



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

**TUESDAY, JANUARY 19, 2010 - 9:00 A.M.**

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

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**COUNTY COMMISSIONERS**

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

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

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

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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 of Proclamation Designating January 25 – 29, 2010 as Goline/Community Coach Public Transit Employee Recognition Week | 1                                     |
| <b>B.</b> | Public Announcement for Vero Beach Electronics Recycling Event on January 23, 2010 (memorandum dated January 11, 2010)            | 2                                     |

<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.	Resignation of Representative from Gifford Community to the Parks and Recreation Committee (memorandum dated January 12, 2010)	3
B.	2010 Election of MPO Citizens Advisory Committee (MPOCAC) Chairman and Vice Chairman (memorandum dated January 11, 2010)	4
C.	2010 Election of MPO Chairman and Vice Chairman (memorandum dated January 13, 2010)	5
<b>8.</b>	<b><u>CONSENT AGENDA</u></b>	
A.	Approval of Warrants and Wires December 29, 2009 to January 7, 2010 (memorandum dated January 7, 2010)	6-14
B.	Lease with Cumberland Farms at Oslo Road and 27 <sup>th</sup> Avenue (memorandum dated January 11, 2010)	15-27
C.	Proclamation and Retirement Award for Robert D. Williams on his Retirement after Twenty-eight Years Service with the Board of County Commission Department of Emergency Services/Fire Rescue	28-29
D.	Authorization for the Supervisor of Elections to Use Former Stormwater Offices Located at the 43 <sup>rd</sup> Avenue Administration Annex 4375 43 <sup>rd</sup> Avenue Unit 102 (memorandum dated January 13, 2010)	30
E.	Wabasso Beach Restoration – Sectors 3 FDEP Grant Agreement No. 071R2 – Amendment No. 1 (memorandum dated January 7, 2010)	31-43
F.	Work Order No. 14 (Engineering/Surveying) Masteller, Moler, Reed and Taylor, Inc. Dale Wimbrow and Donald MacDonald Parks Boundary – Topographic – Aerial Photogrammetric Survey (memorandum dated January 4, 2010)	44-60

<b>8.</b>	<b><u>CONSENT AGENDA</u></b>	<b><u>PAGE</u></b>
	G. Amendment and Extension of Hurricane Debris Removal Contracts for Omni Pinnacle, LLC and Ceres Environmental Services, Inc. (memorandum dated January 7, 2010)	61-78
	H. Traffic Control Device Ledger (memorandum dated January 6, 2010)	79-99
<b>9.</b>	<b><u>CONSTITUTIONAL OFFICERS and GOVERNMENTAL AGENCIES</u></b>	
	A. <b><u>Deryl Loar, Indian River County Sheriff</u></b> Resolution in Support of Senate Bill 610 and House Bill 417 (memorandum dated January 12, 2010)	100-106
<b>10.</b>	<b><u>PUBLIC ITEMS</u></b>	
	A. <b><u>PUBLIC HEARINGS</u></b> None	
	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 Frank Zorc Regarding Communications between County and Piper, Unavailability of Communications, Appearance of Sunshine Law Violation	107
	2. Request to Speak from Brian Heady Regarding Issues Related to Vero Beach Electric Utility	108
	3. Request to Speak from Bruce Barkett, for City First Mortgage Corp., Regarding Matter of Lewis Barton Code Enforcement	109-127
	C. <b><u>PUBLIC NOTICE ITEMS</u></b> None	
<b>11.</b>	<b><u>COUNTY ADMINISTRATOR MATTERS</u></b> None	

<b>12.</b>	<b><u>DEPARTMENTAL MATTERS</u></b>	<b><u>PAGE</u></b>
<b>A.</b>	<b><u>Community Development</u></b>	
1.	Approval of Contract Award for the Rehabilitation of Eight Homes Approved Under the Hurricane Wilma Community Development Block Grant Disaster Recovery Initiative (memorandum dated January 8, 2010)	128-135
<b>B.</b>	<b><u>Emergency Services</u></b>	
	None	
<b>C.</b>	<b><u>General Services</u></b>	
	None	
<b>D.</b>	<b><u>Human Resources</u></b>	
1.	Approval of County Attorney Employment Contract (memorandum dated January 11, 2010)	136-141
<b>E.</b>	<b><u>Human Services</u></b>	
	None	
<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>	
1.	Right-of-Way Reconsideration of Resolutions 2007-027, 2008-116 and 2008-139 Regarding Acquisition of Right-of-Way for County Road Projects (memorandum dated January 12, 2010)	142-148
2.	43 <sup>rd</sup> Avenue Stormwater Retention Area, Right-of-Way, Margaret B. Durwin, 585 43 <sup>rd</sup> Avenue, Vero Beach, Florida (memorandum dated January 11, 2010)	149-156
3.	Staff Update – Sector 3 Beach Renourishment Project (no back-up)	

12. **DEPARTMENTAL MATTERS** **PAGE**
- J. **Utilities Services**  
None
13. **COUNTY ATTORNEY MATTERS**  
None
14. **COMMISSIONERS ITEMS**
- A. **Commissioner Peter D. O’Bryan, Chairman**  
None
- B. **Commissioner Bob Solari, Vice Chairman**  
None
- C. **Commissioner Wesley S. Davis**  
None
- D. **Commissioner Joseph E. Flescher**  
None
- E. **Commissioner Gary C. Wheeler**  
None
15. **SPECIAL DISTRICTS AND BOARDS**
- A. **Emergency Services District**
1. Approval of FY 2009/10 EMS County Awards Grant: Purchase of Capital/Operating Equipment Using Non-Matching EMS Grant Funds and Grant Resolution  
(memorandum dated December 21, 2009) ..... 157-163
- 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.***