EXPENDITURES**

ON MOTION by Commissioner Davis, SECONDED by Commissioner Flescher, the Board unanimously approved the expenditures for FY 09/10 Emergency Management Preparedness Assistance (EMPA) (#10-BG-25-10-40-01-068) Sub-Grant and FY 08/09 and FY 09/10 Hazardous Materials Grants, as recommended in the memorandum of August 4, 2010.

**8.T. BID AWARD: IRC #2011002 ANNUAL BID FOR HARRIS FX SOFTWARE
SERVICES, EMERGENCY SERVICES**

ON MOTION by Commissioner Davis, SECONDED by Commissioner Flescher, the Board unanimously: (1) approved the award to Communications International, Inc. as the lowest, most responsive, and sole bidder meeting the specifications as set forth in the Invitation to Bid; (2) authorized the Purchasing Division to issue a Purchase Order in the amount of \$74,000.00 for the period of August 2010 through July 31, 2011 with the recommended bidder; (3) authorized the Purchasing Manager to renew this bid for two (2) additional one (1) year periods subject to satisfactory performance, vendor acceptance, and the determination that renewal of this annual bid is in the best interest of Indian River County; and (4) authorized the Chairman to sign the Amendment to EDACS FX Agreement provided by Harris

Corporation; all as recommended in the memorandum of August 2, 2010.

AMENDMENT ON FILE IN THE OFFICE OF THE CLERK TO THE BOARD

8.U. RFP FOR DESIGN SERVICES FOR REPLACEMENT FIRE ALARM SYSTEM AT COUNTY JAIL

ON MOTION by Commissioner Davis, SECONDED by Commissioner Flescher, the Board unanimously authorized the issuance of a Request for Qualifications for a design professional to design and prepare plans and specifications for a fire alarm replacement system at the County Jail, as requested in the memorandum of August 10, 2010.

8.V. SENIOR RESOURCE ASSOCIATES (SRA) TRANSIT FACILITY PROPOSED AMENDED LEASE

ON MOTION by Commissioner Davis, SECONDED by Commissioner Flescher, the Board unanimously authorized the County Attorney to prepare a lease modification with an additional southerly eight feet being added to the existing legal description, and authorized the Chairman to execute the amended lease as approved by the County Attorney, as requested in the memorandum of August 3, 2010.

8.W. WORK ORDER NO. ~~22~~ 21 TO THE PROFESSIONAL BRIDGE DESIGN SERVICES AGREEMENT WITH BRIDGE DESIGN ASSOCIATES, INC. FOR CR512 BRIDGE OVER FELLSMERE WATER CONTROL DISTRICT (F.W.C.D.) PARK LATERAL CANAL

ON MOTION by Commissioner Davis, SECONDED by Commissioner Flescher, the Board unanimously approved Work Order No. 21 (Engineering) with Bridge Design Associates, Inc.; authorized the project as outlined in the Scope of Services; and authorized the Chairman to execute same, for a lump sum fee of \$1,500, as requested in the memorandum of August 2, 2010.

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

8.X. WORK ORDER NO. ~~21~~ 22 TO THE PROFESSIONAL BRIDGE DESIGN SERVICES AGREEMENT WITH BRIDGE DESIGN ASSOCIATES, INC. FOR CR512 BRIDGE OVER FELLSMERE WATER CONTROL DISTRICT (F.W.C.D.) LATERAL "U" CANAL

ON MOTION by Commissioner Davis, SECONDED by Commissioner Flescher, the Board unanimously approved Work Order No. 22 (Engineering) with Bridge Design Associates, Inc.; authorized the project as outlined in the Scope of Services; and authorized the Chairman to execute same, for a lump sum fee of \$1,960, as requested in the memorandum of August 2, 2010.

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

**8.Y. APPROVAL FOR LOCAL AGENCY PROGRAM (LAP) CERTIFICATION WITH
THE FLORIDA DEPARTMENT OF TRANSPORTATION**

ON MOTION by Commissioner Davis, SECONDED by Commissioner Flescher, the Board unanimously authorized the Chairman to execute the Florida Department of Transportation Local Agency Certification Qualification Agreement, as requested in the memorandum of August 9, 2010.

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

**8.Z. RECOMMENDED SETTLEMENT FOR IRC PARKS MAINTENANCE COMPLEX,
DEANGELIS DIAMOND CONSTRUCTION, INC., IRC PROJECT No. 0701**

ON MOTION by Commissioner Davis, SECONDED by Commissioner Flescher, the Board unanimously approved the Settlement Agreement with DeAngelis Diamond Construction, Inc., in the amount of \$8,000, as requested in the memorandum of August 11, 2010.

**8.AA. FINAL PAYMENT AND RELEASE OF RETAINAGE FOR APPLIED
TECHNOLOGY & MANAGEMENT FOR WO# 14 – SECTORS 1&2 POST
CONSTRUCTION MONITORING**

ON MOTION by Commissioner Davis, SECONDED by Commissioner Flescher, the Board unanimously approved the final payment and release of retainage for Work Order #14 to Applied Technology and Management (ATM), Inc., in the amount of \$11,408.70, for services to Sectors 1 and 2, as requested in the memorandum of August 9, 2010.

**8.BB. FINAL PAYMENT AND RELEASE OF RETAINAGE FOR APPLIED
TECHNOLOGY & MANAGEMENT FOR WO# 15 – SECTOR 7 POST
CONSTRUCTION MONITORING**

ON MOTION by Commissioner Davis, SECONDED by Commissioner Flescher, the Board unanimously approved the final payment and release of retainage for Work Order No. 15 to Applied Technology and Management (ATM), Inc., in the amount of \$218.10, for services to Sector 7, as requested in the memorandum of August 9, 2010.

(Clerk's Note: Items 12.A.1. and 12.A.2. were heard following the Consent Agenda and prior to Item 9.)

9. CONSTITUTIONAL OFFICERS AND GOVERNMENTAL AGENCIES

9.A. DERYL LOAR, INDIAN RIVER COUNTY SHERIFF - BUDGET AMENDMENT

Sheriff Deryl Loar recalled that at the July 14, 2010 Budget Workshop, the Board authorized him to transfer capital, expenses, and salaries, between categories. He asked the Board approve his 2010/11 Operating Budget by transferring funds between categories in order to maximize the use of the Budget funds for continued operation and strategic planning.

At the request of Chairman O'Bryan, Sheriff Loar agreed to provide an update or informational notice after the 2011 Budget money has been transferred, for reasons of transparency. The Sheriff revealed that he would also be providing a draft of his revised Budget to show how reductions would be targeted.

MOTION WAS MADE by Commissioner Flescher, SECONDED by Commissioner Davis, to approve the Sheriff's request to amend his Fiscal Year 2010-2011 Operating Budget by transferring funds between categories (i.e. salaries, operating, and capital), as requested in his letter dated July 23, 2010.

County Attorney Alan S. Polackwich, Sr. pointed out that the 2010/2011 Fiscal Year Budget had not yet been adopted. He did not feel the Budget should be amended outside Statutory Procedure 200.065, clarifying that Florida law allows expenditures within the funds of the Sheriff's Budget to be increased or decreased by Motion, and recorded within the minutes, and he believed the Sheriff was asking for the authority to exercise this right.

MOTION WAS AMENDED by Commissioner Flescher, SECONDED by Commissioner Davis, to authorize the Sheriff the ability to approve the transfer of funds within his Budget.

A lengthy discussion/debate ensued regarding the Budget process, reductions, transferring money from one category to another, being transparent, standards and policy, and accountability.

After Attorney Polackwich and Director Brown explained the concept and rules governing the transfer of funds within categories, the Commissioners decided that the action of amending the Budget should be after the formal Budget is adopted.

MOTION WAS AMENDED by Commissioner Flescher, SECONDED by Commissioner Davis, to TABLE this Item until the Budget is adopted on September 15, 2010.

The Chairman CALLED THE QUESTION and the Motion carried.

10. PUBLIC ITEMS

10.A. PUBLIC HEARING(S)

10.A.1. MACEDONIA BAPTIST CHURCH'S REQUEST FOR ABANDONMENT OF A PORTION OF 44TH STREET BETWEEN 30TH AVENUE AND THE LATERAL H CANAL (LEGISLATIVE)

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

Community Planning Director Stan Boling, through a PowerPoint presentation (on file), explained the right-of-way abandonment request from Macedonia Baptist Church, and recommended the Board grant the request with two conditions: (1) that the applicant file a Unity of Title for Lots 61 through 63 of Lincoln Park Estates, and (2) the County retain a drainage and utility easement over the south 25 feet of right-of-way segment.

The Chairman opened the Public Hearing. There being no speakers, the Chairman closed the Public Hearing.

ON MOTION by Commissioner Davis, SECONDED by Commissioner Flescher, the Board unanimously approved **Resolution 2010-066**, providing for the closing, abandonment, vacation and discontinuance of a segment of 44th Street lying between 30th Avenue and the Lateral H Canal as shown in Plat Book 2, Page 77 and Plat Book 2, Page 88 of the Public Records of Indian River County, as described herein, said land now lying in Indian River County, Florida. Conditions include: (1) prior to the abandonment resolution being recorded, the applicant shall provide the County with a recorded unity of title for Lots 61-63 Lincoln Park Estates; and (2) a 25' wide drainage and utility easement shall be retained over the south 25' of the subject right-of-way segment.

10.B. PUBLIC DISCUSSION ITEMS

10.B.1. REQUESTS TO SPEAK FROM RON O'CONNOR REGARDING COUNTY COMMISSIONERS ENFORCE STATUTES, PROPERTY OWNERS MADE TO CORRECT VIOLATION AND COUNTY COMMISSIONERS DISCIPLINARY ACTION ON COUNTY STAFF VIOLATORS

Clerk's note: This Item was moved and heard in conjunction with Item 13.C.

10.B.2. REQUEST TO SPEAK FROM MANFRED G. MEIDEL REGARDING REVIEW APPROVED USE AT LAPORTE FARMS

Manfred Meidel provided the Board with a seven-page handout (on file) and voiced concerns over his neighbor, Laura LaPorte's property, the six-foot fence that was installed, boarding animals on the property, and an illegal pond with improper setback.

Community Development Director Bob Keating informed the Board that Code Enforcement had spent over one year researching and studying the pond in question, and that the information was found to be inconclusive. He said that Laura LaPorte had provided letters from her neighbors stating that the pond had been existing (not newly dug), and that Code Enforcement had terminated the case. He clarified that the required 50-foot setback did not apply to this pond, only new ones.

Laura LaPorte, owner of LaPorte Farms, provided history regarding the purchase of her land, explained the improvements she made to her home and property, and the details of the ongoing conflict with the pond. She thereafter described the particulars regarding her relationship with her neighbor, Mr. Meidel.

After Board discussion, and clarification from Attorney Polackwich, the Commissioners agreed to not take action on the pond.

Debate ensued between **Mr. Meidel** and **Ms. LaPorte** regarding the confinement of Ms. LaPorte's horses, her newly erected garage/greenhouse, and the manure pile that has since been removed.

Director Keating confirmed Ms. LaPorte's zoning, the number of horses she is permitted to have on her property, and indicated that she is currently in compliance with all regulations.

Chairman O'Bryan requested Code Enforcement and Community Planning meet with Ms. LaPorte to ensure there is no commercial activity on the property.

NO BOARD ACTION REQUIRED OR TAKEN

10.B.3. REQUEST TO SPEAK FROM CITY OF VERO BEACH COUNCILMEMBER
BRIAN HEADY REGARDING UPDATE ON LATEST DEVELOPMENTS
REGARDING CITY OF VERO BEACH ELECTRIC UTILITY

Citizen/Councilmember Brian Heady provided the Board with an update on the developments of the City of Vero Beach Electric Utilities issue. He felt the goal had been reached, thanked the Board for their support in keeping this issue in the public eye, and stated that he did not see future presentations as meaningful.

Vice Chairman Solari clarified that Dr. Faherty and Glenn Heran did not go to Florida Power and Light to discuss the sale of the electric utility, but to show and discuss Mr. Heran's economic model, and find out if there were any flaws. He said he understood that there were no significant flaws, which to him, undermined the City Council's reluctance to see the model and make it public.

NO BOARD ACTION REQUIRED OR TAKEN

**10.B.4. REQUEST TO SPEAK FROM ALTHEA MCKENZIE REGARDING THE WEST
GIFFORD INDUSTRY COMPLEX AND GIFFORD PARKS**

Althea McKenzie voiced concern over the proposed west Gifford Industrial Complex scheduled for 43rd to 58th Avenues, between 41st and 45th Streets, the concrete plant, and the Progressive Civic League having asked for Light Industrial (IL) zoning, now Commercial Industrial (CI) zoning. She urged the Board to consider that any green space not yet developed as Commercial, be considered as Residential, in order to preserve Gifford.

Director Keating provided background and believed this to be premature. He recalled that staff had come to the Board about a year ago, after receiving a letter from the Gifford community leaders to rezone it from General Industrial (IG) to Light Industrial (IL), and at that time, staff was directed to work with the community leaders to see what could be done. He said they have been meeting for the past eight to ten months, and staff is now ready to bring the proposals to the Board for direction.

Discussion ensued regarding property owners who had purchased property in west Gifford for the purpose of industrial use, the implementation of a provision that would allow for residential subdivisions to be built on the western perimeter, the challenges of property rights, and respecting the community's concerns and objectives.

Ms. McKenzie also voiced concern over the policy surrounding the use of public parks in Indian River County, specifically the Gifford Park ball fields, which are fenced off. After researching the 2030 Recreation and Open Space Plan, she realized that Gifford Park is the only community park, and did not understand why it is fenced from residents, when there are no other

resources for the children. She requested the park be opened to the public during the daytime, and that staff review the policy.

Administrator Baird stated that he would review the issue. He said it was the Gifford community who requested the installation of the fence, and conveyed that he would provide the Board with a full report regarding this issue.

Kenneth Jackson reiterated Ms. McKenzie's concerns over the fenced park, as well as the community leaders of Gifford.

Freddie Wolfork disclosed that the Progressive Civic League had requested the fence be installed at the park to stop vandalism from motorcycles. He supported Ms. McKenzie's request to allow children access to the fields.

Discussion ensued regarding the fencing at the park, the Gifford Progressive Civic League and other contact groups, communication with the Gifford community, security services at the park, the openness of the Commission, community leaders, and holding executive meetings off-the-clock.

The Chairman called a break at 12:31 p.m. and reconvened the Meeting at 1:15 p.m., with all members present.

10.C. PUBLIC NOTICE ITEMS - NONE

11. COUNTY ADMINISTRATOR MATTERS - NONE

12. DEPARTMENTAL MATTERS

12.A. COMMUNITY DEVELOPMENT

12.A.1. CONSIDERATION OF ALGAGEN LLC'S REQUEST FOR A LOCAL JOBS GRANT

(Clerk's Note: Items 12.A.1. and 12.A.2. were heard following the Consent Agenda and are placed here for continuity.)

Helene Caseltine, Economic Development Director for the Indian River County Chamber of Commerce, voiced support for the two applications for Jobs Grants - AlgaGen LLC and Eureka Growth Capital.

Bill Cox, AlgaGen Representative, provided a PowerPoint Presentation (on file) to outline the company's goals and objectives. He said that AlgaGen has been in business for eight years, wants to expand their market, hire ten new employees, and is Florida's only bulk plankton producer. He spoke about the products his company grows and produces, the history of the company, the Florida market, and moving forward.

Director Keating provided the specifics of the company, the new jobs that would be created, and how the grant money would be paid.

The Commissioners voiced their support for AlgaGen and the Jobs Grants.

MOTION was made by Commissioner Flescher,
SECONDED by Commissioner Davis, to approve staff's
recommendation.

Carolyn Corum, Dolores Street, sought and received information regarding where the Grant money was coming from.

The Chairman CALLED THE QUESTION and the Motion carried. The Board unanimously approved a Local Jobs Grant of up to \$36,000 for AlgaGen LLC, and authorized the Chairman to execute the Jobs Grant Agreement same after approval of the Agreement by appropriate County staff and the County Attorney's office, as recommended in the memorandum of August 3, 2010.

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

12.A.2. CONSIDERATION OF EUREKA GROWTH CAPITAL'S REQUEST FOR A LOCAL JOBS GRANT

Helene Caseltine introduced Eureka Growth Capital. She stated that the new company is a computer network monitoring and software development company that is currently looking at several locations in Florida, and that they would create 57 new jobs.

Tim Keithahn, Chief Financial Officer for Eureka Growth Capital, briefly described his company and the technology opportunities the company would bring if it were to locate in Indian River County.

Director Keating described the details of the jobs grant, the constraints on naming the company at this time, the formation of the company, the jobs it would generate, and how the Grant money would be paid.

Discussion ensued between the Board and staff regarding the parties involved, disbursement of Grant monies, and the provisions of entering into the contract with Eureka or the new company established by Eureka.

Bob Johnson, Coral Wind Subdivision, supported the jobs grant program and the process of how the Grant money would be paid. He thereafter sought and received specifics pertaining to the hiring of local residents under the program.

Vice Chairman Solari suggested staff provide the public with an Excel spreadsheet that shows the number of job grants, total number of possible employees, total potential cost, actual number of grants, and the dollar amounts given.

ON MOTION by Commissioner Davis, SECONDED by Commissioner Flescher, the Board unanimously approved a Local Jobs Grant of up to \$363,000 for Eureka Growth Capital, and authorized the Chairman to execute the Jobs Grant Agreement after approval of the agreement by appropriate County staff and the County Attorney's office, as recommended in the memorandum of August 4, 2010.

The Chairman called a break 10:30 a. m. and reconvened the Meeting at 10:43 a.m. with all members present.

12.A.3. REQUEST TO APPROVE THE HURRICANE WILMA COMMUNITY DEVELOPMENT BLOCK GRANT DISASTER RECOVERY INITIATIVE GROUP 6 APPLICANT LIST, TO AUTHORIZE STAFF TO SOLICIT BIDS FOR GROUP 6 HURRICANE WILMA HARDENING WORK ACTIVITIES, AND TO APPROVE

**THE CONTRACT AWARDS FOR REHABILITATION OF THREE GROUP 5
HURRICANE WILMA CDBG DISASTER RECOVERY INITIATIVE HOUSES**

Director Keating provided description and analysis relating to the County's Hurricane Wilma Community Development Block Grant (CDBG) Hurricane Housing Initiative. He requested the Board approve the applicant list for Group 6; authorize staff to start soliciting bids for the Group 6 applicants; approve contract awards for the rehabilitation activities for three of the Group 5 projects (due to a miscalculation, the low bidder withdrew his bid on three houses and staff is requesting the contracts for those three be awarded to the next low bidder of McAlhany Construction, Inc.); and indicate whether the Commissioners have known conflicts of interest. Each Commissioner declared no known conflicts of interest.

ON MOTION by Commissioner Davis, SECONDED by Vice Chairman Solari, the Board unanimously: (1) approved the Hurricane Wilma CDBG-DRI Group 6 applicant list; (2) authorized staff to begin the bid process to secure services from licensed contractors for the needed rehabilitation work; and (3) approved the following contract award totals for each of the following applicants:

Monteen Fersch (3515 69th Street) to McAlhany Construction, Inc., Vero Beach for the total amount of \$13,236.00

Mack McGriff (4436 35th Avenue) to McAlhany Construction, Inc., Vero Beach for the total amount of \$5,244.00

Willie Mae Brown (2334 1st Avenue, SE) to McAlhany Construction, Inc., Vero Beach for the total amount of \$9,855.00, all as recommended in the memorandum of July 20, 2010.

12.B. EMERGENCY SERVICES - NONE

12.C. GENERAL SERVICES

**12.C.1. INDEPENDENT REVIEW OF ACCIDENTAL SHOOTING INCIDENT AT THE
INDIAN RIVER COUNTY SHOOTING RANGE**

General Services Director Thomas Frame recapped his memorandum dated August 10, 2010, providing the background on the shooting incident which occurred at the County's Shooting Range on May 29, 2010. He requested the Board to consider whether an independent investigation and report would be necessary.

MOTION WAS MADE by Commissioner Flescher,
SECONDED by Commissioner Wheeler, to not conduct
an independent investigation.

After comments, analysis, and debate, the Board decided that further investigation was not necessary.

The Chairman CALLED THE QUESTION and by a 3-2
vote (Commissioners O'Bryan and Solari opposed), the
Motion carried to not conduct an independent
investigation.

12.D. HUMAN RESOURCES

**12.D.1. IAFF LOCAL 2201 – MEMORANDUM OF AGREEMENT – EXTENSION OF
THE COLLECTIVE BARGAINING AGREEMENT BETWEEN INDIAN RIVER
COUNTY AND IAFF LOCAL 2201**

Director of Human Resources James Sexton summarized the details of his Memorandum dated August 9, 2010 regarding the International Association of Firefighters (IAFF) Local 2201 Agreement with the County pertaining to the forbearance of contractual raises, negotiations, the two-year extension to the Agreement, and the agreed terms for Fiscal Year 2010/2011.

Discussion ensued regarding pay increases in the Agreement, the Teamster's Contract, and the language in the Agreement regarding increases in benefits/salaries, and the status quo continuing forward.

ON MOTION by Commissioner Flescher, SECONDED by Chairman O'Bryan, the Board unanimously approved ratification of the Memorandum of Agreement, and a two-year extension to the Collective Bargaining Agreement, as recommended in the memorandum of August 9, 2010.

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

12.E. HUMAN SERVICES - NONE

12.F. LEISURE SERVICES - NONE

12.G. OFFICE OF MANAGEMENT AND BUDGET - NONE

12.H. RECREATION

12.H.1. REQUEST FOR USE OF HOLMAN STADIUM

Assistant County Administrator Michael Zito presented *Every Dream Has a Price, Inc.*'s request to: (1) use Holman Stadium at the Vero Beach Sports Village on November 6, 2010 from 10:30 a.m. to 6:00 p.m. for the fundraising event that will help build affordable deed restricted houses on donated County surplus lots; (2) waive the mandatory \$10,000 security deposit; and (3) waive/delete the alcohol prohibition required under Section E of Exhibit 1 to the standard Stadium Use Agreement.

Julianne R. Price, Chairman of the Housing Advisory Committee (AHAC), briefly described the event and encouraged participation.

MOTION WAS MADE by Vice Chairman Solari, SECONDED by Commissioner Flescher, to (1) approve the 2010 Indian River County Holman Stadium Use Agreement; and (2) waive the standard security deposit; and (3) authorize the Chairman to execute and waiver the alcohol prohibition required under Section E of Exhibit 1 to the standard Stadium Use Agreement, provided all state and local laws are met.

Administrator Baird disclosed that Craig Callan, Vero Beach Sports Village, Minor League Baseball, requested to be the vendor for control purposes.

Attorney Polackwich indicated that he would like to add to the Indian River County Holman Stadium Use Agreement (page 279 of backup), under Item 6, the word, "Commissioners" so it would read as: "...respective owners, share holders, Commissioners, officers, employees, representatives, agents...", and the Board agreed.

MOTION WAS AMENDED by Vice Chairman Solari, SECONDED by Commissioner Flescher, to add the word “Commissioners” to Item No. 6 of the Indian River County Holman Stadium Use Agreement.

The Chairman CALLED THE QUESTION and the Motion carried unanimously. The Board: (1) approved the 2010 Indian River County Holman Stadium Use Agreement; (2) waived the standard security deposit; (3) authorized the Chairman to execute and waiver the alcohol prohibition required under Section E of Exhibit 1 to the standard Stadium Use Agreement, provided all state and local laws are met; and 4) *approved to add the word “Commissioners” to Item No. 6 of the Indian River County Holman Stadium Use Agreement.*

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

12.H.2. JAKE OWEN CONCERT AT THE VERO BEACH SPORTS VILLAGE

Assistant County Administrator Zito requested approval to reserve the Vero Beach Sports Village Holman Stadium for three days, for the Mardy’s Tennis & Jake’s Music Fest, which will benefit local charities. The first day would be used for set up, December 10, 2010 would be the scheduled day of the concert (with December 11, 2010 set as a rain day), and a day after the concert to break-down the equipment.

MOTION WAS MADE by Commissioner Davis, SECONDED by Commissioner Wheeler, to: (1) approve December 11, 2010 as the date for a Jake Owen concert at

the Vero Beach Sports Village; and (2) direct staff to bring back to the Board a Holman Stadium Use Agreement for final approval.

There was a brief discussion regarding the reserve dates, how long the days are held open for events, and giving the requestor 60 days to turn in their application for finalizing the requested days.

MOTION WAS AMENDED by Commissioner Davis, SECONDED by Commissioner Wheeler, to add a 60-day comeback clause to finalize the application request.

The Chairman CALLED THE QUESTION and the Motion carried unanimously. The Board: (1) approved December 11, 2010 as the date for a Jake Owen concert at the Vero Beach Sports Village; (2) directed staff to bring back to the Board a Holman Stadium Use Agreement for final approval; (3) approved a 60-day comeback clause to finalize the application request.

12.I. PUBLIC WORKS - NONE

12.J. UTILITIES SERVICES

**12.J.1. APPROVAL OF FPL UNDERGROUND DISTRIBUTION FACILITIES
INSTALLATION AGREEMENT AND REVISED CONTRIBUTION IN AID OF
CONSTRUCTION FOR PROVISION OF POWER TO TWO (2) WELL SITES
LOCATED AT THE NORTH COUNTY RO PLANT**

ON MOTION by Vice Chairman Solari, SECONDED by Commissioner Flescher, the Board unanimously approved payment in the amount of \$546.94 to Florida Power and Light Company (FPL) for provision of power to two (2) well locations at the North County RO Plant, and authorized the Chairman to execute the two Underground Distribution Facilities Installation Agreements (UDFIA) with FPL, as recommended in the memorandum of August 6, 2010.

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

12.J.2. SPOONBILL FLOATING VEGETATION MATS

Director of Utility Services Erik Olson recapped his memorandum dated August 9, 2010, providing a brief background and the purpose of the Spoonbill Marsh project. He explained how the floating specialized marine vegetation mats would satisfy the requirements of Florida Department of Environmental Protection (FDEP), and how they would enhance the effectiveness of the removal of harmful levels of nutrients in the Lagoon. He asked the Board for approval to move forward with a bidding process that would allow for the procurement of the specialized mats.

ON MOTION by Commissioner Davis, SECONDED by Commissioner Flescher, the Board unanimously approved the bidding and procurement of floating marine vegetation

mats for placement within the Spoonbill project, as recommended in the memorandum of August 9, 2010.

12.J.3. RESCISSION OF AGREEMENT WITH EQUITY LIFESTYLES PROPERTIES, INC. FOR MHC COUNTRYSIDE NORTH, LLC AND APPROVAL OF A NEW MEMORANDUM OF UNDERSTANDING

Assistant Director of Utilities Cindy Corrente provided the Board with background and update information regarding the agreement with MHC Countryside North LLC. She said the property owners gave permission to Indian River County Utilities to: (1) read their individual meters and bill residents for both water and sewer consumption; (2) discontinue service for any account that becomes delinquent as defined by Ordinance 201.24; and (3) make minor repairs after hours whereby permission is granted on a case by case basis to minimize interruption of service caused by unforeseen emergencies.

MOTION WAS MADE by Commissioner Davis, SECONDED by Commissioner Wheeler, to approve the Memorandum of Understanding with MHC Countryside at Vero Beach, LLC.

Vice Chairman Solari suggested staff obtain a back-up contact and phone number for maintenance issues.

Director Corrente confirmed for Chairman O'Bryan that the local Homeowners' Association was kept apprised of all drafts to the agreement.

The Chairman CALLED THE QUESTION and the Motion carried unanimously. The Board approved the Memorandum of Understanding with MHC Countryside at Vero Beach, LLC, as recommended in the memorandum of July 27, 2010.

MEMORANDUM ON FILE IN THE OFFICE OF THE CLERK TO THE BOARD

12.J.4. WORK ORDER NO. 19 – PROFESSIONAL SERVICES TO KIMLEY-HORN & ASSOCIATES, INC. FOR DEMONSTRATION OF 4-LOG VIRUS TREATMENT OF GROUND WATER RULE AT NORTH AND SOUTH RO WATER TREATMENT PLANT AMENDMENT #1

Director Olson reviewed the memorandum dated August 5, 2010, where he provided background and analysis regarding the United States Environmental Protection Agency's (USEPA) mandates that all water systems in the United States be able to demonstrate certain types of treatment to eliminate viruses and pathogens within the water system, the process of sampling, and/or combination of demonstrating that the water plants have the design capacity that performs proficient treatment technology. He requested the Board approve Amendment No. 1 to Work Order No. 19, for follow up to FDEP 4-log virus treatment request for additional information, to Kimley-Horn, for an additional cost of \$3,100.00.

MOTION WAS MADE by Commissioner Davis, SECONDED by Vice Chairman Solari, to approve Amendment No. 1 to Work Order No. 19 to Kimley-Horn and Associates in the amount of \$3,100.00, bringing the Work Order total to \$16,900.00.

There was a brief discussion regarding additional and continued requests from regulatory agencies.

The Chairman CALLED THE QUESTION and the Motion carried unanimously.

AMENDMENT ON FILE IN THE OFFICE OF THE CLERK TO THE BOARD

(Clerk's Note: After the conclusion of Item 12.J.4., Chairman O'Bryan requested that Item 13.C. be heard as the next Agenda item.)

13. COUNTY ATTORNEY MATTERS

13.A. APPROVAL OF MEDIATED SETTLEMENT AGREEMENT FOR TERRY AND LYNDELL FLEMING: 16TH STREET BETWEEN 66TH AND 74TH AVENUES

Deputy County Attorney Bill DeBraal recapped his memorandum dated August 2, 2010 by introducing the project, acquisition history, mediation details, and risk analysis/assessment. He recommended the Board accept the Mediated Settlement Agreement, and authorize staff to proceed with the Lease Agreement for the period of one year after the date of acquisition.

The Board sought and received information pertaining to the evaluation of the fair market rent, what house contents would be included in the purchase agreement, and whether the property could be shown while the Flemings are still in the house.

Attorney Polackwich explained the details of the eminent domain mediation process, the additional burdens, and how additional expenses add even more to the total cost and value of the property. He and staff felt it would be in the best interest of the County to purchase the property in order to cap the risk, then sell it to reduce the County's total exposure.

ON MOTION by Vice Chairman Solari, to approve the Mediated Settlement Agreement with Terry and Lyndell Fleming, and authorize staff to proceed with the Lease Agreement for a period of one year from the date of acquisition, *and to have two months with the right to show the property at the end of the lease.* There was no SECOND and the MOTION DIED.

After a brief discussion regarding this project's history, and concerns over requesting two months to show the property, Vice Chairman Solari made the following Motion.

ON MOTION by Vice Chairman Solari, SECONDED by Commissioner Davis, the Board unanimously approved the Mediated Settlement Agreement with Terry and Lyndell Fleming, and authorized staff to proceed with the Lease Agreement for a period of one year from the date of acquisition, as recommended in the memorandum of August 2, 2010.

AMENDMENT ON FILE IN THE OFFICE OF THE CLERK TO THE BOARD

13.B. ECONOMIC DEVELOPMENT AD VALOREM TAX EXEMPTION ORDINANCE

PROPOSED DOCUMENTS: EXEMPTION AGREEMENT, EXEMPTION ORDINANCE, EXEMPTION APPLICATION AND EXEMPTION SCORE SHEET/MATRIX

Attorney Polackwich, recapping his memorandum dated August 5, 2010, provided background regarding the adoption of Ordinance 2010-014, explained how it would assist voters in the referendum scheduled for November 2, 2010, how it would become effective only if a

majority of voters approve the authority of the Board to grant economic development ad valorem tax exemptions, and how the proposed documents would be utilized in considering and granting a tax exemption, in the event it is voted favorably.

A lengthy discussion ensued regarding legislation that passed pertaining to the promotion of ideas or concepts, the matrix scoring system and how it was modeled after St. Lucie County's successful program, tax abatement policies, the point system, and smaller companies receiving the same number of points as larger businesses for the *Level of Local Capital Investment* category.

Commissioner Davis suggested contacting St. Lucie County to find out how their individuals took advantage of *the Level of Local Capital Investment*, how significant it was, whether it actually held smaller businesses back, or if it caused larger corporations to choose their community location.

There was a brief debate on whether there should be formal action on this item, whether it should be conceptually approved, or to wait on public comments.

Chairman O'Bryan suggested putting this on the website and distributing it to several organizations.

ON MOTION by Commissioner Davis, SECONDED by Commissioner Flescher, by a 5-0 vote, the Board, conceptually approved: (1) the documents as presented; (2) posting the forms on the County's website; (3) soliciting feedback from the business community; and (4) bringing this Item back for final action at the September 14, 2010 Board of County Commission Meeting.

Director Keating agreed to bring two examples of the process, one for a small company and one for a large company, back to the Board for review.

13.C. O'CONNOR FLOODING

(Clerk's Note: This Item and Item 10.B.2. were heard together following Item 12.J.4.)

Attorney Polackwich recapped the memorandum of August 4, 2010 regarding Ronald O'Connor's complaint that Richard Rozalsky's (his neighbor) drainage system is causing flooding to his property. After staff reviewed the issue, it was found that there were no code violations, nor conditions on the Rozalsky property that causes flooding to Mr. O'Connor's property. He conveyed that staff had visited the property numerous times and always reached the same conclusion, that Mr. O'Connor's property is a low elevation area and prone to standing water and flooding. Attorney Polackwich suggested fortifying or maintaining the outfall pipe under the street in front of the properties, and since the street and pipes are private property, it is not the County's responsibility. He did not believe the County should move forward with Code Enforcement proceedings.

Ronald O'Connor used a PowerPoint Presentation (on file) to show the standing water on his property, and using a diagram, asked staff to confirm calculations, and argued that the inadequate drainage was due to the elevation of the neighboring property.

A lengthy discussion ensued regarding standing water, adding an additional culvert pipe to assist in draining the property, pursuing a resolution of the situation through Circuit Court, the fact that the culvert is located on private property, the frontage of the property being in the flood plane, and a suggestion that the landowners join together to repair one of the culverts.

Attorney Polackwich reiterated that since the landowners could not mutually agree to resolve the problem, and since the County is not prepared to initiate legal proceedings, then Mr. O'Connor's only resolution would be to initiate his own legal remedy through the Court system.

Director Keating explained the requirements for obtaining a building permit on a 10-acre parcel.

Mr. O'Connor revealed that he could not touch the malfunctioning culvert on his neighbor's property because he only has ingress and egress rights to cross the easement, and would be trespassing if he attempted to correct the situation.

Chairman O'Bryan informed Mr. O'Connor that the County would not take formal action, and encouraged him to consider Attorney Polackwich's suggestion to seek legal counsel.

The Chairman called a break 2:51 p.m. and reconvened the Meeting at 3:02 p.m., with all members present.

14. COMMISSIONER ITEMS

14.A. COMMISSIONER PETER D. O'BRYAN, CHAIRMAN - NONE

14.B. COMMISSIONER BOB SOLARI, VICE CHAIRMAN - NONE

14.C. COMMISSIONER WESLEY S. DAVIS - NONE

14.D. COMMISSIONER JOSEPH E. FLESCHER - NONE

14.E. COMMISSIONER GARY C. WHEELER - NONE

15. SPECIAL DISTRICTS AND BOARDS

15.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.

15.A.1. APPROVAL OF MINUTES REGULAR MEETING OF JUNE 8, 2010

15.A.2. APPROVAL OF MINUTES REGULAR MEETING OF JUNE 22, 2010

15.A.3. FEMA, ASSISTANCE TO FIREFIGHTERS GRANT PROGRAM, GRANT NO. EMW-2009-FP-00738

15.A.4. APPROVAL OF HOMELAND SECURITY TRAINING GRANT #10-DS-39-13- 00-16-414

15.B. SOLID WASTE DISPOSAL DISTRICT

The Chairman announced that immediately upon adjournment of the Emergency Services District Meeting, the Board would reconvene as the Board of Commissioners of the Solid Waste Disposal District. Those Minutes are being prepared separately.

15.B.1. APPROVAL OF MINUTES REGULAR MEETING OF JUNE 22, 2010

15.B.2. APPROVAL OF MINUTES REGULAR MEETING OF JULY 6, 2010

**15.B.3. 2010 PETITION HEARING, SOLID WASTE DISPOSAL DISTRICT
ASSESSMENT FEES**

**15.B.4. SECOND MEMORANDUM OF UNDERSTANDING WITH WASTE
MANAGEMENT, INC. OF FLORIDA AND REQUEST FOR BIDS**

15.C. ENVIRONMENTAL CONTROL BOARD

The Chairman announced that immediately upon adjournment of the Solid Waste Disposal District Meeting, the Board would reconvene as the Board of Commissioners of the Environmental Control Board. Those Minutes are being prepared separately.

15.C.1. APPROVAL OF MINUTES REGULAR MEETING OF MAY 4, 2010

**15.C.2. REPORT OF ACTIVITIES FOR THIRD QUARTER FY 09/10 (APRIL
THROUGH JUNE 2010)**

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 3:48 p.m.

ATTEST:

Jeffrey K. Barton, Clerk

Peter D. O'Bryan, Chairman

Minutes Approved: _____

BCC/LA/2010 Minutes