



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

**TUESDAY, APRIL 14, 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.irgov.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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<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>	Dr. Charles C. Lever, Pastor, First United Methodist Church	
<b>3.</b>	<b><u>PLEDGE OF ALLEGIANCE</u></b>	William G. Collins II, 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>		
<b>A.</b>	Presentation of Certificate of Appreciation to Indian River County Fire Rescue		1
<b>B.</b>	Presentation by the Florida Green Building Coalition to the Indian River County Board of County Commissioners for the Florida Green County “Gold” Certification Award (memorandum dated April 6, 2009)		2-3

<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>	
	A. City of Sebastian, Ordinance No. O-08-01 – Annexing 17.14 acres, located at 13225 US 1, known as Shady Rest Mobile Home Park on file in the Office of the Clerk to the Board	
	B. Resignation of Taxpayers’ Association Appointee to the Land Acquisition Advisory Committee (memorandum dated April 3, 2009)	4
	C. Resignation of Interested Citizen Appointee to the Marine Advisory Narrows Watershed Action Committee (memorandum dated April 3, 2009)	5
	D. 2009 Election of School Planning Citizens Oversight Committee Chairman and Vice Chairman (memorandum dated April 6, 2009)	6
<b>8.</b>	<b><u>CONSENT AGENDA</u></b>	
	A. Approval of Warrants and Wires – March 27, 2009 thru April 2, 2009 (memorandum dated April 2, 2009)	7-12
	B. Dori Slosberg Driver Education Safety Act, Indian River County Traffic Education Program Trust Fund (memorandum dated April 6, 2009)	13-14
	C. Out of County Travel to Attend the Florida Association of Counties Annual Conference in Marco Island (memorandum dated April 1, 2009)	15-16
	D. F.D.O.T. Local Agency Program (LAP) Agreement – FPN No. 418136-1-58-01 and Resolution Authorizing the Chairman’s signature, Indian River Boulevard Sidewalk Improvement from 12 <sup>th</sup> Street to 17 <sup>th</sup> Street, IRC Project No. 0745 (memorandum dated March 30, 2009)	17-37
	E. F.D.O.T. Local Agency Program (LAP) Agreement – FPN No. 418030-1-58-01 and Resolution Authorizing the Chairman’s Signature, 8 <sup>th</sup> Street Sidewalk from 18 <sup>th</sup> Court and Old Dixie Highway, IRC Project No. 0455 (memorandum dated March 30, 2009)	38-58

<b>8.</b>	<b><u>CONSENT AGENDA</u></b>	<b><u>PAGE</u></b>
F.	Purchase Authorization for Asphalt Millings (memorandum dated April 6, 2009)	59-61
G.	Approval of Resolution Adopting the 2009 Indian River County Emergency Plan for Hazardous Materials (memorandum dated March 30, 2009)	62-66
H.	The Enclave Subdivision – Project #0816 – Geotechnical Services Amendment No. 1 to Work Order #6 Dunkelberger Engineering & Testing, Inc. (memorandum dated March 30, 2009)	67-72
I.	Approval Work Order No. 3 (Engineering) with A. M. Engineering and Testing, Inc. Providing Professional Geotechnical Services in Accordance with the Annual Geotechnical Services RFQ No. 2008071 for Old Dixie Highway from 12 <sup>th</sup> Street to SR 60, IRC Project 0913 and for 20 <sup>th</sup> Avenue from Oslo Road to SR 60, IRC Project 0914, American Recovery and Reinvestment Act (Stimulus Bill) (memorandum dated April 6, 2009)	73-78
J.	CR 512 Phase III, CR 510 – Project #9611 & 0001, Request for Payment of Precision Contracting Services, Inc. Invoice (memorandum dated March 31, 2009)	79-80
K.	Attorney’s fees for probate work on right-of-way parcel (memorandum dated April 2, 2009)	81-86
L.	Release of Pending Demolition Lien, Thomas A. Kale, 2406 50 <sup>th</sup> Avenue (memorandum dated April 6, 2009)	87-89
<b>9.</b>	<b><u>CONSTITUTIONAL OFFICERS and GOVERNMENTAL AGENCIES</u></b>	
A.	<b><u>Deryl Loar, Indian River County Sheriff</u></b> 2009 Recovery Act: Edward Byrne Memorial Justice Assistance Grant (JAG) Formula Program: Local Solicitation (letter dated March 27, 2009)	90-92
B.	<b><u>Deryl Loar, Indian River County Sheriff</u></b> Budget Amendment (letter dated April 1, 2009)	93-95
C.	<b><u>Deryl Loar, Indian River County Sheriff</u></b> 2009 COPS Hiring Recovery Program (CHRP) (letter dated April 6, 2009)	96-141

<b>10.</b>	<b><u>PUBLIC ITEMS</u></b>	<b><u>PAGE</u></b>
	<b>A. <u>PUBLIC HEARINGS</u></b>	
	1. Windsor Properties, Inc's. Request to Modify the Windsor Conceptual PD Plan to Change the Project Boundary for the Ocean Bluff Phase of the Windsor Project (memorandum dated March 31, 2009)	142-164
	<b>Legislative</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>None</b>	
	<b>C. <u>PUBLIC NOTICE ITEMS</u></b>	
	<b>None</b>	
<b>11.</b>	<b><u>COUNTY ADMINISTRATOR MATTERS</u></b>	
	A. American Red Cross Request for Donated Use of County Equipment (memorandum dated April 7, 2009)	165-166
<b>12.</b>	<b><u>DEPARTMENTAL MATTERS</u></b>	
	<b>A. <u>Community Development</u></b>	
	1. Reconsideration of the 2006/2007 <a href="#">Impact Fee Update (Duncan) Report</a> (memorandum dated March 26, 2009)	167-172
	<b>B. <u>Emergency Services</u></b>	
	<b>None</b>	
	<b>C. <u>General Services</u></b>	
	<b>None</b>	
	<b>D. <u>Human Resources</u></b>	
	<b>None</b>	
	<b>E. <u>Human Services</u></b>	
	<b>None</b>	

<b>12.</b>	<b><u>DEPARTMENTAL MATTERS</u></b>	<b><u>PAGE</u></b>
<b>F.</b>	<b><u>Leisure Services</u></b> None	
<b>G.</b>	<b><u>Office of Management and Budget</u></b> None	
<b>H.</b>	<b><u>Recreation</u></b> None	
<b>I.</b>	<b><u>Public Works</u></b> None	
<b>J.</b>	<b><u>Utilities Services</u></b>	
	1. Bid Award Recommendation, Construction of Water, and Reclaimed Water Line Replacements/Extensions and Miscellaneous, Annual Requirements Labor Contract, Indian River County Bid No. 2009026, Utilities Project No. UCP #4006 (memorandum dated March 26, 2009)	173-203
	2. Replacement of a 10-Inch Transite Force Main from Vero Shores Pump Station East of Young's Market on U.S. 1 to Old Dixie Highway, UCP No. 4004, WIP No. 471-23536-044699-09506 (memorandum dated April 1, 2009)	204-206
	3. North County RO Connection to Wells Project – Rejection of Bids, IRC Bid No. 2009030 (memorandum dated April 3, 2009)	207-210
	4. Easement Acquisition for the Indian River County Utilities Department Lift Station and Force Mains (memorandum dated April 1, 2009)	211-212
<b>13.</b>	<b><u>COUNTY ATTORNEY MATTERS</u></b>	
<b>A.</b>	Acquisition of Right-of-Way Along CR 510, Richard and Mary Rentschler (memorandum dated April 7, 2009)	213-235
<b>B.</b>	Acquisition of Right-of-Way Along 66 <sup>th</sup> Ave, Banack Family Limited Partnership 66 <sup>th</sup> Avenue and 41 <sup>st</sup> Street (memorandum dated April 6, 2008)	236-268

<b>14.</b>	<b><u>COMMISSIONERS ITEMS</u></b>	<b><u>PAGE</u></b>
A.	<b><u>Commissioner Wesley S. Davis, Chairman</u></b> None	
B.	<b><u>Commissioner Joseph E. Flescher, Vice Chairman</u></b> None	
C.	<b><u>Commissioner Gary C. Wheeler</u></b> <ol style="list-style-type: none"> <li>1. Discussion regarding Indian River County road improvements projects (no back-up)</li> <li>2. Discussion regarding establishing a policy for removal of proposed items from the Board of County Commission agenda (no back-up)</li> </ol>	
D.	<b><u>Commissioner Peter D. O'Bryan</u></b> <ol style="list-style-type: none"> <li>1. Consideration of a Citizen's Budget Input Survey (memorandum dated April 8, 2009) .....</li> </ol>	269-272
E.	<b><u>Commissioner Bob Solari</u></b> None	
<b>15.</b>	<b><u>SPECIAL DISTRICTS AND BOARDS</u></b>	
A.	<b><u>Emergency Services District</u></b> None	
B.	<b><u>Solid Waste Disposal District</u></b> <ol style="list-style-type: none"> <li>1. Notice of Public Meeting to Approve or Disapprove Franchise Applications: RFA No. 2009025 Waste Hauling Franchise – Unincorporated Enterprise Zone (memorandum dated April 6, 2009) .....</li> <li>2. Second Amendment to Waste Management Inc. of Florida for the Vertical Expansion and Partial Closure of Class I Landfill and Borrow Pond Construction (memorandum dated April 6, 2009) .....</li> <li>3. Amendment No. 2 to Work Order No. 9 to GeoSyntec Consultants, Inc. for Consumptive Use Permit Monitoring for Borrow Pond Development &amp; Construction (memorandum dated March 30, 2009) .....</li> </ol>	273  274-312  313-346

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.***