



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

**COMMISSION AGENDA**

**TUESDAY, MARCH 11, 2008 - 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**

|                                       |                   |   |
|---------------------------------------|-------------------|---|
| <b>Sandra L. Bowden, Chairman</b>     | <b>District 5</b> | <b>Joseph A. Baird, County Administrator</b>  |
| <b>Wesley S. Davis, Vice Chairman</b> | <b>District 1</b> | <b>William G. Collins II, County Attorney</b> |
| <b>Joseph E. Flescher</b>             | <b>District 2</b> | <b>Jeffrey K. Barton, Clerk to the Board</b>  |
| <b>Peter D. O'Bryan</b>               | <b>District 4</b> |   |
| <b>Gary C. Wheeler</b>                | <b>District 3</b> |   |

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- |           |   | <b><u>PAGE</u></b>                    |
|-----------|---|---------------------------------------|
| <b>1.</b> | <b><u>CALL TO ORDER</u></b>   | <b><u>9:00 A.M.</u></b>               |
| <b>2.</b> | <b><u>INVOCATION</u></b>  | Stan Boling, Planning Director        |
| <b>3.</b> | <b><u>PLEDGE OF ALLEGIANCE</u></b>  | Joseph A. Baird, County Administrator |
| <b>4.</b> | <b><u>ADDITIONS/DELETIONS TO THE AGENDA / EMERGENCY ITEMS</u></b>                           |                                       |
| <b>5.</b> | <b><u>PROCLAMATIONS and PRESENTATIONS</u></b>   |                                       |
| <b>A.</b> | Presentation by Mr. Ryan Morrell, CivaTerra, Inc. on Geographic Tools for Land Use Planning |                                       |
| <b>B.</b> | Presentation by Senior Resources Association on Go-Line                                     |                                       |

| <b>6.</b> | <b><u>APPROVAL OF MINUTES</u></b>   | <b><u>PAGE</u></b> |
|-----------|---|--------------------|
| A.        | Regular Meeting of February 12, 2008  |                    |
| B.        | Regular Meeting of February 19, 2008  |                    |
| <br>      |   |                    |
| <b>7.</b> | <b><u>CONSENT AGENDA</u></b>  |                    |
| A.        | Approval of Warrants – February 22 – February 28, 2008<br>(memorandum dated February 28, 2008)  | 1-9                |
| B.        | Resolution Opposing Senate Bill 2406 Limestone Mining<br>(memorandum dated March 5, 2008)   | 10-12              |
| C.        | Work Order No. 7, (Engineering/Surveying) Carter Associates, Inc.,<br>Proposed 26 <sup>th</sup> Street Between 74 <sup>th</sup> Avenue and 82 <sup>nd</sup> Avenue Drainage<br>Design and Easement, Cook Property<br>(memorandum dated February 28, 2008) | 13-16              |
| D.        | Work Order No. 5 (Engineering/Surveying) Kimley-Horn and Associates,<br>Inc., SR60 & 58 <sup>th</sup> Avenue Intersection Improvements and Right-of-Way<br>Project<br>(memorandum dated March 3, 2008)  | 17-22              |
| E.        | Fellsmere Sidewalk Phase II, IRC Project #0382, Bid Number 2006087,<br>Change Order No. 2 and Release of Retainage for L.H. Tanner Construction<br>Corporation<br>(memorandum dated March 3, 2008)  | 23-31              |
| F.        | Bruce L. and Nancy G. Stamile, 4150 Oslo road, Oslo Road Improvements<br>Phase II<br>(memorandum dated March 3, 2008)   | 32-41              |
| <br>      |   |                    |
| <b>8.</b> | <b><u>CONSTITUTIONAL OFFICERS and GOVERNMENTAL AGENCIES</u></b>   |                    |
|           | None  |                    |

| <b>9.</b>   | <b><u>PUBLIC ITEMS</u></b>   | <b><u>PAGE</u></b> |
|---|--|--------------------|
| <b>A. <u>PUBLIC HEARINGS</u></b>  |  |                    |
| 1.  | Board of County Commission Agenda: Informational Items<br>(memorandum dated February 25, 2008)<br><b>Legislative</b>   | 42-55              |
| <br>  |  |                    |
| <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. |  |                    |
| 1.  | Request to Speak from Joseph Paladin, Growth Awareness Committee, Regarding Update on Status of Growth Awareness Committee   | 56                 |
| 2.  | Request to Speak from Joseph Paladin, Growth Awareness Committee, Regarding Wall that Surrounds Michaels Creek Subdivision   | 57                 |
| <br>  |  |                    |
| <b>C. <u>PUBLIC NOTICE ITEMS</u></b>  |  |                    |
| 1.  | <b><u>Notice of Scheduled Public Hearing for March 18, 2008:</u></b><br>Notice of Tax Equity and Fiscal Responsibility Act (TEFRA) Hearing to Approve the Issuance of Proposed Palm Beach, Florida, Variable Rate Demand Revenue Bonds (The Children’s Home Society of Florida Project) in an Aggregate Principal Amount Not to Exceed \$17,000,000 (Indian River County New Money \$2.1 Million; Refinancing \$2.2 Million)<br>(memorandum dated March 4, 2008)<br><b>Legislative</b> | 58-61              |
| 2.  | <b><u>Notice of Scheduled Public Hearing for March 18, 2008:</u></b><br>The Church of Jesus Christ of Latter Day Saints’ Request for Special Exception Use Approval to Expand an Existing Church Located at 3866 12 <sup>th</sup> Street<br>(memorandum dated March 3, 2008)<br><b>Quasi-Judicial</b>  | 62                 |

9. **PUBLIC ITEMS** **PAGE**

C. **PUBLIC NOTICE ITEMS**

3. **Notice of Scheduled Public Hearings for April 8, 2008:**  
(memorandum dated March 4, 2008) 63-64

A. KGP, L.L.C's: Request to Rezone ± 1.57 acres located approximately 580 feet west of U.S.1 and approximately 130 feet south of 13<sup>th</sup> Lane from IG, General Industrial District, to CG, General Commercial District. KGP, LLC., Owner. Kimley-Horn Inc., Agent

**Quasi-Judicial**

B. Etayem, LLC's: Request to Rezone ± 1.23 acres located at the northwest quadrant of 27<sup>th</sup> Avenue S.W. and 25<sup>th</sup> Street S.W. from CN, Neighborhood Commercial, to CL, Limited Commercial District. Etayem, LLC Owner. Schulke, Bittle & Stoddard, LLC., Agent

**Quasi-Judicial**

10. **COUNTY ADMINISTRATOR MATTERS**

A. Request for Executive Session – March 11, 2008  
(memorandum dated March 3, 2008) 65

11. **DEPARTMENTAL MATTERS**

A. **Community Development**  
None

B. **Emergency Services**  
None

C. **General Services**  
None

D. **Human Resources**  
None

E. **Human Services**  
None

| <b>11.</b> | <b><u>DEPARTMENTAL MATTERS</u></b>  | <b><u>PAGE</u></b> |
|------------|---|--------------------|
|            | <b>F. <u>Leisure Services</u></b>   |                    |
|            | None  |                    |
|            | <b>G. <u>Office of Management and Budget</u></b>  |                    |
|            | None  |                    |
|            | <b>H. <u>Recreation</u></b>   |                    |
|            | None  |                    |
|            | <b>I. <u>Public Works</u></b>   |                    |
|            | None  |                    |
|            | <b>J. <u>Utilities Services</u></b>   |                    |
|            | 1. Grand Harbor Spoonbill Marsh – Archaeological Survey<br>(memorandum dated February 19, 2008) | 66-71              |
| <b>12.</b> | <b><u>COUNTY ATTORNEY MATTERS</u></b>   |                    |
|            | A. The Source<br>(memorandum dated March 5, 2008)   | 72-90              |
|            | B. Annual Employment Contract<br>(memorandum dated March 4, 2008)                               | 91-94              |
| <b>13.</b> | <b><u>COMMISSIONERS ITEMS</u></b>   |                    |
|            | <b>A. <u>Commissioner Sandra L. Bowden, Chairman</u></b>  |                    |
|            | 1. LaPort Claims Bill<br>(memorandum dated March 3, 2008)                                       | 95-98              |
|            | 2. Oslo Boat Ramp Update<br>(memorandum dated March 3, 2008)                                    | 99                 |
|            | <b>B. <u>Commissioner Wesley S. Davis, Vice Chairman</u></b>                                    |                    |
|            | None  |                    |
|            | <b>C. <u>Commissioner Joseph E. Flescher</u></b>  |                    |
|            | None  |                    |

13. **COMMISSIONERS ITEMS** **PAGE**
- D. **Commissioner Peter D. O'Bryan**  
None
- E. **Commissioner Gary C. Wheeler**
1. Discuss decision on request to have a process for registering as a lobbyist  
(memorandum dated March 5, 2008) 100-108

14. **SPECIAL DISTRICTS AND BOARDS**

- A. **Emergency Services District**  
None
- B. **Solid Waste Disposal District**  
None
- C. **Environmental Control Board**  
None

15. **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:  
 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.*