

Kimberly Powell

From: Kimberly Powell
Sent: Friday, December 02, 2016 9:02 AM
To: 'Lewis, Sally A'; 'Scott.Knox@brevardcounty.us'
Subject: 10-04-2016 Minutes Approval
Attachments: 10-04-2016 Regular.doc

Attached are the minutes of October 4, 2016, which will be considered by the Board on December 6, 2016.

Kimberly Powell
Recording Secretary
Clerk to the Board
(321) 637-2001
Kimberly.powell@brevardclerk.us



MINUTES OF THE MEETING OF THE BOARD OF COUNTY COMMISSIONERS
BREVARD COUNTY, FLORIDA

9:00 AM

The Board of County Commissioners of Brevard County, Florida, met in regular session on October 4, 2016 at 9:00 AM in the Government Center Commission Room, Building C, 2725 Judge Fran Jamieson Way, Viera, Florida.

CALL TO ORDER

Attendee Name	Title	Status	Arrived
Robin Fisher	Commissioner District 1	Present	
Trudie Infantini	Commissioner District 3	Present	
Curt Smith	Vice Chairman/Commissioner District 4	Present	
Andy Anderson	Commissioner District 5	Present	
Jim Barfield	Chairman/Commissioner District 2	Present	

INVOCATION

Invocation was given by Reverend David Bryant of Greater St. Paul Missionary Baptist Church.

PLEDGE OF ALLEGIANCE

Commissioner Curt Smith led the assembly in the Pledge of Allegiance.

MINUTES FOR APPROVAL

The Board approved the July 26, 2016, Regular Meeting Minutes, August 4, 2016, and September 1, 2016, Zoning Meeting Minutes, and August 16, 2016 Special Meeting Minutes.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Curt Smith, Vice Chairman/Commissioner District 4
SECONDER:	Robin Fisher, Commissioner District 1
AYES:	Fisher, Infantini, Smith, Anderson, Barfield

ITEM I.A., RESOLUTION, RE: PROCLAIMING OCTOBER 2016 AS MANUFACTURING MONTH IN BREVARD COUNTY

Mr. Enis stated it is an honor to accept the Resolution as chairman of the Economic Development Commissioner (EDC), the Industry Council, and the Manufacturing Association of Florida Space Coast on behalf of Native Brevard; Native Brevard is a joint program of the EDC, and four areas of Chambers of Commerce; and he introduced the members who attended. He continued the partnership was launched in 2013 with the goal in harnessing the momentum of "Made in the USA" and "Made in Florida" programs; Made in Brevard showcases the broad spectrum of items produced here and helps build local pride in these homegrown products; additionally, the EDC's talent asset pipeline initiative, drives interest in manufacturing the career paths and seeks to build a talent pipeline to support manufacturing; and to date there are over 200 manufacturers featured in the online Made in Brevard Directory which can be found at www.madeinbrevard@fl.com. He went on to say through Made in Brevard, they are promoting

October 4, 2016

October as Manufacturing Month in Brevard; he firmly believes a concerted local effort to bring awareness to the modern manufacturing workplace of today and promoting the certification in manufacturing skills career ladder will provide opportunities for all tomorrow; and his company, Harris, is one of the local companies participating in manufacturing month, and actively encouraging other companies to join in throughout the month. He stated this Resolution will help raise awareness and drive the initiative forward.

Commissioner Barfield read aloud, and the Board adopted Resolution No. 16-174, proclaiming October 2016 as manufacturing month in Brevard County.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Robin Fisher, Commissioner District 1
SECONDER:	Andy Anderson, Commissioner District 5
AYES:	Fisher, Infantini, Smith, Anderson, Barfield

ITEM I.B., RESOLUTION, RE: PROCLAIMING THE WEEK OF OCTOBER 9-15, 2016, AS FIRE PREVENTION WEEK

Chairman Barfield read aloud, and the Board adopted Resolution No. 16-175, to proclaim October 9 - 15, 2016, as Fire Prevention Week.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Curt Smith, Vice Chairman/Commissioner District 4
SECONDER:	Robin Fisher, Commissioner District 1
AYES:	Fisher, Infantini, Smith, Anderson, Barfield

ITEM I.C., RESOLUTION, RE: RECOGNIZING OCTOBER 22, 2016, AS MAKING STRIDES AGAINST BREAST CANCER DAY

Commissioner Smith read aloud, and the Board adopted Resolution No. 16-176, recognizing October 22, 2016, as Making Strides Against Breast Cancer Day.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Curt Smith, Vice Chairman/Commissioner District 4
SECONDER:	Trudie Infantini, Commissioner District 3
AYES:	Fisher, Infantini, Smith, Anderson, Barfield

ITEM I.D., RESOLUTION, RE: PROCLAIMING OCTOBER AS NATIONAL BULLYING PREVENTION MONTH

Melissa Parker, co-founder of the Parker Foundation for Autism and Child Development, stated they are a champion against bullying organization with Pacers National Bullying Prevention Center; attending with her is Sylvia Ferrero, supporting the Autism Spectrum Disorders (ASD) kids; and she stated they are both focused on providing free resources for children and families affected by Autism. She continued they are here to promote unity, kindness, and acceptance; and educating students, parents, educators, and the community on bullying prevention efforts.

Commissioner Infantini read aloud and the Board adopted Resolution No. 16-177, proclaiming the month of October as National Bullying Prevention Month.

RESULT: ADOPTED [UNANIMOUS]
MOVER: Trudie Infantini, Commissioner District 3
SECONDER: Curt Smith, Vice Chairman/Commissioner District 4
AYES: Fisher, Infantini, Smith, Anderson, Barfield

ITEM I.E., RESOLUTION, RE: PROCLAIMING OCTOBER 2-8, 2016, AS NATIONAL 4-H WEEK IN BREVARD COUNTY

Commissioner Smith read aloud, and the Board adopted Resolution No. 16-178, to proclaim October 2 - 8, 2016, as National 4-H Week in Brevard County.

A representative from 4-H expressed her appreciation, for the Resolution.

RESULT: ADOPTED [UNANIMOUS]
MOVER: Curt Smith, Vice Chairman/Commissioner District 4
SECONDER: Trudie Infantini, Commissioner District 3
AYES: Fisher, Infantini, Smith, Anderson, Barfield

ITEM I.F., RESOLUTION, RE: CONGRATULATING MACEDONIA MISSIONARY BAPTIST CHURCH ON THEIR 125TH ANNIVERSARY

Commissioner Infantini read aloud and the Board adopted Resolution No. 16-179, congratulating Macedonia Missionary Baptist Church on their 125th Anniversary.

RESULT: ADOPTED [UNANIMOUS]
MOVER: Trudie Infantini, Commissioner District 3
SECONDER: Robin Fisher, Commissioner District 1
AYES: Fisher, Infantini, Smith, Anderson, Barfield

CONSENT ITEMS PULLED

Commissioner Infantini pulled items II.B.1, II.C.1., II.C.2., and II.D.4. from the Agenda for further discussion.

ITEM II.A.1., APPROVAL, RE: TRANSPORTATION IMPACT FEE TECHNICAL ADVISORY COMMITTEE PROJECT FUNDING RECOMMENDATIONS

The Board granted approval for the Transportation Impact Fee Technical Advisory Committee Project Funding recommendations to reallocate \$50,000 from the Mobility Study Project; reallocate \$163,571.32 from S.R. A1A sidewalk project, to sidewalk improvements on Cheyenne Drive, Yuma Drive, and Wimico Drive, to be administered by the City of Indian Harbour Beach; reallocate \$82,531 sidewalk project (Sandpiper Condo to Ocean Boulevard) to the Riverside Drive sidewalk project, to be administered by Brevard County Public Works Department; authorized the Chairman to execute an Amended Disbursement Agreement with Indian Harbour Beach; and authorized the Budget Office to execute any budget changes required to implement project appropriations.

RESULT: ADOPTED [UNANIMOUS]
MOVER: Robin Fisher, Commissioner District 1
SECONDER: Curt Smith, Vice Chairman/Commissioner District 4
AYES: Fisher, Infantini, Smith, Anderson, Barfield

ITEM II.A.2., BINDING DEVELOPMENT PLAN, RE: HARVEY'S INDIAN RIVER GROVES, INC.

The Board executed Binding Development Plan Agreement with Harvey's Indian River Groves, Inc. for property located on the east side of North Courtenay Parkway, approximately 0.47 mile north of Smith Road, at 3490 North Courtenay Parkway, Merritt Island.

RESULT: ADOPTED [UNANIMOUS]
MOVER: Robin Fisher, Commissioner District 1
SECONDER: Curt Smith, Vice Chairman/Commissioner District 4
AYES: Fisher, Infantini, Smith, Anderson, Barfield

ITEM II.A.3., FINAL PLAT AND CONTRACT APPROVAL, RE: TRASONA PHASE 4 SUBDIVISION - THE VIERA COMPANY

The Board granted final plat and Contract approval for Trasona Phase 4 Subdivision - The Viera Company, subject to minor engineering changes as applicable, and developer is responsible for obtaining all other necessary jurisdictional permits; and authorized the Chairman to sign the Final/Plat and Contract.

RESULT: ADOPTED [UNANIMOUS]
MOVER: Robin Fisher, Commissioner District 1
SECONDER: Curt Smith, Vice Chairman/Commissioner District 4
AYES: Fisher, Infantini, Smith, Anderson, Barfield

ITEM II.A.4., MEMORANDUM OF UNDERSTANDING (MOU) BETWEEN EAST COAST ZOOLOGICAL SOCIETY OF FLORIDA (BREVARD ZOO), EASTMINSTER PRESBYTERIAN CHURCH, FLORIDA INSTITUTE OF TECHNOLOGY (FIT), TOWN OF INDIALANTIC, AND BREVARD COUNTY, RE: ESTABLISH A COLLABORATIVE RELATIONSHIP TO CREATE A "LIVING SHORELINE" DEMONSTRATION SITE IN BREVARD

The Board authorized the Chairman to execute a MOU between East Coast Zoological Society of Florida (Brevard Zoo), Eastminister Presbyterian Church, FIT, Town of Indialantic, and Brevard County, for the establishment of a collaborative relationship to create a "Living Shoreline" demonstration site in Brevard County; and authorized the County Manager, or his designee, to execute future amendments, as required to support the Zoo's implementation of work approved under the Florida Department of Economic Opportunity (DEO) agreement #HL037.

RESULT: ADOPTED [UNANIMOUS]
MOVER: Robin Fisher, Commissioner District 1
SECONDER: Curt Smith, Vice Chairman/Commissioner District 4
AYES: Fisher, Infantini, Smith, Anderson, Barfield

ITEM II.A.5., RESOLUTION, RE: AMENDING THE CRITERIA FOR WATER AND SANITARY SEWAGE SYSTEMS WITHIN BREVARD COUNTY

The Board adopted Resolution No. 16-180, amending the criteria for water and sanitary sewage systems within the County.

RESULT: ADOPTED [UNANIMOUS]
MOVER: Robin Fisher, Commissioner District 1
SECONDER: Curt Smith, Vice Chairman/Commissioner District 4
AYES: Fisher, Infantini, Smith, Anderson, Barfield

ITEM II.B.2., RESOLUTION AND AGREEMENT, WITH STATE OF FLORIDA, DEPARTMENT OF HEALTH, RE: OPERATION OF BREVARD COUNTY HEALTH DEPARTMENT, AND THE HEALTH DEPARTMENT FEES

The Board adopted Resolution No. 16-181, establishing and revising certain fees and charges for Brevard County Health Department and Health and Environmental Services; authorized the Chairman to execute the annual agreement for FY 2016-2017 with the State of Florida, Department of Health; and authorized the Chairman, County Manager, or designee to execute any future amendments or agreements contingent upon approval of Risk Management and the County Attorney.

RESULT: ADOPTED [UNANIMOUS]
MOVER: Robin Fisher, Commissioner District 1
SECONDER: Curt Smith, Vice Chairman/Commissioner District 4
AYES: Fisher, Infantini, Smith, Anderson, Barfield

ITEM II.B.3., BILLBOARD LEASE AGREEMENT, RE: CLEAR CHANNEL OUTDOOR, INC.

Stockton Whitten, County Manager, stated this item was originally presented as a no increase lease; it was agreed to three percent increase over the current rate; and he asked for the Clerk to present that in the minutes.

The Board approved the Billboard Lease Agreement with Clear Channel Outdoor, Inc. for FY 2016-2017, with lease to automatically terminate in one year unless renewed by the County.

RESULT: ADOPTED [UNANIMOUS]
MOVER: Robin Fisher, Commissioner District 1
SECONDER: Curt Smith, Vice Chairman/Commissioner District 4
AYES: Fisher, Infantini, Smith, Anderson, Barfield

ITEM II.B.4., APPROVAL, RE: ADOPTION OF THE FY 2017 UPDATE TO SPACE COAST AREA TRANSIT'S TRANSIT DEVELOPMENT PLAN

The Board approved the Fiscal Year 2017 Update and Progress Report to the 2013-2022 Transit Development Plan for Space Coast Area Transit.

RESULT: ADOPTED [UNANIMOUS]
MOVER: Robin Fisher, Commissioner District 1
SECONDER: Curt Smith, Vice Chairman/Commissioner District 4
AYES: Fisher, Infantini, Smith, Anderson, Barfield

ITEM II.B.5., RESOLUTION, GRANT APPLICATION, STANDARD ASSURANCES AND EXECUTION OF FOLLOW UP GRANT AGREEMENT, RE: FLORIDA COMMISSION FOR THE TRANSPORTATION DISADVANTAGED ENHANCED MOBILITY GRANT

The Board executed the Authorizing Resolution, Grant Application, and Standard Assurances; approved all budgetary documents; authorized the Chairman to execute the Joint Participation Agreement, if funding is awarded, contingent upon County Attorney and Risk Management; authorized the Chairman to execute any funding/coordinating agreement, contingent upon County Attorney and Risk Management approval, required by the Florida Commission for the Transportation Disadvantaged; and you to execute any additional follow-up documentation/resolutions and amendments necessary to secure these funds.

RESULT: ADOPTED [UNANIMOUS]
MOVER: Robin Fisher, Commissioner District 1
SECONDER: Curt Smith, Vice Chairman/Commissioner District 4
AYES: Fisher, Infantini, Smith, Anderson, Barfield

ITEM II.B.6., RESOLUTION, GRANT APPLICATION, STANDARD ASSURANCES AND EXECUTION OF FOLLOW UP GRANT AGREEMENT, RE: FLORIDA COMMISSION FOR THE TRANSPORTATION DISADVANTAGED ENHANCED MOBILITY GRANT

The Board executed the Authorizing Resolution, Grant Application, and Standard Assurances; approved all budgetary documents; authorized the Chairman to execute the Joint Participation Agreement, if funding is awarded, contingent upon County Attorney and Risk Management; authorized the Chairman to execute any funding/coordinating agreement, contingent upon County Attorney and Risk Management approval, required by the Florida Commission for the Transportation Disadvantaged; and authorized the Transit Services Director to execute any additional follow-up documentation/resolutions and amendments necessary to secure these funds.

RESULT: ADOPTED [UNANIMOUS]
MOVER: Robin Fisher, Commissioner District 1
SECONDER: Curt Smith, Vice Chairman/Commissioner District 4
AYES: Fisher, Infantini, Smith, Anderson, Barfield

October 4, 2016

ITEM II.D.1., APPROVAL, RE: BUDGET CHANGE REQUESTS

The Board approved the Budget Change Request.

RESULT: ADOPTED [UNANIMOUS]
MOVER: Robin Fisher, Commissioner District 1
SECONDER: Curt Smith, Vice Chairman/Commissioner District 4
AYES: Fisher, Infantini, Smith, Anderson, Barfield

ITEM II.D.2., JOINT MOTION AND STIPULATED FINAL JUDGMENT IN THE AMOUNT OF \$3,317.49, RE: BREVARD COUNTY V. B WEST TOWNHOUSES LTD, ET AL, CASE NO. 05-2013-CA-025677-XXXX-XX

The Board approved Joint Motion and Stipulated Final Judgment in the amount of \$3,317.49 Brevard County v. B. West Townhouses LTD, et al, Case No. 05-2013-CA-025677-XXXX-XX (B. West- Parcels 113, 150, and 832).

RESULT: ADOPTED [UNANIMOUS]
MOVER: Robin Fisher, Commissioner District 1
SECONDER: Curt Smith, Vice Chairman/Commissioner District 4
AYES: Fisher, Infantini, Smith, Anderson, Barfield

ITEM II.D.3., ACCEPTANCE, RE: REAPPOINTMENT OF INTERNAL AUDIT COMMITTEE MEMBERS

The Board appointed/reappointment Sam Lenck, Mark Cherry, Mary Louise E. Young, Roberta Stoner, and Michael G. Miller to the Internal Audit Committee, with terms expiring December 31, 2018.

RESULT: ADOPTED [UNANIMOUS]
MOVER: Robin Fisher, Commissioner District 1
SECONDER: Curt Smith, Vice Chairman/Commissioner District 4
AYES: Fisher, Infantini, Smith, Anderson, Barfield

ITEM II.D.4., RESOLUTION, RE: PROJECT ZEUS UNDER STATE'S QUALIFIED TAX INCENTIVE (QTI) PROGRAM

The Board adopted Resolution No. 16-184, approved the AVT as the required local contribution in the State's Qualified Tax Incentive (QTI) program in order to induce the Economic Development Project known as Project Zeus, to go forward.

RESULT: ADOPTED [4 TO 1]
MOVER: Robin Fisher, Commissioner District 1
SECONDER: Curt Smith, Vice Chairman/Commissioner District 4
AYES: Robin Fisher, Curt Smith, Andy Anderson, Jim Barfield
NAYS: Trudie Infantini

ITEM II.D.5., APPOINTMENTS/REAPPOINTMENTS, RE: CITIZEN ADVISORY BOARDS

The Board acknowledged the reappointment of David Isnardi and Drew Powshok to the Melbourne-Tillman Water Control District with said term to expire on September 30, 2019.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Robin Fisher, Commissioner District 1
SECONDER:	Curt Smith, Vice Chairman/Commissioner District 4
AYES:	Fisher, Infantini, Smith, Anderson, Barfield

ITEM II.D.6., APPROVAL, RE: BILLFOLDER

The Board approved the Billfolder, as submitted.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Robin Fisher, Commissioner District 1
SECONDER:	Curt Smith, Vice Chairman/Commissioner District 4
AYES:	Fisher, Infantini, Smith, Anderson, Barfield

ITEM II.D.7., APPROVAL, RE: BREVARD COUNTY COMMUNITY CULTURAL GRANTS

The Board approved the recommendations from the Brevard County Community Cultural Grant Review Panel to fund 29 nonprofit cultural organizations or programs within the County.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Robin Fisher, Commissioner District 1
SECONDER:	Curt Smith, Vice Chairman/Commissioner District 4
AYES:	Fisher, Infantini, Smith, Anderson, Barfield

ITEM II.B.1., APPROVAL, RE: FY 16-17 COMMUNITY ACTION BOARD COMMUNITY-BASED ORGANIZATIONS (CBO) RECOMMENDATIONS

Commissioner Infantini stated the Item involves Brevard County using General Fund money for donation to local charities; she definitely supports making contributions to local charities; however, she does not believe it is the role of local government to do so, it is the role of people to do so. She continued to say the people should not be charged by tax dollars to decide where the charitable monies go; and she will not vote for that one.

The Board approved the recommendations of the Community Action Board for FY 16-17, to provide \$510,200 in funding to 12 Community Based Organizations; and authorized the Chairman, County Manager, or designee to execute subsequent modifications and amendments to the agreements upon approval by the County Attorney and Risk Management.

RESULT:	ADOPTED (3 TO 2)
MOVER:	Robin Fisher, Commissioner District 1
SECONDER:	Andy Anderson, Commissioner District 5
AYES:	Robin Fisher, Andy Anderson, Jim Barfield
NAYS:	Trudie Infantini, Curt Smith

ITEM II.C.1., BOARD CONSIDERATION, RE: REQUEST FOR REDUCTION OF FINE AND RELEASE OF CODE ENFORCEMENT LIEN FOR BANK OF AMERICA AND ARNS, INC., MERRITT ISLAND

Commissioner Infantini stated this item involves relinquishment of a fine for a pool that was not properly maintained or secured for over two years; normally she is in favor of getting rid of fines as long as out of pocket expenses are paid; however the problem with this is it was a safety hazard for two years. She noted she is not in favor of waiving the fine because when it involves the safety of young people, it crosses the line.

Angela Fiorentino stated her client is the current property owner; previously owned by Bank of America; Bank of America received notice of a violation dated March 28; on June 10, 2014, they ordered an American Society for Testing Materials Barrier (ASTM) and installed that barrier on June 24, 2014; that barrier included a fastening mechanism that prohibits children and animals from accessing the pool, and holds up to 485 pounds and that particular ordinance for which they were cited included provisions for a barrier that prohibits access to the pool. She continued that her client installed that and believed they had complied with the ordinance and heard nothing further until October 2015 when they heard there was going to be a hearing on this matter; the County was not satisfied with what had been done; her client immediately contacted her to contact the County to determine the problem; the County wanted the screen repaired; and her client immediately did so.

Commissioner Infantini noted she has on record that it was not repaired until May 2016.

Robin DiFabio, Planning and Development Director, stated it was the County's position that the barrier did not suffice as far as Building Code requirements and it was not until they made the repair to the screen to block the pool itself that the County considered it to be in compliance.

The Board reduced the accrued fine for the violation at 235 Northgrove Drive, Merritt Island, FL 32953, Case 14CE-00379, from \$68,600, to \$3,300; and directed staff to prepare and execute a Release and Satisfaction of Lien, upon receipt of payment.

RESULT:	ADOPTED [4 TO 1]
MOVER:	Robin Fisher, Commissioner District 1
SECONDER:	Andy Anderson, Commissioner District 5
AYES:	Robin Fisher, Curt Smith, Andy Anderson, Jim Barfield
NAYS:	Trudie Infantini

October 4, 2016

ITEM II.C.2., APPROVAL, RE: PERMISSION TO QUOTE MATERIALS AND SERVICES FOR ROAD AND BRIDGE CONSTRUCTION PROJECTS - COUNTYWIDE

Commissioner Infantini stated this item allows the County to purchase building materials without going to bid, under the assumption that the building materials are needed in such a rapid time frame and are needed so infrequently that the Board would not have the opportunity to address it in a timely manner, so the process needs to be circumvented; she believes the Board meets often enough, typically three times a month; she knows of very few government buildings that takes place in such a short period of time, that it cannot go out for bid; and she advised she is not in favor it because it prevents transparency.

Stockton Whitten, County Manager, asked the Board to allow the Purchasing Manager to provide clarification; and he stated it is his belief that the County is still going out for bid.

Leslie Rothering, Purchasing Manager, stated it is asking permission to waive the formal bidding requirement; the department would still be obtaining quotes from the companies that can provide the material; depending on the demand in the area, with some particular projects going on, sometimes it is hard to get the suppliers to work on the County's projects; and this is just a backup plan to the formal bids that are already being used on term contracts.

The Board authorized staff to acquire construction materials or services on a job-by-job basis; and authorized the County Manager, or his designee, to award the lowest responsive quotation through September 30, 2017, for materials and services on annual bids that contracted vendors are not able to provide during this time, or when the market conditions or Public Safety concerns prohibit formal bidding.

RESULT:	ADOPTED [4 TO 1]
MOVER:	Robin Fisher, Commissioner District 1
SECONDER:	Andy Anderson, Commissioner District 5
AYES:	Robin Fisher, Curt Smith, Andy Anderson, Jim Barfield
NAYS:	Trudie Infantini

ITEM III., PUBLIC COMMENTS

Pam LaSalle stated this is the first time she has had the chance to make a public record since last Tuesday's budget meeting, which she attended from beginning to the end; at the opening Chairman Barfield made remarks about the traffic on Wickham Road being an issue, which delayed the meeting a few minutes; Commissioner Fisher had arrived a few minutes late; and Commissioner Anderson never arrived. She went on to say she was very concerned that the vote the Board had placed on the County Budget last week is invalid because the Charter states, Commissioners in attendance shall vote; and she would like to know if she may have an explanation as to why Commissioner Anderson was allowed to phone in his votes.

Scott Knox, County Attorney, stated he would be happy to provide it; the Attorney General has said that it is alright for a Commissioner to attend by telephone; and it is considered attendance as long as he was there by phone, he could not be at the meeting physically.

Ms. LaSalle asked why Commissioner Anderson was in Kansas City.

Commissioner Anderson stated it was none of her business; it was personal.

Ms. LaSalle asked him to repeat his response louder.

October 4, 2016

Commissioner Anderson repeated, it was personal business; he did not have to divulge why he was in Kansas City; and that he has family there.

Ms. LaSalle stated that it says in the Charter, Commissioners in attendance; she has asked in a public records request for the legal document that he claimed provides him permission to vote without being in attendance; and she wrote to him for that information.

Attorney Knox replied he could send her the Attorney General's Opinion (AGO), but it is not something the County has in its record.

Ms. Lasalle commented she looks forward to seeing it, and she thanked him.

Commissioner Infantini stated for the record she was also surprised that she was not informed before arriving at the meeting that one Commissioner would be attending via telephone; that it would have been appropriate for all Commissioners to be informed that one of the Commissioners would not be present; and she stated she never knew that was an option available to the Commissioners.

Carol Hebert stated she was there to remind the Board that last October the Board had declared October as Native Plant Month; she increasingly appreciates that, especially with the weather that is coming; and she would like to get the information out to educate the public about these great plants and the fact they do not need the amount of fertilization and irrigation. She went on to note there is a proclamation up at the Melbourne Library where she meets monthly; she commented she would appreciate it if the Board were to attend; and she stated next weekend on October 15, is their seventh annual Tour of Homes which have 75 percent Native Plants on the properties; two are in Viera, one is a home and one is a church; and she provided the Board with a pamphlet for each.

Charles A. Tovey Jr. stated good morning to the community and he hopes everyone has a nice day; he apologized for missing the meeting last week; and he stated that his health has stabilized. He went on to say he has plans for the Melbourne Airport, Northrop Grumman, and Universal Studios; he had plans for the Space Center but had torn them up, but he has other plans; and he stated he does not know who to give them to, and would hate to just dispose or throw them away because at his property nothing is safe. He continued on to say, now that his health has stabilized, he would like to start fixing up his property from all the things; he still offers a welcome to anybody who wants to come out; he has his videos and six hours of tape but has not had the time and secured location to get there; he is forging through all of his paperwork now; and the Board is aware of some of his other stories. He stated he has not had time to disclose other things which are important; and although trivial to some people, it is important that the Board see the whole picture of him, his family, his environment, and the conditions he has been living in for nine years, since the fire. He continued to say the grand opening of the building across the street who produces these plans for top security buildings throughout, where they have the Economic Development party at, with limousines and all kinds of stuff, while he suffers and lives; he has not had a chance to live; he does not live, he survives daily; and just to survive is his daily issue on life. He commented he has wildlife, from all the stuff being run out of Palm Shores from the economic development there; raccoons, tortoises, birds and all kinds of things, if anybody would like to help please contact Commissioner Smith or Commissioner Infantini; and he is running out of time on the clock as well as the Committee here. He continued nothing has changed; the County had the money for the roads and money for the Lagoon; he asked what happened to the money; and he stated the Board diverted it and

October 4, 2016

now it wants a double tax for all money that should have been spent on those things. He stated he has volunteer work; he wants to show people what he knows; 20 years ago he did this and as soon as he finds a copy of his book, he will provide it and all the other information; and he is looking for a secure place to start his businesses, God's Church, and everything else. He went on even though it is in his heart, he needs a structural and safe place; where he lives is aggravating and is part of his internal condition that he experiences as well as the stress from all the other stuff; and he is not like that, he has been forced to be this way. He pointed out if the Board knew him personally, it would see him differently; however, he is compelled to be the way he is, for survival.

ITEM IV.A., ORDINANCE, RE: EDUCATIONAL FACILITIES IMPACT FEE

Chairman Barfield called for a public hearing to consider an ordinance for Educational Facilities Impact Fees.

Robin DiFabio, Planning and Development Director, stated this is the Public Hearing for the Educational Impact Fee Ordinance; she recalled in July 2015, the Board considered the update study prepared by the update consultant for the Impact Fee Program; at that time it had decided to accept the findings of the study and to proceed with implementation of a 50 percent levy of the Educational Impact Fees; the Ordinance was brought forward for Public Hearing, in October, to enact the change to the Fee Schedule; and at that time, the Board decided to table it for a year in order to allow the new Superintendent to have some time under his belt in Brevard County. She continued to say accordingly she is back today with Public Hearing for the Educational Impact Fees.

Commissioner Fisher stated he predicts there will be some growth in the Rockledge, West Melbourne, and Palm Bay school systems; he is comfortable with it, however he just wanted to make sure, because of school closures in the north end and central too, that some innovative or choice programs would come back up to the north end and give opportunity to those kids and attract other kids in the County; and he is hoping that South Lake would be that place for it to happen. He asked Dr. Blackburn if he was comfortable with that.

Dr. Desmond Blackburn, Superintendent of Schools for Brevard County Public School System, replied he is. He stated he had a lengthy discussion with the Board the previous week on use of Impact Fees, use of all of the School Board's capital dollars, and had a very enthusiastic conversation about the possibility of using those fees for an innovative program in the northern section of Brevard County; they are extending the conversation out to the communities, this Board, and all the municipalities; and they will be gathering input from late October and November to finalize their Capital Plan in January 2017.

Commissioner Infantini stated she did not see any large scale public discussion by the School Board addressing Impact Fees and the need to increase them; she did not see the discussion in front of the School Board as far as separating the Districts from north and south; she believes the money that is collected because of development in an area should stay in that area because that is where the schools are going to be needed; she is not comfortable with the two District plan, the two segmented plans and would rather have the four separate boundaries; and she is not confident that there is a need for additional Impact Fee monies. She continued to say she has not seen a lot of wise spending by the School Board in the past, and until she starts seeing things have improved she is uncomfortable giving the School Board, like the County Commission, any more money.

Commissioner Fisher stated the Board started looking at this issue about a year ago and he remembers Dr. Blackburn and a few of his members stating they were alright with the Board

October 4, 2016

reviewing, while Dr. Blackburn was getting his feet wet in his new position; there was lengthy conversation about the two Districts and also about whether the Board should make adjustments to Impact Fees; and it agreed to table it until a recommendation was received from Dr. Blackburn and his team. He went on to say he thinks Dr. Blackburn and his team have made that assessment and he feels comfortable with this program.

Dr. Blackburn replied he and his team have made very deliberate conversations back on September 27 when the Board unanimously approved the Resolution that was included in this packet in support of these Impact Fees and the usage; and they will continue to have additional public engagement.

Commissioner Infantini stated she had not noticed a lengthy conversation. She asked if the Board recalled the first vote on doubling the Impact Fees for the School Board, which was originally afforded one vote; originally four Commissioners voted for it, and she voted against it; when it came back for the second hearing it was a 5:0 vote to table it; and she is glad that she had it slowed down a little while the economy started moving a bit more; however, she is still not in favor of the extra tax.

Commissioner Fisher stated that the School Board is the one who had it slowed not Commissioner Infantini.

Commissioner Infantini reiterated the first vote was 4:1 and the second vote was 5:0 to slow it down; and stated she the Board came to her way of thinking, that it was moving too fast.

Commissioner Smith asked if the reason for having two Districts instead of four is to provide more flexibility in how the money is to be spent, and to give the School Board the opportunity to build a school where it is most needed and have the funds available because there are only two districts instead of four.

Dr. Blackburn stated flexibility is an advantage in bringing the Districts from four to two.

Chairman Barfield noted there was a number of school closings and he wants to make sure those facilities are considered first before something new is built. He stated he understands sometimes the cost of everything is probably prohibitive of doing that, but a lot of time it is not and would like to encourage the School Board to look at that before they decide to build.

Dr. Blackburn replied absolutely.

There being no further comments or objections the Board adopted Ordinance No. 16-19, amending Chapter 62 "Land Development Regulations", Code of Ordinances of Brevard County, Florida; amending Article V "Impact Fees"; amending Division 7 "Educational Facilities", Amending Section 62-923 "Findings" to clarify that provisions relating to affordable housing are incentives rather than exemptions; amending Section 62-927 "Computation" to revise educational impact fee rates; amending Section 62-928 "Payment" to address audit findings regarding inconsistent provisions; amending Section 62-929 "Districts Established" to consolidate four benefit districts into two benefit districts; amending Section 62-930 "Trust Fund" to clarify that there are two impact fee benefit district trust funds rather than four; amending Section 62-933 "Exemptions, Credits, and Incentives" to establish a redevelopment credit; providing for severability; providing for conflicting provisions; providing for area embraced; and providing an effective date of January 2, 2017.

RESULT:	ADOPTED [4 TO 1]
MOVER:	Robin Fisher, Commissioner District 1
SECONDER:	Curt Smith, Vice Chairman/Commissioner District 4
AYES:	Robin Fisher, Curt Smith, Andy Anderson, Jim Barfield
NAYS:	Trudie Infantini

ITEM IV.B., ORDINANCE, RE: AMENDING CHAPTER 78, ARTICLE III, USE OF PARKS, CODE OF ORDINANCES OF BREVARD COUNTY, FLORIDA

Chairman Barfield called for public hearing to consider amending Chapter 78, Article III, use of Parks, Code of Ordinances of Brevard County, Florida.

Jack Masson, Parks and Recreation Director, stated this item is requesting the Board to conduct a public hearing and adopt the proposed Ordinance No. 16-20, amending Chapter 78. He continued the Department had an opportunity to go through the Ordinance and are recommending minor changes in language and some clarification of terminology.

There being no further comments or objections the Board adopted Ordinance No. 16-20, amending and revising Brevard County Code, Chapter 78, Article III, Use of Parks, Section 78-76, Definitions, specifically the definitions of recreation partner, service animal, and weapon; amending and revising Section 78-82 Permits (b)(9) and (c)(1), and Section 78-116 Wildlife and Domestic Animals (a) and (b); providing for severability; providing for area encompassed; providing for inclusion in the Code of Ordinances of Brevard County, Florida; and providing for an effective date.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Robin Fisher, Commissioner District 1
SECONDER:	Andy Anderson, Commissioner District 5
AYES:	Fisher, Infantini, Smith, Anderson, Barfield

ITEM IV.C., ORDINANCE, RE: ECONOMIC DEVELOPMENT TAX EXEMPTION FOR PROJECT ZEUS

Chairman Barfield called for a public hearing to consider an economic development tax exemption for Project Zeus.

Stockton Whitten, County Manager stated this is for the approval of an Ad Valorem tax exemption for Project Zeus; Project Zeus is a medical service and management company; and it plans to create 150 jobs over three years with an average wage of \$66,000, and providing an investment of 4.5 in new capital expenditures.

Dave Netterstrom stated this is an Economic Development Commission (EDC) related topic and have been in the headline in the papers recently. He read a letter that he recently provided to the Board, " Please accept these public comments in response to the recent report issued by the Clerk of Courts regarding Florida Space Coast Economic Development Commission. I don't understand the Clerk's continued war against economic development efforts, thousands of jobs directly have been created and thousands more indirectly through the economic ripple effect. In fact, due to Brevard's improving economy, my son was able to move his family back to the Space Coast and now I get to see my granddaughter frequently. It has positive effects due to these economic development efforts. Affordable tax abatements and other incentives are used to attract companies to Brevard or induce them to expand, but the return on investment overall

October 4, 2016

is huge. These companies invest millions into their properties and hire thousands of employees, all of which continue to contribute to the tax base along with the ripple effects of the new spending. The economic momentum is increasing around here. Additionally, Brevard County's strategy of targeting manufacturing and aerospace industries is highly successful, born with a reputation of high tech. The Space Coast must continue to build and grow on that reputation. The EDC is not perfect, well who is. The EDC can always improve, well who can't. Not all the companies the EDC helps make it, but nobody bats a thousand all the time. Please review this video highlighting many of the EDCs successes, and that's noted. This war against the EDC is not a watchdog for taxpayers issue, it's become a personal battle to push a political ideological belief that government should stay out of the Economic Development process, and it's the Clerk's vendetta against another successful and intelligent, strong willed woman. Money and efforts by the Clerk were required to clean up problems and issues in the Clerk's office, but the \$300,000 plus countless hours spent by staff against the EDC have produced very little benefit to the taxpayer. Furthermore, I'm afraid the headlines being created in this battle are chasing away other economic development opportunities. As corporation location scouts Google Brevard, the Clerk's anti EDC headlines may be causing Brevard to be crossed off the list even before consideration. My suggestion to the Clerk is to fight less with Brevard, and start fighting more for Brevard. The Clerk's budget was arbitrarily cut by 15 percent this year causing layoffs and reduced services. In fact it was the largest cut in the State. Perhaps the better use of time and legal fee would be to join the Broward County Clerk's lawsuit against the State of Florida and demand that the Clerk revenues stop being wrongly directed for other purposes, and redirected back to fully fund the Clerk's operation. I support the Agenda Item that you guys are about to vote on and thank you very much for the time."

Commissioner Infantini noted she rebuts the comments; she has frequently questioned the spending of the EDC and the justification for that entity to be spending \$1.4 million annually, then coming back to the taxpayers saying it does not have enough money; and she has had a hard time with that. She continued to say, she has a problem with giving away millions of dollars to people like Jeff Besos, the billionaire that founded Amazon, especially when the County comes back to the taxpayers saying it is short on cash and requests to raise peoples taxes above the tax cap that was voted in by 78 percent; and further, the audit of the EDC did not prove by any type of documentation that the jobs would not have already come to Brevard County had the County not had the EDC. She went on to say she thinks the jobs would have come anyway; there has been no proof to say they would not have come; she has never seen a single ounce of paperwork stating "if you don't give us this money, we're relocating, or if you don't give us this money we are not going to locate there"; and she believes she has pledged that Brevard County is nice enough to attract businesses.

Commissioner Fisher stated for the last several years he has gone to the National Space Symposium and is always amazed at the companies and corporations that continue to go to that location to find opportunities for their companies to grow; it just so happened that Dale Nash, a very good friend of his who used to work in Titusville, and is now running the Virginia Program, joked with him on how very lucky Brevard County was to get Blue Origin; and that Mr. Nash had made a serious run at Blue Origin and offered them a pretty big incentive. He continued to say Mr. Nash thinks the reason that Brevard County won the battle was other added benefits; one of the big reasons is that the Virginia Program had a fire at one of their launch pads that blew up; and at that point in time, they were trying to figure out how to fund the pad, and so it kind of stopped the conversation with Blue Origin. He commented the Virginia Program was a serious competitor making a run at Blue Origin until that accident; he and Mr. Nash believe they would have gotten it; therefore, he does not buy into Commissioner Infantini's comment that they will come anyway. He stated to go to some of the locations outside of Brevard County where other people are recruiting companies, there is a lot of spending going on to enhance and grow their businesses; they are all looking for new businesses; and Brevard County is competing against a lot of people globally, every day.

October 4, 2016

Greg Weiner, EDC, stated every single incentive application, be it local or state, requires, because there is an inducement provision in Florida, for the applicant to affirmatively state that the incentives are germane to the decision; the second element is the nature of the process that Commissioners cannot, and probably should not, attend every meeting the EDC has with a client; and he has often wished there was a helmet cam he could wear, to capture a project from the beginning to the end to share it with the Board, but no such thing exists. He continued one of the problems is, the only time the Board ever really hears about a project is when it has moved far enough to seek incentive; the Board does not hear about that ones the EDC has dropped along the way; however, the EDC does lose projects, just like everybody else does. He noted Northrop Grumman was a terrific project, 1,800 jobs and had a manufacturing component; the project was worked on for six or eight months; and then the EDC was summoned to a meeting in Orlando with the sites election crew, representatives from the legal teams from the company, and they had good and bad news. He stated the good news was the company had been given an opportunity to re-evaluate the offer; the bad news was the manufacturing piece was removed from consideration for Florida; the reason given was that the analysis was the incremental incentive value of the additional 1,000 jobs in the manufacturing piece did not justify sighting adherence; and so that piece was actually lost, when 1,800 jobs are lost it is tough. He continued there are little things like that; the vast majority of those things depend on incentives, because the vast majority of these businesses decisions are very sensitive to cost of doing business; and all the incentives that the EDC have to alter the cost of doing business favorably; and he wanted to point that out. He stated whatever the failure of BlueWare was, it was not a financial failure; it was not a failure to vet; they did not go away because of their finances; and he thinks that is an important point. He went on the fact of the matter is for four years the EDC has been under assault, falsely accused; the bottom line is, there is only one person that could have stopped this thing cold in its tracks; when somebody runs for office, the implicit promise is that if elected, he or she is going to serve out their term; the Board has all done that; however, Mr. Ellis on the other hand was elected and decided for no reason other than personal, to walk away; and that opened the door for Mr. Needelman to pursue that office, and if that was not enough, from what he understands, because it was slightly before his time, there was some attempt to sort of pick a successor, which kind of split the party and the nomination went to Mr. Needelman. He continued Mr. Ellis ran that office for at least six years; he mentioned Mr. Ellis had not come to the Commission to say there was an operational problem with his office that it could actually put through a contract in the millions of dollars and not require the Board's oversight; and after four years of going back and forth, he has still yet to come to the Board to plug what appears to be a problem, an \$8 million contract that was awarded without the oversight of this Commission. He stated he had sat in the audience and watched discussions on far less money; but that office can do it again today, it was able to do it yesterday, and in the absence of him seeking that ordinance change, will be able to do it tomorrow; and he suggested the Board talk about those perspective changes.

Commissioner Smith pointed out before he was elected, he did not sit in the audience, he had a business to run and he ran it; he was fully engrossed in doing that; and when he saw these programs giving money away to businesses and being a prospective businessman, he thought where is his share of this money. He stated he has been in business since 1987; and now that he is on the Board and privy to what goes on, he now sees it as a very strenuous vetting process. He provided, for example, Jeff Besos who was mentioned earlier, owns Amazon.com and claims to be the third richest person in the world; so the argument is why should Brevard County give this guy \$8 million in cash when he probably has more money than most do; and the simple answer is because he wants it. He continued it is like if there is a baseball team that wants a really good pitcher and the pitcher wants \$125 million, the team is going to give it to him if they want to win, and if they think he is the winner. He went on to say the incentives are necessary. He stated the Board is not giving Mr. Besos \$8 million dollars until he goes through a bunch of hoops, which includes building a \$220 million manufacturing plant; this is going to be a game changer for Brevard County because of all the thousands of rockets that have been

October 4, 2016

launched here; and not one has ever been manufactured here. He continued he is going to manufacture those rockets; that it is going to open up a lot of doors; and when he was at that space symposium, he talked to companies that are now considering building rockets here and building cube sides, which are small miniaturized satellites. He stated Brevard County has gotten the attention of a lot of people; Mr. Besos does not get his \$8 million until he gets his Certificate of Occupancy (CO) on that \$220 million building; and that \$160 million dollars of that \$220 million is coming from his very own pocket. He noted the end result is Mr. Besos is bringing \$32 million a year in salaries to Brevard County; as a businessman, that is really hard to turn down; and in 10 years, the County is going to give him \$8 million and he is going to give it \$320 million in return. He mentioned that money buys a lot of houses, a lot of TVs, a lot of cars, and puts a lot of money into this economy, for an \$8 million investment for the County; there is no risk because if Mr. Besos does not build that building, the County does not give him any money; and another point is the EDC, nor the Commissioner have given out any money that went to a company that failed. He stated when these companies fail, they have not performed to the standards that are required, therefore, they do not receive the incentives; so it is disingenuous to suggest that the EDC or the Board are throwing all of this money away, or giving all this money away that could be used for roads or anything else in this County, because the fact is, it cannot; and to keep hearing that these companies would have come here anyways, look at the facts. He went on Brevard County is one of 67 counties in this State; last he checked each one of these counties had Palm trees and warm weather; what this County has to offer that the other 66 do not have is a Space Center; he has spent a lot of time on the phone with the CEO and the COO of Blue Origin, which is Jeff Besos' company; and he has been told that Blue Origin really did want to come here, but when all things were considered, they were strongly motivated to go to Georgia, which basically matched Brevard County's numbers and South Carolina which blew the doors off of what this County offered. He noted all things being equal, Blue Origin wanted to be here; without the \$8 million incentive they were going to either Georgia or South Carolina; and as Commissioner Fisher had already stated, the Mid Atlantic Space Center up in Virginia, thought they already had them, and had that rocket not blown up on the pad, they may have. He continued it is really disingenuous to say that these companies would come here anyway; it is a courting process; if the County and the EDC were not out there courting the companies that want to come to Brevard County, they would be going elsewhere; and that is the simple matter of it all.

Commissioner Infantini asked why it took four County Commissioners, not her, to go to Colorado Springs to court at \$350 a night for a room, and if the Commissioners could provide the public with the cost of what the hotel bill was per night.

Commissioner Smith replied \$125 or \$150.

Commissioner Infantini stated that was not what was submitted on the expense report and she will have to go back and check; she has asked the other Board members if they have looked at the financial statements and has been told, "no, we are not privy to see them, they are not public" , and her response would be, "if they are not public and the Board is not privy to see them, then they should not be given the money"; and she asked the Board to name a bank that will loan money just because a company says it is going to bring jobs. She went on to say Brevard County is the only bank that gives away money in the promise of getting jobs; as far as that \$32 million in salaries, that is a promise, and if not kept, oh well, the County would have already given the \$8 million because the building was built. She asked how much Blue Origin actually paid to build that building; she stated in part, it was subsidized by the State of Florida, but she cannot get the records for how much money was spent by the State of Florida to help build it; and she commented that is not public record. She stated Brevard County keeps shrinking its tax base by the individuals that are going to be receiving tax abatements; if a company receives a tax abatement, that is a corporation that does not pay taxes; and the less taxes that are paid does not make the need for it go away. She went on to state her tax bill is

October 4, 2016

increasing by about \$400 this year; in part, that is because of the home -steading; she just disagrees with giving away money before it is earned; and a tax abatement is entirely different because that is foregoing revenue, as it would be earned.

Mr. Weiner asked for an example of one instance where the EDC gave away money before it was earned.

Commissioner Infantini replied she can give many examples of where it was offered.

Mr. Weiner asked for just one.

Commissioner Infantini replied, no, not where it was given away.

Mr. Weiner replied Commissioner Infantini just said we gave it away before it was earned.

Commissioner Infantini commented she did not say, they gave it away, she said giving away money before it is earned and there is a promise to give it away before it's earned.

Mr. Weiner replied yes.

Commissioner Infantini stated there is a promise and that Mr. Weiner or the EDC made many promises.

Mr. Weiner replied that is correct.

Commissioner Infantini stated as soon as it gets its CO the company will receive the \$8 million and nothing was earned.

Mr. Weiner stated that is correct; the reason the vetting process for economic development is fundamentally different than the lending process is because a building is built, jobs are created, the capital investments are made, because if not, the company gets nothing; and if it were a bank, frequently, well almost always, the bank lends the business the money on the promise that the business is going to succeed; to open a pizzeria, money is borrowed from the bank, show the bank a business plan and they give the money; and if it does not succeed, the business already has the money. He continued on the expectation about what proper vetting is, it is not a universal thing; vetting and the degree to which it is done and how it is done, is a function of what is being vetted for; the EDC is not vetting the President of the United States nor vetting for a loan, it is making an agreement, and the agreement is very simple; it is a two way agreement if one does this, then the other does that; and when what is promised is not done, as in the case of BlueWare which is the one that nobody can leave alone, they get nothing. He noted the EDC made promises, and so did BlueWare but they did not fulfill their promises, by the way some of these companies fulfill in part as BlueWare had 80 employees; he is not defending them, but just wanted it to be clear that Blue Ware had 80 employees when the war broke out and now they have none; he does not know what the outcome of that is going to be; however there is no case where the EDC has given cash or abatements where the performance was not realized.

Commissioner Infantini asked what the County's collateral interest will be in the building that it will be contributing \$8 million towards once it is built.

Mr. Weiner replied the CO.

Commissioner Infantini stated a CO is not security interest.

October 4, 2016

Mr. Weiner stated first of all it is not loaning money and not giving the money to the company; to refresh, for those who do not follow this intensely, it did not give and did not buy the deal for \$8 million; nobody from Blue Origin said Greg, I got to have \$8 million, that is not the way it happened; what happened was the only buyable site for that company happened to be a site known as Exploration Park Two; that site will take \$11 million to make it buildable; and \$6 million of fill has to be engineered on that site just to be able to build it. He continued the state incentives are about the same; and that is an example of closing the gap. He went on to say here is the way it was structured, because it is possible that something happens and it does not get built; rather than just giving them the money, by the way, a call back against a company as substantial as Blue Origin, has validity, it's a collectible thing; the EDC said build the building, put \$220 million into Brevard County; and then it would give the \$8 million.

Commissioner Infantini stated they are not putting \$220 million into that building they are getting most of that from the State of Florida.

Mr. Weiner replied no, they are not"; he did not come prepared to speak about that so he does not know what the breakdown is; and that they are receiving some money from the State of Florida.

Commissioner Infantini stated that leaves about \$50 million coming from the State; and she asked how many people would not build a house, if offered 25 percent of the price from the State and five percent from the County.

Mr. Weiner commented there were competitive reasons for doing it; he knows many folks in this community do not care for it philosophically and he understands that, but that feeling does not change the fact that, as Commissioner Smith said, there is an investment purpose; the EDC does not do it to be nice people, and it does not do it to give the EDC a reason to be; it is done because this community wants to grow its tax base, it wants to increase employment; and just because it gives an Ad Valorem Tax (AVT) does not mean it is not increasing the tax base. He went on it does not even care if it never charges taxes to pick up a company; if there are \$32 million going into this economy on an annual basis, guess what happens, people get hired, they pay taxes, people transfer from different parts of the country, California and New York; they come here and they buy houses; the price of houses goes up; and the County starts collecting property taxes on all those \$400, \$500, \$600, \$700 thousand houses that are being built. He continued in 2010 when he came to Brevard County, those were not being built; all this activity has translated into an increase into the tax base and is not necessarily tied to that particular program; but that is the way economics works, invest a dollar here and it goes around in the economy.

Commissioner Infantini commented Brevard County does not have enough engineers to fill those jobs; the County is pilfering from the existing small companies that it has here; and it is not fair to the existing long term businesses here that cannot afford the new salaries and the extra incentives

Mr. Weiner explained, it is an interesting observation and he has heard that a fair amount, but that is how the game is played; there is a shortage of engineers, not just nationally, but globally; the engineers are not in this community and the engineers are not in San Jose anymore, and they are not in Massachusetts, they just do not exist; what is happening is a global pilfering; and if the County does not pilfer from this community, and they go opening up in San Antonio, the recruitment people will be calling the same companies in Brevard to get the Brevard people to move to San Antonio, that is the way the engineering game is played. He stated people move within an economy; but the up-side to that is when the County gets to a critical level and the more of these kinds of companies it creates, when those in graduate school are thinking about where they want their career to be, well Brevard becomes a really good choice because it is not

October 4, 2016

a one trick pony anymore; there are seven to 10 different employers where somebody can come work; and he thinks this should be looked at on a bigger scale. He mentioned this being the last meeting he will be attending with three of the Commissioners; he has enjoyed working with them all; he thanked them for their support; and he wished them all well.

Commissioner Fisher stated a couple things were not true; he thinks the Commissioners all stayed at the same place; and his room was at a Double Tree for around \$159 dollars a night.

Chairman Barfield stated his was \$145.

Commissioner Fisher stated his was around \$145 next to the highway; he was not at some resort; and he thinks it is important to go back and pull the campaign literature. He stated they all ran on creating jobs, and opportunities in their Districts and that is what they told people they would do; and to ask why go to Colorado, why go to Tallahassee, and why go to these other places, it is because they are trying to create opportunities in their Districts or in the County for jobs and economic development. He went on that is what he said he would do; he thinks that is why all four Commissioners probably went to Colorado, to fulfill that promise that was made to their constituents; and in 2008 when the wheels started rolling and the Shuttle, 11,000 jobs, five or six thousand from his District and a lot in Commissioner Barfield's District made it very, very difficult. He stated the Titusville Community was struggling; the fact that Titusville has been able to partner and change the culture and all of a sudden now, North Brevard is being talked about, and people are saying Titusville is on the move, that if were not for the EDC and a lot of hard working people trying to change the landscape, it would not have happened; and the EDC is like religion, you either believe in it or you do not, and he thanks God there are four Commissioners that do.

Chairman Barfield stated the most important thing when he was running, which he believed in and still does, is when there are moms and dads working, it seems like everything else falls into place; he thinks that is critical; the more jobs created puts money into the economy, it helps the school system, it helps every other element of the community; he is going to keep fighting for that as long as he can; and he believes that people need to be working.

There being no further comments or objections the Board adopted Ordinance No. 16-21, granting an economic development Ad Valorem exemption to Project Zues, specifying the items exempted; providing the expiration date of the exemption; finding that the business meets the requirements of Chapter 196.1995(16) F.S.; providing for proof of eligibility for exemption; Project Zues; providing an effective date.

RESULT:	ADOPTED [4 TO 1]
MOVER:	Robin Fisher, Commissioner District 1
SECONDER:	Andy Anderson, Commissioner District 5
AYES:	Robin Fisher, Curt Smith, Andy Anderson, Jim Barfield
NAYS:	Trudie Infantini

ITEM IV.D., ORDINANCE, RE: AMENDMENT TO CHAPTER 106 TRAFFIC AND VEHICLES, ARTICLE III - GOLF CARTS

Chairman Barfield called for a public hear to consider an amendment to Chapter 106 Traffic and Vehicles, Article III, Golf Carts. He stated this Item keeps coming up; it's been in Viera and now Suntree; it is becoming something big in this County; and the Board is going to have to address it on a bigger scale at some point.

October 4, 2016

Commissioner Fisher agreed with Chairman Barfield's statement.

There being no further comments or objections the Board adopted Ordinance No. 16-22, amending Chapter 106 "Traffic and Vehicles", Code of Ordinances of Brevard County, Florida, amending Article III, "Golf Carts"; specifically amending Section 106.75, expanding the operation of golf carts within the boundaries of the Suntree planned unit development and certain adjacent residential subdivisions; providing for conflicting provisions; providing for severability; providing for area encompassed; providing an effective date; and providing for inclusion in the Code of Ordinances of Brevard County, Florida.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Curt Smith, Vice Chairman/Commissioner District 4
SECONDER:	Andy Anderson, Commissioner District 5
AYES:	Fisher, Infantini, Smith, Anderson, Barfield

ITEM IV.E., APPROVAL, RE: B.S.E. CONSULTANTS, INC. REQUESTS A LINEAR PROJECT EXEMPTION PER SECTION 62-4334(5) OF LANDSCAPING, LAND CLEARING, AND TREE PROTECTION CODE - ADDISON DRIVE AND STADIUM PARKWAY ROAD AND UTILITY IMPROVEMENTS

Chairman Barfield called for a public hearing to consider a request for a Linear Project Exemption per Section 62-4334(5) of Landscaping, Land Clearing, and Tree Protection Code.

Virginia Barker, Natural Resources Director, stated this is for a linear project exemption to the County's Landscaping, Land Clearing, and Tree Protection Code for Addison Drive and Stadium Parkway; it meets the public interest criteria based on the fact that it will provide roadway, sidewalks, bike paths, and then turned over to Brevard County for maintenance in the future.

There being no further comments or objections the Board approved the B.S.E. Consultants, Inc. request for a Linear Project Exemption per Section 62-4334(5), Exemption of Landscaping, Land Clearing, and Tree Protection Code for the Addison Drive and Stadium Parkway Roadway and Utility Improvements Project (16SD00010).

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Curt Smith, Vice Chairman/Commissioner District 4
SECONDER:	Robin Fisher, Commissioner District 1
AYES:	Fisher, Infantini, Smith, Anderson, Barfield

ITEM VI.A.1., MEMORANDUM OF UNDERSTANDING (MOU) WITH BREVARD ZOOLOGICAL SOCIETY AND GOOD EDUCATION SOLUTIONS, RE: COUNTYWIDE STORMWATER PUBLIC EDUCATION AND OUTREACH; AND CONTINUATION OF PREVIOUSLY APPROVED MOU IN 2011 AND RENEWED ANNUALLY THROUGH SEPTEMBER 30, 2016

The Board authorized the Chairman to execute Memorandum of Understanding (MOU), substantially in the form of Attachment A, with Brevard Zoological Society and Good Education Solutions for a Countywide stormwater public education and outreach program, pending approval of Risk Management and the County Attorney's Office; authorized the County Manager, or his designee, to execute amendments, as required and in excess of \$100,000; and authorized any necessary budget change requests.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Robin Fisher, Commissioner District 1
SECONDER:	Andy Anderson, Commissioner District 5
AYES:	Fisher, Infantini, Smith, Anderson, Barfield

ITEM VI.D.1., PERMISSION TO ADVERTISE LEGISLATIVE INTENT, PERMISSION FOR COUNTY MANAGER OR DESIGNEE TO FILE APPLICATION FOR FLORIDA FISH AND WILDLIFE CONSERVATION COMMISSION (FWC) FUNDING, RE: BEAR MANAGEMENT ORDINANCE

Scott Knox, County Attorney, stated this is an item the Board expressed interest in at the last meeting held; it relates to bear management; the issue that came up at the last meeting was the State has a pool of \$825,000 for different counties to have this type of ordinance in place; it was discovered while going through preparation of the ordinance that the application period ends on October 14; and one of the things the application requires is the enactment of an ordinance, therefore staff placed it on the Agenda for the Board to consider in an event it wants to proceed with that ordinance. He stated he was informed the Fish and Wildlife Commission (FWC) seems to want the ordinance in place before filing the application; therefore, the deadline is going to come before the Board can act on the ordinance if it follows normal procedures; if the Board really wants to go forward with this, he thinks it will have to act as if this is an emergency ordinance today, because the deadline will come and go before it actually has an opportunity to give a 10 day notice and hold a hearing.

Commissioner Infantini stated she does not see a need for the garbage cans and a little piece of the \$825,000; she would rather see that money go to the communities that actually have bear problems; from the research her staff has done, there may have been four bear reportings in one very small section of the north part of the County; and she does not want to apply for money that it does not need, and possibly take it away from someone who needs it, like parts of Orlando.

Commissioner Fisher stated part of the conversation included if Brevard County ever had a bear problem that the only way to get funding was to have this ordinance in place, not that it had to apply today; and the Board could put the ordinance in place and not apply, assuming the State will give funding on an annual basis.

Attorney Knox replied that is assuming there is more funding next year; the answer is yes; and if the Board wants it this year this would have to be an emergency, if it does not then and wants to wait until next year then it could follow normal procedures. He went on this Item presents the legislative intent and permission to advertise for the ordinance.

Commissioner Fisher stated he was not looking to apply for dollars on an emergency basis, he was just putting into position that if the bears expand, the County would have the opportunity to request State help.

Chairman Barfield stated this puts controls in place to limit people from feeding the bears and other things; and he believes the ordinance is important.

The Board approved legislative intent and granted permission to advertise for Bear Management ordinance.

RESULT:	ADOPTED [3 TO 2]
MOVER:	Robin Fisher, Commissioner District 1
SECONDER:	Andy Anderson, Commissioner District 5
AYES:	Robin Fisher, Andy Anderson, Jim Barfield
NAYS:	Trudie Infantini, Curt Smith

ITEM VI.D.2., PERMISSION TO ADVERTISE AND LEGISLATIVE INTENT, RE: AMENDMENT TO ORDINANCE 2016-15, INFRASTRUCTURE SURTAX TO SUPPORT THE SAVE OUR INDIAN RIVER LAGOON PROJECT PLAN

Scott Knox, County Attorney, stated this is for legislative intent and request to advertise an amendment to the Indian River Lagoon Infrastructure Tax Ordinance; the County was contacted by the Department of Revenue (DOR) after that Ordinance was enacted and they would like to see a specific provision in a new Ordinance saying that the tax will not be collected, assuming it is approved, by the electorate until January 2017. He continued that is what the laws states as a matter of course happens if the electorate does approve it, but since they want it in there the County is bring it before the Board.

Commissioner Fisher stated he feels it is a little misleading to the public that a sales tax is being considered by the Board; the Board is willing to put it on the ballot, but the voters will be deciding whether or not it is important enough; Commissioner Smith has been out talking to people, but it is almost like the Board has imposed this extra sales tax today, which is not the case; the public will be the ones who make the decision on when or if the County does this; and he asked Commissioner Smith to comment further.

Commissioner Smith stated Commissioner Fisher is correct, the Board is not advocating for or against the tax, it voted 5:0 to get it on the ballot for the people to vote for or against it.

Commissioner Infantini pointed out 4:1, she did not vote for it, and if she did, it was an incredible lapse in judgment; she is absolutely opposed to giving this out to the voters; and the voters spoke loud and clear when she was elected, when most of the Board members got elected.

Commissioner Smith stated she was clearly not in favor of the tax but wanted to go forward to let the voters decided.

Commissioner Fisher stated it was a 5:0 vote.

Commissioner Infantini replied she stands corrected. She stated she is 100 percent opposed to going out to the voters; they spoke loud and clear when she was elected; when Commissioner Smith was elected he said the number one thing being said as he was knocking on peoples doors was to not raise peoples taxes; and she does not need to go back and ask them if they really meant it. She went on to say, the people did not want their property taxes raised, but the Board is raising them higher than it is allowed to raise them, because there was a super-majority vote; and now the Board is going to the voters for a sales tax increase and increasing the stormwater fees.

Commissioner Smith stated to correct that statement, when he knocked on doors people also said, please cut taxes, but not on the things they like; he found that out when he was the only Commissioner who proposed \$1.3 million in tax cuts, and got zero votes on any of the \$1.3 million; it is the same old story, everyone wants lower taxes but no one wants to cut what they like; animal services, lifeguards, surplus lands, there are all kinds of things that could be cut, but they do not amount to much; that \$1.3 million would not fix a lot of roads even if it got the votes;

October 4, 2016

and the reality is the Board does have an off-steer budget, but Brevard County is 56th in the State in per capita spending. He continued Brevard County is ninth in population and 56 or 57 out of 67 counties in its spending, so Brevard County is way down at the bottom and do not have all the extra services and taxes that other counties have. He stated the legislative intent is the Board is not raising taxes, it is giving the voters the opportunity to clean up or not clean-up the Lagoon.

Commissioner Infantini stated the Board is not really giving the voters the opportunity; the money that is being told is for demucking, the Legislature actually says that infrastructure tax cannot be used for demucking; Senator Altman tried to get it passed so that demucking could be added to the language of the Statute but it was not approved; Debbie Mayfield tried to get demucking passed through to the House of Representatives; it is not in legislative intent and the money cannot be used for demucking the Lagoon; however, it can be used for stormwater projects and other projects but not demucking.

Attorney Knox commented that DOR, after reviewing the Ordinance, said that the effective date language needs to be inserted, that they did not have a problem with it, and they are the responsible party for interpreting that Ordinance.

Commissioner Fisher stated Attorney Knox has determined from DOR that the money can be used to demuck; the County will use it to demuck because it can legally do that; and asked that other Commissioners not confuse the public by saying the Board is going to tax them, then not spend the money on what it said it was for.

Commissioner Infantini stated she has no doubt that it will be used for demucking, however she does not believe it is legally permissible; otherwise it would have been permitted to be added to the language of the statute; and right now, it is not.

Chairman Barfield commented that was good of Commissioner Infantini to state that was her opinion, because everyone can all have their own opinion, they just cannot have their own facts.

The Board approved legislative intent and granted permission to advertise amendment to Ordinance No. 16-15, regarding the infrastructure surtax to support the Save Our Indian River Lagoon Project Plan.

RESULT:	ADOPTED [4 TO 1]
MOVER:	Curt Smith, Vice Chairman/Commissioner District 4
SECONDER:	Robin Fisher, Commissioner District 1
AYES:	Robin Fisher, Curt Smith, Andy Anderson, Jim Barfield
NAYS:	Trudie Infantini

ITEM VI.F.1., CITIZEN REQUEST BY TOM AND ANITA UNRATH, RE: 114 ACRES OF SURPLUS LAND IN SUNTREE

Tom Unrath noted Hundred Acres Hollows was formally known as 114 acres of surplus lands. He continued the Space Coast eco geeks, who are currently out there taking pictures of the wildlife, came up with the name; he loves it and hopes the Board will allow them to use it in the future; and he thanked the Board for its vision, foresight, and disallowing the bid process to go through. He continued for the last 15 months he has been working on this; the Board asked him to look at what can be done with this land; and he tried to keep the Board abreast of what he was looking at. He went on to say the property has not changed; there is no decent access for any kind of large scale development; what has changed is the knowledge of what is on that

October 4, 2016

land; there are at least 250 Gopher Tortoise burrows that were tagged as part of a school project; there is plenty of other wildlife as well; and quite an inter-connectedness. He commented the inter connectedness does not just go to the wildlife and the communities with wildlife; it also goes to the infrastructure as the water plant was built; there are pipes out there that use reclaimed water; some of which goes into some of the communities nearby to help with lawn watering and such; it is known that those pipes are there because the water goes towards watering lawns; and also when the pipes broke one of the neighborhoods started to flood. He continued utilities knows where this stuff is and what it is being used for; and the inter-connectedness gives a good reason for the County to maintain ownership of this property because it is the County organizations that know what is there and how it works. He stated going back into some history, on the right side of that slide is a picture that was taken before the water treatment plant was actually built; there was a lake out there, a pond; one of those basins on the left side of the picture keeps wanting to turn back into a pond; and he wondered if there would be a way to get that dug up to help it become a wetland so that some of the cranes and other water fowl can use it as a nesting area and turn it back into a usable wet lands. He went on to say the Hernandez Trail came through there; it was a historical trail that came from St. Augustine down to Fort Pierce and went right through this property; and this whole historical thing allows them to maybe use it for historical re-enactments. He noted Fish and Wildlife Commission (FWC) stated this area was not approved for Gopher Tortoise relocation; so how did they get there; and they know for a fact, that as people were building around there they picked the tortoises up and tossed them over the fence. He continued to say the County asked them what it should do with this land; the Board has in front of it some wording of a possible resolution; and these are the things they would like to see happen. He showed a slide of the possibilities of revenue generation that may come from this; there is a mitigation question and he is not a lawyer; he has been told that it can be used for mitigation as properties develop in other parts of the County and have them put funds into this for that; and when he was in the Air Force he could always count on someone telling him why something could not be done. He stated he thinks putting a cellular tower out there could be a revenue source, working with business partners, assuming the Board allows them to perform a non-profit group, and to receive various Federal and State grants. He went on how he read in the newspaper a few months back about a presentation that was given to the Cocoa Beach Chamber of Commerce saying that eco-tourism should be looked at and using the resources that they have here rather than try to build big things; this could be one of those sites; he has a lot of support from all over the County, the State and from other parts of the Country; and he is counting on the Board's support.

Anita Unrath stated it was 455 days ago when she stood before the Board pleading with it not to sell the 114 acres to a housing developer; the Board listened; and she thanked it for that decision. She quoted, "The Florida that fires imaginations and creates a desire to, to experience, to enjoy" by John Pennekamp; and she stated she hopes Hundred Acres Hollows can be such a place. She continued to say she knows the Board cares about children; people enjoy being outdoors in her neighborhood, and Holiday Springs Road was supposed to go straight back behind the brick walls to the 114 acres which was changed by five Commissioners back in 1997 who approved Magnolia Springs as it is today. She stated her neighbors include many Sandhill Crane families; the Roseata Spoonbill is always with the Egrets in the ditch across from the clubhouse; according to the FWC website, it reports in Florida the species is found in Florida Bay which is way south of Miami, Tampa Bay, and Brevard County, so they are lucky to have the Roseata Spoonbill's here; and the animals that live on the 114 acres are also seen in their back yards. She continued Robert Louv has several books on the environment and in his book, *The Nature Principle*, he states environmentalism's motto should be to conserve; in *Vitamin N for Nature* he talks about becoming a citizen naturalist by doing all kinds of things outdoors; and suggest making your town the best in the world for connecting families to nature. She went on to say Science, Technology, Engineering, and Math (STEM) education is important in Florida and in the Brevard Public School System; at a recent stem workshop for elementary

October 4, 2016

and middle school children there were activities that showed how to use STEM education in the classroom; STEM is real world learning that uses critical thinking skills to find a solution to a problem often in group settings that requires collaboration and the four C's of 21st Century Learning are Critical Thinking, Communication, Collaboration, and Creativity. She continued Gopher Tortoises are a keystone species because they are important for the entire ecosystem; a keystone for species builds burrows for other animals and supports a lot of different animals that live there such as skunks, mice, rabbits, etc; the ideas for the property include outdoor classrooms; the classroom on the left is at the environmental learning center in Vero Beach; and the one on the right is at Sam's House in Merritt Island. She continued if there was a history area for the 114 acres it could be something like what is shown in the slide; this past year she has visited many sanctuaries and parks such as the Missouri Botanical Gardens which has a nature's explorer classroom for little ones; a children's garden; a butterfly garden; and although it may not be as elaborate as this on the 114 acres, it has some possibilities. She went on to say education is not just for children it is for adults too; it could have demonstration gardens with native plants, aquaponics or community gardening, cisterns and rain barrels or solar power; and her doctor prescribes nature walks to help with depression and partners with the VA to help Post Traumatic Stress Disorder (PTSD) patients and children with Attention Deficit Hyperactivity Disorder ADHD by working with nature. She stated in American schools, children spend a lot of time sitting inside; in Scandinavia the children spend a lot of time outdoors with nature; Hundred Acres Hollows would have lots of volunteer opportunities, it would need rangers when it is open to the public to make sure people are staying on the paths and not messing with the Gopher Tortoises or their burrows; students need 100 hours for Bright Futures Scholarships; and other volunteer opportunities include boy scouts and girls scouts, garden clubs, environmental youth groups, and maybe even actors. She stated she hopes for this to benefit all of God's creatures, both human and animal; and that the Board will approve the plan for hundred Acre Hollows.

George Rosenfield stated he has addressed the Board before in his regards to being an environmental scientist; the Suntree area is still one of the most beautiful environmentally sound areas in Brevard County; and although it was chartered by the County as a planned unit of development meeting a number of engineering and environmental standards, it is a representative of Central Florida that was originally pined flat woods mixed with scrub lands and an occasional wet cypress tree hammock. He continued on when he returned to Brevard County in 1986 and the relationship between Suntree and the local environment was embiotic; the stormwater pond behind his house was and still is alive with fish, turtles, alligators, otters, osprey, ducks, and wading birds; people still stop their cars to help the Gopher turtles across the road; and rabbits, squirrels, armadillos and possums abound, in season even scrub jays are in his side yard. He went on in December 2015 the Suntree homeowners mailed a letter containing a photo of a bobcat taken in the Misty Creek area north of Spygrass Hill Road with cautions for persons to control their pet animals; and other bobcats were seen in June and July of this year in Oak Park and Crystal Lake areas. He noted he knows of two environmental instances that have occurred in this lovely place; it will illustrate the importance of Brevard County in maintaining itself as an outstanding environmental community; when Baytree was working on it's element, the original plan called for the entrance road to be along the western boundary of Suntree; the area immediately west of the road was to be the Publix shopping center, now east of the Suntree entrance road; the plan would have eliminated the cypress tree hammock on the south side of Wickham Road on the extension of said boundary; however he obtained 200 signatures of residents along Crystal Lake Road and adjacent streets to move the entrance road further west to where it is now because the presence of the road and the shopping center would be detrimental to life in the Crystal Lake neighborhood. He continued to say in addition it would require the destruction of the mentioned cypress tree hammock, an environmental catastrophe; a meeting was held at his home attended by approximately 100 people, including the Baytree developer and four of the County Commissioners; the plan was modified to what it is today; the County Commissioners finalized the plan; but, an environmental addition was introduced by Sue Schmidt, Chairperson of the County Commission; she

October 4, 2016

introduced a motion to declare the Cypress Tree Hammock as a conservation area in her gratuity, she requested that the vote be unanimous and in acceptance by all five Commissioners; and so it ended in the minutes of the meeting. He noted the other occasion happened only about five years ago; one day he realized the Crystal Lake area of Suntree was being overrun by rabbits and squirrels; he called the County Animal Control Officer in Cocoa and was told that bobcats had gotten into the zoo and killed a number of birds; three of the bobcats were captured and moved to the Enchanted Forest in Titusville; once the zoo fence was fixed, the bobcats were returned; and during this time, the rabbit and squirrel population returned to normal. He stated he is telling all this because the general Suntree area is still an environmentally sound area and indigenous wildlife still call the place it's home; he and others want to keep it that; now there is an area of 114 acres, it may not be in its natural state, but is teaming already with all the animal life that is normal to this part of Florida; and it can be morphed into the next natural plant ecosystem that are also normal to this part of Florida. He continued there are six rapid infiltration basins that could be brought into a show place and educational area; there could be a pond for stormwater runoff similar to the one behind his house; wet lands for active plants and animals; and an area can be filled and converted to the pined flat woods that was common to the place; and establish brush land for families of scrub jays. He went on to say the Board will see the plan for making it a show place and teaching area for all facets of the population and for visitors; he has shown how all these natural creatures can live in a community such as Suntree; and he feels this area is an all natural conservation area and should be maintained in its current capacity. He suggested the Board name it as a Conservation Area in Perpetuity and that the vote to do so be unanimous among the Commissioners.

Cynthia Werner stated she came to Florida in 1958; she feels Brevard County has been destroyed because the community has not lived up to its environmental conscience; when she came to Brevard County, where State Road 528 runs into Port Canaveral, a big concrete mess, there used to be fabulous wildlife; a marsh estuary; and there was no Port and no silt coming into the Indian River Lagoon. She continued when she grew up on Eau Gallie Boulevard all that was there were trees, and when she played it was out in the scrub, where she swung from the vines of the old oak trees that no longer exist; and she could look out her back door at night and see fox and bobcats but there are no trees on Eau Gallie Boulevard any longer, that habitat was destroyed. She went on to say where this building stands right now was farmland when she was a child; birds, marshy wetland areas proliferated here; there were no roads, no buildings, just cows, and a flood plain; and just this year down the street from where she lives beautiful wooded acreage was leveled to put up more homes. She stated the hawk that used to fly over her yard is no longer there; the birds that use to sing in the trees are gone; the raccoons are gone; and for the very first time, her street flooded, because there were no woods to soak up the water. She commented she is not happy in her home there; that she has lost something special, where she could walk her dog and go to think; but what really bothers her and why she is begging the Board to please support this citizen's request is the fact that she grew up and saw this part of Florida that is not going to come back without the community's help; her children got to see a little of it; and her grandchildren, unless they have a place to go to see these animals, they will have no idea what grandma is talking about. She stated she wants to get people to come to Brevard County then show them what it used to look like; show the animals, show the beauty, show them the glory; it was not just the space program that brought people here, it was the beaches, the woods; it was being able to enjoy what God made; and the way it is supposed to stay. She respectfully requested the Board support this request and that it preserve and educate this part of Brevard County for all perpetuity.

Carolyn Mitri stated she lives one block from where those 200 houses would have been built; she is going to talk about several articles that she provided the Board; and thanked it for listening to these requests. She went on to say her suggestion would be community gardening which would help with anti-bullying; community gardening has different forms; and the whole

October 4, 2016

intent for community gardening is to join young people and adults who have been bullied with other adults and to accomplish something and see the results of their efforts. She continued it is to bring about something positive; and is requesting that a portion of the 114 acres be used for this. She stated one of the articles is how to apply for grants to help get a community garden started; another article she has is on how to get insurance for a community garden; there is one on how it prevents crime; and that there are so many articles on community gardens. She noted the last article had a picture of a young girl, who is the daughter of a friend, that was a victim of bullying; the sad thing is a lot of children in school do not tell their parents they are being bullied; just like her friends daughter, who was bullied since grade school; and she suggested the Board read the article because this could happen to anyone. She commented community gardening is very therapeutic; they pair up the bullied person with an adult; and together they produce something, which is an accomplishment that could give the bullied person something to feel good about, and start to believe differently of themselves than the trash talk that has been received.

Judy Lane stated she hopes the Board will allow them to use the 114 acres; she has seen how this could become another Viera wetlands if left alone; she is a volunteer ranger for Brevard County; the County should check to see how much money is brought in by the Viera wetlands which is nothing more than just nature; people come from all around the world; and it dribbles on down to the food, hotels, car rentals, and money. She commented it probably brings in millions of dollars to Brevard County; she does not understand how people live everyday not caring and not seeing the destruction by ruining the conservation lands; and that people can be conservationists and not just a bird fanatic. She stated she saw 45 years ago what Miami was becoming and if the County builds enough the same thing will happen in Viera and she does not want that here; she mentioned how sad it is to see the Sandhill Cranes walk across the street to what was once there home, but no longer is, and how they come back to the same area every year; there was a dead bobcat on Holiday Springs Road just the other day because when more people are brought in, so are more cars, and inevitably speeding; and at the end of Holiday Springs in Viera they had their share of building, and with that lost the bald eagles, bobcats, scrub jays, and all of these endangered or close to endangered animals.

Terry Mott thanked the Commissioners for allowing this project to go on; it was an exhilarating adventure. She continued her part of the project was interviewing the senior educators in Brevard County and getting those people on board; there is no way to bottle the excitement and innovation that came from those senior educators and colleges; the concept of sustainability and the international movement were introduced and are finally reaching the borders of Brevard County; and she attended the Statewide conference on sustainability a few weeks ago and the innovation there was spreading. She went on to say she was referred to a college in England when she was researching whether solar could be placed on the property for this project; and now three professors from England are looking at this project to give to their kids as a sustainability project for how government works with the community to come together in the International movement of public, private, and non-profit partnerships, which is everybody's gain this time because no single entity in government or the private sector. She continued the Board has all the facts; but does not have the innovation that is threading through Brevard County; and the whole world is watching Brevard County to see how it emerges in this worldwide concept of sustainability, She went on to say Brevard County is making great progress; the sustainability summit she attended last year shows the difference; and what she liked about it is that it is a Statewide project so she can see where Brevard stacks up with the rest of the State. She stated the United States is lagging behind Europe; Brevard is lagging behind, but is quickly catching up to the other counties; what they have before the Board is a very innovative project; and if they build it, people will come. She commented she receives alerts on the government grants and different grants throughout the country; one of particular interest is a grant for creating a non-traditional environment to teach students to go into STEM science; this project could have qualified had they been structurally set up; there is a lot of money out there; and it is needed to

October 4, 2016

do the projects. She continued the disconnect is the education and the money to connect to the science with the communities; there are people constantly moving in so Brevard County is always going to be in a catch up phase; and so she feels there is a need for mechanisms to teach people who live in Florida, how to live in Florida. She went on to say that is the thread; the training between this side of the State and the other side of the State is the missing link; getting people out in nature and teaching children to get involved in sciences; and it is getting the money from outside of Brevard County, and that can happen once the structures are set up and tapped into the international movement such as sustainability and STEM.

Don George commented he worked at Cape Canaveral Air Force Station for 34 years as a scientist, environmental biologist; he started protecting Scrub Jay habitats, gopher tortoises, restoring the Lagoon, and maintaining the dunes; his Lagoon restoration presentation was made at the 9th annual conference of Wetlands Restoration and Creation. He continued he met with Mr. Unrath and they walked through the land and located all of the active and inactive burrows; it is easy to tell because he did that when he worked at Cape Canaveral; he even tagged the tortoises before they were moved to another location so they could be tracked; and when the controlled burn program started many years ago, it was to conserve Scrub Jay habitat. He went on to say he had worked with the Environmentally Endangered Lands (EEL) Program where he got money from the Federal Government to partner with EELs to buy the Coastal Jewel property. He stated saving a little land is a good thing especially when it is for bringing children in to teach them about nature; the coyotes are not necessarily a good thing, when they had them at Cape Canaveral they would eat just about anything and dug up the sea turtle nests; some things have to be controlled, but if it is the right habitat and there are Scrub Jays out in that area doing some of that work, and creating some of it to be a pond where the Sandbill Cranes can come in; and he reiterated there are options out there for grant money to do that kind of restoration. He stated he thinks it would be a very nice thing for the people in that community and would feel good about supporting it. He continued to say he determined how much of it was wetlands and how much of it was dry land and likes the idea of putting up a tower and maybe a few solar panels.

Commissioner Smith commended everybody that spent countless hours trying to figure out what to do with this property; one of the concerns he has is the gardening aspect and how it is compatible with keeping the land natural; his other concern is that he really did not want to see the neighborhoods disrupted with all the traffic because that is the problem, there is no real ingress or egress to this property; therefore, hearing all the ideas of bringing in ecotourism, and people, he questioned where they plan to put them and park their vehicles without disrupting the neighborhoods with all the traffic. He suggested this item be tabled and for the group to come see him to talk about these ideas and what their thoughts are so a comprehensive agenda item could be put together that he would fully support.

Chairman Barfield asked if they had formed a non-profit organization yet.

Mr. Unrath replied they had not formed the non-profit Organization yet because they did not feel they had the authority to that just yet; they are a group of people who care about this area, but it is owned by the County so until they receive authorization from the County there will be hesitation in that regard; in regards to the comment about building, the vast majority of the folks would be for it to stay as it is; however their mandate from the July 15 meeting was tell them what they can do with it, so that has been their proposition. He went on to say those were their ideas and suggestions; they think some of them could be good possibilities; the accessibility is the most perplexing issue; there are some possibilities however none of them are very good; and all would require significant work through if the Boards concern is to get this put together a little more neatly, they would be willing to help any way they can.

October 4, 2016

Commissioner Fisher stated he wants to respect Commissioner Smith since this is in his District; when watching the reactions of the audience members when different things like this come up, it is always interesting to him because economic development came up; and some says the Board wasted money, and may believe that is not a good investment in the County; and he has been told the 114 acres of surplus property that the County owns could be sold and houses built on it and to receive a tax base out of it for revenues to do the roads; he has learned in his eight years that everything is important to someone; and he voted for this because it was important to Commissioner Smith, so he is going to let him take the lead on how it will be handled.

Scott Knox, County Attorney, stated that the County does a lot of leases and transfers of interest that are not for profit corporations because there is a lot of flexibility in the Florida Statutes to do it, so that may be something to consider.

Mr. Unrath stated their biggest concern was this Board has been a part of this for 15 months and three of the Board members do not have much longer, and they really wanted to work with them.

The Board tabled consideration of Citizen Request from Tom and Anita Unrath regarding 114 acres of surplus land in Suntree, to the October 18, 2016, Board meeting.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Curt Smith, Vice Chairman/Commissioner District 4
SECONDER:	Robin Fisher, Commissioner District 1
AYES:	Fisher, Infantini, Smith, Anderson, Barfield

ITEM VI.F.2., APPROVAL, RE: REQUISITION OF FISCAL YEAR 2017 BUDGET

The Board approved the requisition of one-twelfth of the Fiscal Year 2017 budgeted funds at the first Board of County Commissioners' meeting in October 2016 and one-sixth of the budget in January 2017, and equipment (capital) budget.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Curt Smith, Vice Chairman/Commissioner District 4
SECONDER:	Andy Anderson, Commissioner District 5
AYES:	Fisher, Infantini, Smith, Anderson, Barfield

ITEM VIII.A., STOCKTON WHITTEN, COUNTY MANAGER, RE: REPORT

Stockton Whitten, County Manager, stated there was a policy group conference call this morning with regards to Hurricane Matthew; Kimberly Prosser, Emergency Management Director, will be coming up to give the Board an update; the staff huddling together throughout this meeting is preparing for what may come this way whether it is a tropical storm or hurricane; and hopefully Ms. Prosser is now ready to give that update.

Kimberly Prosser, Emergency Management Director, informed the Board as major hurricane, Matthew continues north;, the National Hurricane Center is forecasting a turn to the west as it approaches the coast and then paralleling the coastline as it passes Florida; Brevard County Space and Treasure Coast are now under a hurricane watch at this time; as of the latest update, Brevard is expected to receive tropical and hurricane force winds from midday Thursday through Friday; there may be some major hurricane force gusts along the immediate coast; and

October 4, 2016

they are is also expecting elevated rainfall, coastal flooding, and storm surge. She continued she had met with the sheltering agencies this morning, the municipal partners, the Port coordination team, and the policy group; decisions about evacuations, school closures, government closures, and those types of things will need to be made later today; the Community Information Hotline, which is 2-1-1, has been activated; the Emergency Operation Center (EOC) will be activating tomorrow morning; Brevard County Fire Rescue has been boarding up fire stations and staffing up; Public Works is evacuating their traffic operations site from Merritt Island; Space Coast Area Transit is preparing for special needs clients calling on them; and Parks and Recreation is fueling vehicles and addressing their recreation partners and any rentals that they have for this weekend. She went on to say Kennedy Space Center is closing at noon on Thursday; 800 Megahertz is checking all the towers and generators to make sure they will be operational; the Port is going to condition x-ray; and there are currently two sandbag locations, the Sheriff's Farm on Pluckebaum Road in West Cocoa, Kings Park on Chase Hammock Road in North Merritt Island, and there will be an additional site at Desoto Park in Satellite Beach.

Mr. Whitten stated there is a policy group conference call at 6:00 p.m.; what the policy group is, it is the committee that is in charge of running the County and all of those actions that Ms. Prosser referenced earlier; they will be talking about school closures, County Government closures; and all of those things necessary to prepare the community for a hurricane that is going to come this way.

Chairman Barfield noted that there is a meeting scheduled for Thursday night and feels that it should be rescheduled.

Mr. Whitten stated that would be the Zoning Meeting and he is unsure whether they want to cancel it or reschedule it for a couple weeks out, but that would be the most prudent action.

The Board rescheduled the October 6, 2016, Zoning Meeting to October 13, 2016.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Curt Smith, Vice Chairman/Commissioner District 4
SECONDER:	Trudie Infantini, Commissioner District 3
AYES:	Fisher, Infantini, Smith, Anderson, Barfield

Continued...

Ms. Prosser stated for Social Media they are located on Facebook as Brevard County Emergency Management; they are also on Twitter at EOC; and to reach them by phone, to call the Community Information Hotline at 2-1-1.

Commissioner Smith asked if the three locations for the sand bags are available now or sometime this afternoon.

Ms. Prosser replied the locations at the Sheriff's Farm in West Cocoa and Kings Park in Merritt Island are both available now; and the one in Satellite Beach is being established and should be available later today.

Commissioner Fisher stated he heard they were out of sand.

Ms. Prosser stated they are continuing to deliver bags.

October 4, 2016

Mr. Whitten replied he had not heard of them being out of sand bags and that they have thousands of them.

ITEM VIII.D., TRUDIE INFANTINI, DISTRICT 3 COMMISSIONER, RE: REPORT

Commissioner Infantini stated to please take this storm seriously, secure up families and homes, and to please be safe in the event Brevard County gets hit .

ITEM VIII.F., CURT SMITH, DISTRICT 4 COMMISSIONER/VICE CHAIRMAN

Commissioner Smith reminded everybody that October is National Breast Cancer Awareness Month; his team is raising month for research; anyone can go to his Facebook under Commissioner Curt Smith and donate; so far they have raised over \$3,600 in support of the fight against breast cancer; and he has lapel pins for anyone who would like one.

EXECUTIVE SESSION: BREVARD COUNTY, FLORIDA V. B WEST TOWNHOUSES, LTD., MEADOWBROOK, LLC, TRADEWINDS PLAZA, LLC, ET AT., CASTE NO. 05-2013-CA-025677-XXXX-XX

The Board temporarily adjourned for Executive Session to be held in the County Manager's Office in the case of Brevard County, Florida v. B. West Townhouses Ltd., Meadowbrook LLC., Tradewinds Plaza LLC., et al., Case No. 05-2013-CA-025677-XXXX-XX.

Upon consensus of the Board, the meeting adjourned at 11:59 a.m.

ATTEST:


SCOTT ELLIS, CLERK


JIM BARFIELD, CHAIRMAN
BREVARD COUNTY BOARD OF
COUNTY COMMISSIONERS
BREVARD COUNTY, FL