



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

**TUESDAY, MARCH 17, 2009 - 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](http://www.ircgov.com)**

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**COUNTY COMMISSIONERS**

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

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

**Joseph A. Baird, County Administrator  
William G. Collins II, County Attorney  
Jeffrey K. Barton, Clerk to the Board**

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|----|--|--|--------------------|
| 1. | <b><u>CALL TO ORDER</u></b>  | <b><u>9:00 A.M.</u></b>                    |                    |
| 2. | <b><u>INVOCATION</u></b>   | Pastor Larry Boan, Central Assembly of God |                    |
| 3. | <b><u>PLEDGE OF ALLEGIANCE</u></b>   | Commissioner Wesley S. Davis, Chairman     |                    |
| 4. | <b><u>ADDITIONS/DELETIONS TO THE AGENDA / EMERGENCY ITEMS</u></b>  |  |                    |
| 5. | <b><u>PROCLAMATIONS and PRESENTATIONS</u></b>  |  |                    |
| A. | Presentation by Pelican Island Audubon Society of the Maggy Bowman Conservationist of the Year Award to Keith McCully and Cliff Southard, Indian River County Engineers for the Main Relief Canal Project; and Himanshu Mehta, Indian River County Solid Waste Disposal District, for Expansion of Recycling and Recovery Programs |  |                    |
| B. | Presentation by Pelican Island Audubon Society of the President's Award to George Glenn, Indian River County Attorney's Office for Protecting Our County's Conservation Lands  |  |                    |

<b>5.</b>	<b><u>PROCLAMATIONS and PRESENTATIONS</u></b>	<b><u>PAGE</u></b>
	C. Introduction of Dr. Wayne Creelman by Mrs. Ellie McCabe, The Robert F. and Eleonora W. McCabe Foundation. Presentation by Dr. Creelman on the University of Florida’s Center for Psychiatry and Addiction Medicine in Vero Beach	
<b>6.</b>	<b><u>APPROVAL OF MINUTES</u></b>	
	A. Regular Meeting of January 20, 2009	
<b>7.</b>	<b><u>INFORMATIONAL ITEMS FROM STAFF OR COMMISSIONERS NOT REQUIRING BOARD ACTION</u></b>	
	A. 2009 Election of MPO Bicycle Advisory Committee (MPOBAC) Chairman and Vice Chairman (memorandum dated March 11, 2009)	1
<b>8.</b>	<b><u>CONSENT AGENDA</u></b>	
	A. Approval of Warrants and Wires, February 27, 2009 thru March 5, 2009 (memorandum dated March 5, 2009)	2-10
	B. Approval of Annual Financial Report by County Commissioners (memorandum dated March 11, 2009)	11-20
	C. Approval of Bid Award for IRC Bid No. 2009033 Fibroc Series 1500, 3x4x13 Pump (memorandum dated March 3, 2009)	21-26
	D. Approval Work Order No. 1 (Engineering) with Universal Engineering Sciences, Inc., Providing Professional Geotechnical Services in Accordance with the Annual Geotechnical Services Contract RFQ No. 2008071, 66 <sup>th</sup> Avenue From 16 <sup>th</sup> Street to South of S.R. 60 – IRC Project #9810-A; 16 <sup>th</sup> Street From 74 <sup>th</sup> Avenue to 66 <sup>th</sup> Avenue – IRC Project #9920; 66 <sup>th</sup> Avenue From South of S.R. 60 to North of S.R. 60 – IRC Project #0545 (memorandum dated March 3, 2009)	27-39
	E. Amendment No. 1 to the Professional Engineering Services Agreement with W. F. McCain & Associates, Inc., Eagle Trace Subdivision Phase II – Phase 1 Replat (memorandum dated March 10, 2009)	40-42
	F. Work Order No. 4 (Engineering/Surveying), Masteller, Moler, Reed and Taylor, Inc., CR512 Phase V Roadway Topographic Survey. Final Pay and Release of Retainage (memorandum dated March 9, 2009)	43-44

<b>8.</b>	<b><u>CONSENT AGENDA</u></b>	<b><u>PAGE</u></b>
	<b>G.</b> Hobart Industrial Park 16-Inch Water Main Construction, UCP No 2387, Approval of Final Payment to Consulting Engineer and Release of Retainage (memorandum dated March 2, 2009)	45-47
	<b>H.</b> Approval of Bid Award for IRC Bid No. 2009032 40 Cu Yd Closed High Top Recycling Roll Off Containers (memorandum dated March 3, 2009)	48-53
	<b>I.</b> Miscellaneous Budget Amendment 008 (memorandum dated March 11, 2009)	54-61
	<b>J.</b> 40 Year Lease of Vacant Land to the Senior Resource Association (memorandum dated March 10, 2009)	62-71
<b>9.</b>	<b><u>CONSTITUTIONAL OFFICERS and GOVERNMENTAL AGENCIES</u></b>	
	<b>A.</b> <b><u>Indian River County Sheriff, Deryl Loar</u></b> Red Light Enforcement Program – Grant Request (memorandum dated March 10, 2009)	72-80
<b>10.</b>	<b><u>PUBLIC ITEMS</u></b>	
	<b>A.</b> <b><u>PUBLIC HEARINGS</u></b>	
	<b>1.</b> Request for Authorization for the Community Development Director to Make Application for a Neighborhood Stabilization Program (NSP) Community Development Block Grant (CDBG) (memorandum dated March 9, 2009)	81-141
	<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 Keith Milligan Regarding Appellate Mandate and My Motion	142-158
	<b>2.</b> Request to Speak from Charles Wilson, Media Arts Group, Alzheimer’s Parkinson’s Association, Regarding Television Access for Non-Profits	159
	<b>3.</b> Request to Speak from Frank Zorc Regarding Investigation of Contamination at Gifford Landfill	160

<b>10.</b>	<b><u>PUBLIC ITEMS</u></b>	<b><u>PAGE</u></b>
	<b>C. <u>PUBLIC NOTICE ITEMS</u></b>	
	<b>1. <u>Notice of Scheduled Public Hearings:</u></b>	
	<b><u>Regular Meeting of March 24, 2009</u></b>	
	<b>County Initiated Request:</b> Amend the text of the Indian River County Code, Section 1000.06 “Imposition” of impact fees to provide an exception temporarily suspending the imposition of impact fees for Emergency Services Facilities, Correctional Facilities, Public Buildings Development, Solid Waste Facilities, and Law Enforcement for six months <b>(Legislative)</b>	
	<b><u>Regular Meeting of April 7, 2009</u></b>	
	<b>County Initiated Request:</b> 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 Area 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 <b>(Legislative)</b>	
	(memorandum dated March 6, 2009)	161-162
<b>11.</b>	<b><u>COUNTY ADMINISTRATOR MATTERS</u></b>	
	None	
<b>12.</b>	<b><u>DEPARTMENTAL MATTERS</u></b>	
	<b>A. <u>Community Development</u></b>	
	<b>1.</b> Consideration of Revised Indian River County Local Housing Assistance Plan for Fiscal Years 2009-2010 Through 2011-2012 (memorandum dated March 9, 2009)	163-256
	<b>2.</b> Follow-up Report on State Requirements for a Submerged Lands Lease or Removal of Structures from Boat Club Island (follow-up to 12/16/08 and 2/10/09 Board items) (memorandum dated March 11, 2009)	257-264
	<b>B. <u>Emergency Services</u></b>	
	None	

12.	<b><u>DEPARTMENTAL MATTERS</u></b>	<b><u>PAGE</u></b>
C.	<b><u>General Services</u></b>	
	1. 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 (memorandum dated March 11, 2009)	265-287
D.	<b><u>Human Resources</u></b>	
	None	
E.	<b><u>Human Services</u></b>	
	None	
F.	<b><u>Leisure Services</u></b>	
	None	
G.	<b><u>Office of Management and Budget</u></b>	
	None	
H.	<b><u>Recreation</u></b>	
	None	
I.	<b><u>Public Works</u></b>	
	1. 66 <sup>th</sup> Avenue (SR 60 to 57 <sup>th</sup> Street) Corridor Study / S.C.A.L.E. Report (memorandum dated March 11, 2009)	288-349
J.	<b><u>Utilities Services</u></b>	
	1. SR 60 From 66 <sup>th</sup> Avenue to 82 <sup>nd</sup> Avenue Conflict Resolution with FDOT / Ranger Construction for Approval of Retaining Ranger Construction Industries, Inc. to Raise Valve, ARV and Manhole Tops and Approve the County Supplying all Materials, UCP #3098 (memorandum dated March 9, 2009)	350-353
	2. West Regional Wastewater Treatment Plant Expansion from 2 mgd to 6 mgd – Change Order No. 3 for Direct Purchase of Materials – UCP-2621 (memorandum dated March 3, 2009)	354-357

<b>12.</b>	<b><u>DEPARTMENTAL MATTERS</u></b>	<b><u>PAGE</u></b>
	<b>J.      <u>Utilities Services</u></b>	
	3.      Request for Sole Source for Repairs for ABS and FLYGT Pumps for Wastewater (memorandum dated March 10, 2009)	358-364
	4.      North County Reverse Osmosis Plant – Camp Dresser McKee (CDM) Amendment No. 5 to Work Order No. 1 for Additional Professional Services in Permitting & General Services During Construction (memorandum dated March 3, 2009)	365-375
<b>13.</b>	<b><u>COUNTY ATTORNEY MATTERS</u></b>	
	A.      Sidewalk Extension Request, Developer: Passage Island Homes, Inc., Project: Citrus Springs Village “G” – P.D. (memorandum dated March 11, 2009)	376-397
	B.      Mensing Request for Right-of-Way Abandonment (memorandum dated March 11, 2009)	398-399
	C.      Acquisition of Right-of-Way and Drainage Easement Along 66 <sup>th</sup> Avenue (memorandum dated March 9, 2009)	400-426
	D.      Necessity of Take Resolution for parcel of property located at 4875 66 <sup>th</sup> Avenue, William Bethel, Parcel 108 (homestead) (memorandum dated March 9, 2009)	427-434
	E.      Necessity of Take Resolution for parcel of property located at 4835 66 <sup>th</sup> Avenue. William and Ruth Stanbridge, Parcel 110 (homestead) (memorandum dated March 10, 2009)	435-442
	F.      Necessity of Take Resolution for parcel of property located at 4855 66 <sup>th</sup> Avenue. William and Ruth Stanbridge, non-homestead parcel 109 (memorandum dated March 10, 2009)	443-450
	G.      Necessity of Take Resolution for parcel of property located at 5145 and 5115 66 <sup>th</sup> Avenue, Mary Charlene Brown, Parcels 107A and 107B (homestead) (memorandum dated March 11, 2009)	451-463
	H.      Necessity of Take Resolution for parcel of property located at the northwest corner of 66 <sup>th</sup> Avenue and 49 <sup>th</sup> Street, Mary Charlene Brown, Parcels 107C, 107, and 404 (memorandum dated March 11, 2009)	464-486

**14. COMMISSIONERS ITEMS**

**A. Commissioner Wesley S. Davis, Chairman**

None

**B. Commissioner Joseph E. Flescher, Vice Chairman**

None

**C. Commissioner Gary C. Wheeler**

1. Request for Resolution  
(memorandum dated March 12, 2009) ..... 487-503

**D. Commissioner Peter D. O'Bryan**

None

**E. Commissioner Bob Solari**

1. Chinese Drywall  
(memorandum dated March 11, 2009) ..... 504-505
2. FAC 2009 Legislative Day  
(memorandum dated March 11, 2009) ..... 506

**15. SPECIAL DISTRICTS AND BOARDS**

**A. Emergency Services District**

1. Approval of Minutes Regular Meeting of January 20, 2009
2. Approval of Minutes Regular Meeting of February 3, 2009
3. Amend Resolution #2004-071, Fees for Fire Prevention Plan  
Review and Inspections  
(memorandum dated March 4, 2009) ..... 507-510

**B. Solid Waste Disposal District**

None

**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.***