

NORTH BREVARD ECONOMIC DEVELOPMENT ZONE  
SPECIAL DISTRICT BOARD MINUTES

JANUARY 13, 2012, 2:00 p.m.

District 1 Commission Office

400 South Street, Suite 1A

Titusville, Florida 32780

**(Although advertised to be held in the Brevard Room, 518 Pine Avenue, Titusville, Florida, the meeting was held in the District 1 Commission Office as the Brevard Room was flooded due to a water heater leak, and not usable. Signs were posted on the Brevard Room doors redirecting Attendees to the new location.)**

**Board Members:**

In Attendance: John Beasley, Brenda Fettrow, Robert Jordan, Micah Loyd, George Mikitarian, Donn Mount, Stan Retz, Louis Sanders

Absent: Dan Aton

**General Public:** Laura Canady, Jim Tulley, Greg Weiner, Mark Ryan, Dave Berman, Joan Wheeler, Stockton Whitten, Robin Fisher, Scott Knox, Kathie England, Liz Lackovich

**CALL TO ORDER:**

Meeting was called to order at 2:04 p.m. by Commissioner Fisher.

Commissioner Fisher asked that everyone in the room introduce themselves.

**PRESENTATION BY COMMISSIONER FISHER:**

Commissioner Fisher presented a PowerPoint (Attachment A) explaining the North Brevard Economic Development Zone and how it came into existence. Hereafter, the NORTH BREVARD ECONOMIC DEVELOPMENT ZONE SPECIAL DISTRICT BOARD will be referred to as *the Board*.

Clarification was made about the dollar figure of decisions that the Board could make. More than \$500,000 will require approval by the Brevard County Board of County Commissioners. Mark Ryan also explained that the City of Titusville would need to approve the Plan, the Budget, any expenses over \$50,000 taken from the City of Titusville's account revenue, adopt the Interlocal Agreement, and

adopt the District boundaries. Stockton Whitten explained that if an amount over \$50,000 is paid out over a number of years, he did not think it would need approval.

Stan Retz asked how the Board would know which funds they were spending. Stockton Whitten replied that it would be a part of their deliberations of how the monies are to be spent and then would be submitted to the Board of County Commissioners and the City of Titusville.

Micah Loyd asked how annexation would play in it? Stockton Whitten responded that discussion would be held at that time of proportional contributions.

Jim Tulley stated that in the first five years all of the money will come from the county. He stated that the City of Titusville is more sensitive to spending public dollars because the Board has non-elected members, but that perhaps some of the restraints could be lifted as the Board gets in motion and the public perception turns good.

Commissioner Fisher circulated a hand out of statistics from the Work Force Board (Attachment B) that showed where people live and work. In response to Brenda Fettrow's question about whether or not jobs at Kennedy Space Center were included in the statistics or did it just include jobs in Titusville, Stockton Whitten said he would find out. Commissioner Fisher then explained that in FY2000 four hundred Titusville residents worked for Disney.

#### **INTERLOCAL AGREEMENT OVERVIEW:**

Mark Ryan then presented a PowerPoint (Attachment C) on the City of Titusville Partnership.

#### **BOARD DUTIES AND RESPONSIBILITIES:**

Stockton Whitten presented a PowerPoint ( Attachment D) on the Board's Duties and Responsibilities. He stated that the Board must create a Plan which must be approved by the City of Titusville and the Brevard County Board of County Commissioners, and then implemented by the North Brevard Economic Development Zone Board.

## **SUNSHINE LAW OVERVIEW:**

County Attorney Scott Knox gave the Board an overview of the Sunshine Law which regulates what must take place if two or more board members discuss an issue that the Board may consider:

1. Public notice must be given, 2. Minutes must be taken, 3. Cannot talk about it via phone, email, fax, etc. before hand, 4. Although Board members can talk to the Mayor or the Commissioner, said individuals may not act as conduit to other Board members. If discussion between two members unintentionally takes place, those members must disclose the discussion at the next Board meeting. Stan Retz asked if there could be confidential meetings? Scott Knox replied probably not, but that we would cross that bridge when we get there.

Scott Knox explained that the county attorney's office represents the board. However, if they discuss issues outside of the Sunshine Law, they fall outside of the authority of the Board and therefore are not legally covered.

Robert Jordan asked if there was an exemption to not being allowed to hold a confidential meeting for strategic planning? Scott Knox responded by saying there could only be an executive session type meeting for litigation or economic confidentiality.

Mr. Knox reiterated that anything a Board member does or writes about this group is a public record. Notes to yourself are not public, unless you show or mention it to someone else. Brenda Fettrow asked to whom a public records request would be made? Mr. Knox responded that when a secretary is decided upon, that would be the individual.

Mr. Knox covered the issue of Conflict of Interest. He stated that a conflict would be any time there would be a personal gain for yourself. The "Gift Law" states that you cannot receive a gift if it is a solicitation of your vote and influence. If the gift is under \$100.00, it is permissible but not advisable. If it is over \$100.00, and you accept, it must be disclosed.

A financial disclosure form from the Supervisor of Elections must be completed and filed with the Secretary to be sent to the Secretary of State.

Robert Jordan asked what might happen if EDC came to the Board with a confidential project. Mr. Knox stated that you could sign a confidentiality form.

Mr. Knox further stated that it is okay to send the entire group your opinion on an issue, but a response from any member cannot be sent back. There will be no public email addresses for members, so it would involve using personal email which makes your email public record. Meetings should be scheduled so that there is a week's notice to allow for advertisement.

Commissioner Fisher offered that the District 1 staff would be sending copies of minutes to all members.

Stan Retz asked who would audit the Board? Stockton Whitten responded that it would be a county responsibility.

**ELECTIONS:**

Elections were held with the following results:

Stan Retz moved and Brenda Fettrow seconded the nomination of George Mikitarian as Chairman of the Board. Motion was approved unanimously. Mr. Mikitarian questioned Scott Knox about the appropriateness of him being chairman because as the President/CEO of Parrish Medical Center he must be able to talk to the City of Titusville and Brevard County about appointments to the North Brevard Hospital Board. Mr. Knox responded that there would be no conflict.

John Beasley moved and Stan Retz seconded the nomination of Brenda Fettrow as Vice Chairman of the Board. Motion was approved unanimously. Ms. Fettrow accepted with the caveat that the Cocoa City Council approves the office.

Micah Loyd moved and Brenda Fettrow seconded the nomination of Robert Jordan as Secretary of the Board. Motions were approved unanimously.

**MEETING SCHEDULE:**

The newly elected Chairman will be in charge of setting the schedule.

Commissioner Fisher stated that he thought it would be a good idea to ask EDC and SEDC and others to put together a plan outline so that the Board does not have to start from scratch. Stan Retz requested that this be done for the next meeting.

Stan Retz asked if there would be committees such as a budget committee. Mr. Knox replied that they should hear the staff report first. Mr. Whitten said that the first priority was getting a plan in place.

George Mikitarian asked if there were any other districts that could have the Board with Mr. Whitten responding that EDC and SEDC could do research for them to see if there are similar districts.

Commissioner Fisher brought up the issue of Exploration Park which lies within Commission District 2. He said that no money collected within the "Zone" could be used for the Park because it does not lie within the NBEDZ district boundaries. He suggested that the Board may want to consider expanding the district boundaries to include the Park. It just makes sense. Stan Retz asked if this action would have to go back to the Board of County Commissioners for approval? The response was yes. Brenda Fettrow suggested that if EDC comes to the next meeting, they should include the Park idea.

Discussion was held on the scheduling of the next meeting with a decision made to hold it on January 27, 2012, at 8:30 a.m. in the District 1 Commission Office conference room.

**PUBLIC COMMENT:**

Chairman Mikitarian asked if there was any public comment with a negative response.

Mr. Knox suggested that speaker cards should be created for public comment speakers.

Mayor Jim Tulley thanked all the members for their volunteering to serve and challenged them to be creative in their thinking.

Commissioner Robin Fisher said that he was proud of the group and that it was the most important Board in the area.

Stan Retz thanked Commissioner Fisher and his staff.

**ADJOURNMENT:**

Chairman Mikitarian adjourned the meeting at 3:47 p.m.

Robert Jordan, CM, Secretary



As approved by the Board January 27, 2012

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- Attachment A PowerPoint re: creation of NBEDZ
  - Attachment B Hand out of statistics from the Work Force Board
  - Attachment C PowerPoint re: City of Titusville Partnership
  - Attachment D PowerPoint re: Board's Duties and Responsibilities
  - Attachment E Hand out of Florida's Government in the Sunshine
  - Attachment F Florida Today legal notice of the meeting
  - Attachment G Sign in Sheets
  - Attachment H Agenda
  - Attachment I Hand out re: Interlocal Agreement