

Meeting Date
May 17, 2016



AGENDA	
Section	New Business
Item No.	V.I.F.1

**AGENDA REPORT**  
*BREVARD COUNTY BOARD OF COUNTY COMMISSIONERS*

SUBJECT:	Move or enclose Sheriffs Training Ranges. It is a nuisance and Health Hazard.
DEPT/OFFICE:	National Action Network / Board Members H.O.A.

**Requested Action:**

It is requested the Board of Commissioners move the Sheriff's Training Range out of our residential community or close in the range. The Board has many properties.

**Summary Explanation & Background:**

Our community was built in 1964.  
 A suit was filed on March 27, 2016, asking for an injunction to move by giving the County 90 days written notice under Resolution 108-2015, signed by Robin Fisher and Sheriff Wayne Ivey. The Court was asked to have training ranges closed in. The communities 14<sup>th</sup> Amendment Rights to enjoyment of their property has been violated too long. The Sheriff's office has failed to serve and protect in this 99% black community interest. Their ranges are not in the community interest.

Contact: Rev. Johnnie B. Dennis, President N.A.N.  
 321-240-4438  
 clergyliason@yahoo.com

**Clerk to the Board Instructions:**

Exhibits Attached: Handwritten request; Dismissed Petition for Injunction

Contract /Agreement (If attached): Reviewed by County Attorney Yes  No  PR

County Manager	Assistant County Manager	Department Director / Extension
Stockton Whitten	Assistant County Manager	



Tammy Rowe, Clerk to the Board, 400 South Street • P.O. Box 999, Titusville, Florida 32781-0999

Telephone: (321) 637-2001  
Fax: (321) 264-6972  
Tammy.Rowe@brevardclerk.us

May 18, 2016

**MEMORANDUM**

**TO:** Stockton Whitten, County Manager

**RE:** Item VI.F.1., Citizen Request by Reverend Johnnie B. Dennis, President of N.A.N., to Move or Enclose Sheriffs Training Ranges

The Board of County Commissioners, in regular session on May 17, 2016, reached consensus to direct you to contact the State of Florida regarding the criteria for the sound walls and what it would cost for a wall, and to look at the cost and effectiveness of shrubbery to help with the noise in the area in Cocoa near the Sheriff's Training Range.

Your continued cooperation is greatly appreciated.

Sincerely,

BOARD OF COUNTY COMMISSIONERS  
SCOTT ELLIS, CLERK

✓ Tammy Rowe, Deputy Clerk

Meeting Date  
17-MAY-2016



AGENDA	
Section	
Item No.	

**AGENDA REPORT**  
BREVARD COUNTY BOARD OF COUNTY COMMISSIONERS

SUBJECT:	(PUBLIC NUISANCE) (HEALTH HAZZARD) MOVE OR CLOSE IN SHERIFFS TRAINING RANGES
DEPT/OFFICE:	NATIONAL ACTION NETWORK @ BOARD MEMBERS H.O.A.

Requested Action:  
THE BOARD HAS MANY PROPERTIES. THEY CAN MOVE THEM OUT OF OUR RESIDENTIAL COMMUNITY OR CLOSE IN RANGE

Summary Explanation & Background:  
OUR COMMUNITY WAS BUILT IN 1964. A SUIT WAS FILED ON MARCH 27, 2016, ASKING FOR AN INJUNCTION, TO MOVE BY GIVING COUNTY 90 DAYS WRITTEN NOTICE UNDER RESOLUTION 108-2015, SIGNED BY ROBIN FISHER @ SHERIFF WAYNE IVEY. COURTS WAS ASKED TO HAVE TRAINING RANGES CLOSED IN. THE COMMUNITY 14 TH, AMENDMENT RIGHTS TO ENJOYMENT OF THEIR PROPERTY HAS BEEN VIOLATED TO LONG. THE SHERIFF'S OFFICE HAS FAILED TO SERVE AND PROTECT IN THIS 99% BLACK COMMUNITY, SO THEIR RANGES ARE NOT IN THE COMMUNITY INTEREST.  
REV. JOHNNIE B. DENNIS, PRESIDENT, N.A.N.  
Contact:  
Phone/e-mail: (321) 240-4438  
CLERGY Liaison@YAHOO.COM

Clerk to the Board Instructions:

Exhibits Attached:

Contract /Agreement (If attached):	Reviewed by County Attorney	Yes	<input type="checkbox"/>	No	<input type="checkbox"/>	PR	<input type="checkbox"/>
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County Manager	Assistant County Manager	Department Director / Extension
Stockton Whitten	Assistant County Manager	

IN THE CIRCUIT COURT OF THE  
EIGHTEENTH JUDICIAL CIRCUIT  
IN AND FOR BREVARD COUNTY,  
FLORIDA

CASE #05-2016-CA-011762-XXXX

REVEREND JOHNNIE B. DENNIS,  
Plaintiff,

vs.

WAYNE IVEY, in his official capacity as  
Sheriff of Brevard County, Florida and  
THE BREVARD COUNTY SHERIFF'S  
OFFICE,  
Defendants.

**ORDER DISMISSING PLAINTIFF'S AMENDED  
PETITION FOR INJUNCTION**

This cause was before the Court on March 16, 2016, upon the Amended  
Petition for Injunction filed by the Plaintiff. The Court has considered the file,  
the arguments of the parties, and the authorities submitted. Based upon the  
grounds set forth in the Defendants' Memorandum of Law in Support of  
Defendants' Motion to Dismiss, it is

**ORDERED AND ADJUDGED:**

Plaintiff's Amended Petition for Injunction is **DISMISSED**.

27<sup>th</sup> **ORDERED** at Moore Justice Center, Viera, Brevard County, Florida, this  
day of April, 2016.

  
**GEORGE W. MAXWELL III**  
Circuit Judge

Copies to:  
Keith S. Kromash, Esq.  
Reverend Johnnie B. Dennis

INTENT TO APPEAL, FILED ON MAY-2-2016  
WILL AMEND COUNTY COMMISSIONER IN LAW SUIT.

**Rev. Johnnie B. Dennis**  
**Evangelist**  
**Civil Rights Specialist**

*Member: Metropolitan Missionary Baptist Church*  
*Motto: Seeking the lost for Christ*

*Member: N.A.A. ✓ Motto: No Justice/No Peace*

P.O. Box 3942  
Cocoa, FL 32924

Cell: 321-240-4438  
Email: [clergy liaison@yahoo.com](mailto:clergy liaison@yahoo.com)