

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 March 3, 2015 at 9:01 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	Chairman/Commissioner District 1	Present	
Jim Barfield	Vice Chairman/Commissioner District 2	Present	
Trudie Infantini	Commissioner District 3	Present	
Curt Smith	Commissioner District 4	Present	
Andy Anderson	Commissioner District 5	Present	

INVOCATION

Invocation was given by Pastor Dale Rhodes of Soul's Harbor Community Church.

PLEDGE OF ALLEGIANCE

Commissioner Barfield led the assembly in the Pledge of Allegiance.

APPROVAL OF MINUTES: JANUARY 27, 2015 REGULAR MEETING MINUTES AND FEBRUARY 5, 2015 ZONING MEETING MINUTES

The Board approved the January 27, 2015 Regular meeting minutes and the February 5, 2015 Zoning meeting minutes.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Trudie Infantini, Commissioner District 3
SECONDER:	Jim Barfield, Vice Chairman/Commissioner District 2
AYES:	Fisher, Barfield, Infantini, Smith, Anderson

ITEM I.A. RESOLUTION, RE: RECOGNIZING MARCH 2015 AS WOMEN'S HISTORY MONTH

Commissioner Infantini read aloud, and the Board adopted, Resolution No. 15-019, proclaiming March 2015 as Women's History Month.

Dana Blickley, Brevard County Property Appraiser, thanked the Board for the recognition; and stated her mother, Mildred Marie Solano Smith, she passed away in 2008; and she was an incredible, courageous, and independent woman. She added she eliminated the recognition of a glass ceiling; and in recognition of how and what she was, there was one comment she made on a report card that she received, she had received six A's and one B, and she wrote on the back if Dana can get six A's, she can make seven. She thanked her mother and the Board for this commendation.

March 3, 2015

Lori Scott, Brevard County Supervisor of Elections, stated it is always something with strong women; she is fortunate to still have her mother; she will be 88 soon; and she is honored to represent women in voting and this process. She added it has been less than 100 years that women have had the right to vote in this Country; they are fortunate to be able to celebrate a pioneer, Harriett Moore, who registered to vote in Brevard County in 1940; her efforts to have African Americans vote, as well as women vote; and she is honored of the presence of strong women in government. She added she is proud to be a strong woman and thanked Commissioner Infantini for the recognition.

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

ITEM I.B., RESOLUTION, RE: PROCLAIMING MARCH 1 - 7, 2015, AS WOMEN IN CONSTRUCTION WEEK

Commissioner Anderson read aloud, and the Board adopted, Resolution No. 15-020, proclaiming March 1-7, 2015, as Women in Construction Week.

Kathy Ogle stated their Chapter has been in Brevard County for 19 years, however the National Association of Women in Construction has been in effect for 60 years; it came about in a very hard time for women to be recognized in the construction industry; since then they have grown so much; and she is very proud to have been a woman in construction.

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

ITEM I.C., RESOLUTION, RE: PROCLAIMING MARCH 17 - 21, 2015, AS FLORIDA SURVEYORS AND MAPPERS WEEK

Commissioner Anderson read aloud, and the Board adopted, Resolution No. 15-021, proclaiming March 17-21, 2015, as Florida Surveyors and Mappers Week.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Andy Anderson, Commissioner District 5
SECONDER:	Trudie Infantini, Commissioner District 3
AYES:	Fisher, Barfield, Infantini, Smith, Anderson

ITEM II.A.1., AUTHORIZATION OF COUNTY MANAGER OR DESGINEE, OR NATURAL RESOURCES MANAGEMENT DIRECTOR, TO ENTER INTO CONTRACTS WITH COUNTY

AGENCIES AND GOVERNMENT ENTITIES, RE: BENEFIT OF THE BREVARD MOSQUITO CONTROL DISTRICT

The Board authorized the County Manager or designee, or the Director of Natural Resources Management, to execute contracts and agreements between the Brevard County Mosquito Control District and other government agencies for the benefit of Mosquito Control; and authorized necessary budget change requests.

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

ITEM II.A.2., INDEMNIFICATION AND HOLD HARMLESS AGREEMENT WITH ANDERSON RENTALS, INC., RE: ACCESS TO BREVARD COUNTY OWNED PROPERTY TO RECYCLE OYSTER SHELL FOR THE INDIAN RIVER LAGOON OYSTER RESTORATION PROGRAM

The Board executed Indemnification and Hold Harmless Agreement with Anderson Rentals, Inc. for use of County property for the provisional storage of oyster shells necessary for the construction of oyster reefs as part of the Indian River Lagoon Restoration Program.

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

ITEM II.A.3., LEGISLATIVE INTENT AND PERMISSION TO ADVERTISE, RE: AMENDMENTS TO NORTH MERRITT ISLAND AND PORT ST. JOHN DEPENDENT SPECIAL DISTRICT ORDINANCES

Kim Smith inquired if the Board could give a timetable after this item is approved and what happens. Robin Sobrino, Planning and Development Director, responded the first step in preparing an ordinance is legislative intent and permission to advertise; and that is the opportunity for the Board to consider what the substance of the ordinance will be accomplishing; and if the Board finds it appropriate, they give staff the approval to prepare the ordinance. She went on to say the ordinance preparation process entails two public hearings, one of which is before the Local Planning Agency, the second is before the Board of County Commissioners; and an ordinance is usually enacted by way of also having an ad run in the newspaper, that is the mechanism for public notice on an ordinance. Ms. Smith inquired if staff had proposed dates for either of those meetings. Mrs. Sobrino responded at this time they do not; and she would imagine that they will be within the next 90 days.

The Board approved legislative intent and permission to advertise amendments on two Ordinances that will enable advisory Comprehensive Plan review authority by the North Merritt Island and Port St. John Dependent Special District Boards to the Local Planning Agency (LPA).

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

ITEM II.A.4., BINDING DEVELOPMENT PLAN, RE: CHARLES F. POSESS

The Board executed Binding Development Plan Agreement with Charles F. Posess for property located on the south side of West New Haven Avenue, approximately 315 feet east of Commodore Street.

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

ITEM II.A.5., WARRANTY DEED FROM FMKT MEL OWNER, LLC, A FLORIDA LIMITED LIABILITY COMPANY, RE: ROAD RIGHT-OF-WAY AND SIDEWALK, LOCATED ALONG THE EAST SIDE OF WICKHAM ROAD ACROSS FROM JORDAN BLASS BOULEVARD (SITE PLAN #14SP-00455 - WICKHAM ROAD RETAIL)

The Board accepted a Warranty deed from FMKT MEL OWNER, LLC, for the proposed construction of a turn lane and installation of a sidewalk to serve a planned retail site located along the east side of Wickham Road across from Jordan Blass Boulevard (Site Plan #14SP-00455 - Wickham Road Retail).

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

ITEM II.A.6., PERMANENT UTILITY EASEMENT FROM LITTLE HOLLYWOOD IMPROVEMENT ASSOCIATION, INC., RE: PURPOSE OF INSTALLING AND MAINTAINING A MODIFIED STORMWATER FILTRATION SYSTEM IN THE LITTLE HOLLYWOOD SUBDIVISION, MICCO

The Board accepted a Permanent Utility Easement from Little Hollywood Improvement Association, Inc., for the purpose of installing and maintaining a modified stormwater baffle box with access for regular maintenance in Little Hollywood Subdivision in Micco.

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

March 3, 2015

ITEM II.A.7., AGREEMENT FOR TRAFFIC CONTROL ON PRIVATE ROADWAYS WITH BREVARD COUNTY SHERIFF AND MEADOW LAKE HOMEOWNERS ASSOCIATION, INC. RE: TRAFFIC ENFORCEMENT IN MEADOW LAKE

The Board executed Agreement for Traffic Control of Private Roadways with Brevard County Sheriff and Meadow Lake Homeowners Association, Inc., for traffic enforcement in Meadow Lake.

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

ITEM II.A.8., PERMANENT UTILITY EASEMENT FROM 330 PINEDA COURT, LLC, RE: SERVICE AN EXISTING PROFESSIONAL OFFICE BUILDING

The Board accepted Permanent Utility Easement from 330 Pineda Court, LLC for maintenance of existing sanitary sewer structures on an existing professional office building located at 3725 Suntree Boulevard in Melbourne.

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

ITEM II.B.1., APPOINTMENTS, RE: COMMUNITY ACTION BOARD

The Board appointed **Pastor David Bryant** and **Marcus C. Harley** to the Community Action Board, with terms expiring December 31, 2015.

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

ITEM II.C.1., APPROVAL, RE: BUDGET CHANGES REQUESTS

The Board approved the Budget Change Requests, as submitted.

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

March 3, 2015

ITEM II.C.2., ACKNOWLEDGE RECEIPT OF FY 2013-2014 AUDITED FINANCIAL STATEMENTS, RE: BREVARD WORKFORCE DEVELOPMENT BOARD, INC.

The Board accepted the FY 2013-2014 audited Financial Statements for the Brevard Workforce Development Board, Inc., (d/b/a Brevard Workforce).

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

ITEM II.C.3., ACKNOWLEDGE RECEIPT OF ANNUAL AUDITED FINANCIAL STATEMENTS, RE: ECONOMIC DEVELOPMENT COMMISSION OF FLORIDA'S SPACE COAST INC.

The Board acknowledged receipt of the annual audited financial statements for the Economic Development Commission of Florida's Space Coast, Inc.

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

ITEM II.D.1., LABOR AGREEMENT WITH INTERNATIONAL ASSOCIATION OF FIRE FIGHTERS LOCAL 2969, RE: RANK AND FILE

Commissioner Infantini stated this item is the Firefighters contract; she is not comfortable with many of the provisions of the new contract; the biggest provision is that the Board would be giving raises to the Firefighters without having worked out a solution to give raises to all County employees; and there are roughly 2,300 people. She added she is not comfortable giving raises to 300-400 people and not all 2,300; and either the Board stands together and everyone is entitled to a raise, or nobody is.

Chairman Fisher stated he understood this was approved in an Executive Session by all the Commissioners; and he does not want the firefighters to come back and say the Board is not complying.

Stockton Whitten, County Manager, stated in the Executive Session the Board talked about a strategy, and believes this proposal is better than what was presented to the union; and this is reestablishing their STEP plan. He added it is not merit based, although part of it may be a Cost of Living Adjustment (COLA); and he deferred to Frank Abbate.

Frank Abbate, Human Resources Director, stated this is consistent from the pay perspective from both the Step Plan, and a three percent COLA in April 2016; and that would be the only COLA that is involved. He advised that is consistent with the discussion at the Executive Session; and staff followed the direction that the Board has given. He pointed out there was a subsequent negotiation where staff was able to achieve this; the most important aspect, from the Board's perspective, is that the General Fund portion of this increase is to be absorbed through the existing budget through staff efficiencies which occur as a result in changes in how

March 3, 2015

various units, both engine and ambulances, are operated; and they will still meet all of the basic requirements of State, for ALS purposes; but they will be manned differently than they currently are. He noted that would occur over time through attrition, which was discussed during the negotiations; and as a result of that, staff was able to get an agreement and avoid going to a Special Magistrate.

Commissioner Infantini stated she does not feel that they will be able to be absorbed, she could be mistaken, but she does not believe those efficiencies will be seen in the near future; and maybe she should have taken more time at the Executive Session to do the math, but what she saw was close to a 12 percent pay raise for certain individuals, nine percent, with the Step increases, over a 12 month period; and then a three percent COLA; and to give certain individuals with the Step increases over a 12 month period, and then a three percent COLA. She added to give these to only certain groups of people, is wrong. She added if she made a mistake, she takes ownership over it, but to go forward with the mistake is no better; and would like this pulled to have them go back and make changes.

Commissioner Smith stated this has come about after a lot of negotiations; and this also represents over one-half million in overtime savings per year. Mr. Abbate confirmed that this is part of the profiling change that will occur by the way the Florida pool is utilized. Commissioner Smith inquired if the Deputy Chief is the one that makes the decisions on that. Mr. Abbate stated yes, the department's management will be adjusting how they currently profile the various units. Commissioner Smith inquired if the one-half million would cover a good portion of these raises. Mr. Abbate stated that would be part of it, the rest would be done through attrition and replacing a number of medics over time as they leave the organization with firefighter EMTs; and the County would still be able to utilize the units as ALS units. He pointed out that would be similar profiling that is used by other large organizations; the two closest being the City of Orlando, and Orange County. Commissioner Smith inquired if it has been around three years since they have had raises. Mr. Abbate stated everyone had received, he believed two increases over the last seven years; one was for 2.5 percent, which was an off-set from FRS, and in October of 2013, they received two percent; and that was across the whole County. He added they did freeze the Step Plan, it has been in existence for 15 plus years, and that has been frozen for four years; which was done when the Board did not have the resources to pay; and they have not received any of those steps. He advised this particular agreement does not provide those steps at one time. He stated when the negotiations started, the firefighters were looking for implementation of the Step Plan going back to the steps that each person would belong in on a certain date; it is done incrementally over time, over the next 18 month period; and one reason it was done that way is to enable the Board to be able to acquire additional savings to minimize the impact of request for funds. Commissioner Smith stated the firefighters have overwhelmingly approved this and were willing to work with the Board. Mr. Abbate agreed.

Commissioner Anderson stated sometimes public employees get a bad rap, but in this case, when he worked in the private sector, and he was involved in union negotiations from the management side of Kennedy Space Center, with private unions, and has been involved with them as a city council member. He noted 2009 was the only time he had a union member that came to his office to freeze the Step Plan because the economy was bad and decided to take the hit for the entire county; and added there will not be another union where that would ever occur. He pointed out this agreement they are way behind where they could have been, and have worked with the Board; and would like to approve.

Commissioner Infantini stated she appreciates them putting a freeze on their Step Plan, but for the viewing public, the rest of the County employees do not have a Step plan, so what they are agreeing to is to be in the same boat as the rest of the County employees; and would like everyone to not be aware of what is taking place. She pointed out the new contract also calls for giving the firefighters three years to get their 500 hours of accrued leave, which they can take

March 3, 2015

when they retire; and County employees only get two years to accumulate those 500 hours; and there are other provisions. She added she appreciates what they are doing, but at the same time, she appreciates all of the County staff; and she will not be in favor of this motion.

Mr. Abbate stated over time staff will look at other things to determine the bargaining unit and the rest of the organization; and he believes there are some advantages to going to the three year, which was negotiated; and it does not increase the overall liability, which was already in place. Commissioner Infantini stated she would like to sit down and do a mathematical analysis of this, because she feels that this is going to increase the Board's unfunded liability.

Chairman Fisher stated he thinks the negotiation was in good faith; there was a good product that came from the discussion; and he does not want to go against what the Board said it would do.

The Board ratified and tentatively agreed upon modification to the collective bargaining agreement presented herewith; and authorized the County Manager to execute said labor agreement as provided for by Section 447.309, Florida Statutes.

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

ITEM II.D.2., APPOINTMENTS/REAPPOINTMENTS, RE: CITIZEN ADVISORY BOARDS

The Board appointed/reappointed **Alan Brech** to the Historical Commission; appointed **Richard Charbonneau** to the Planning and Zoning Board; **Maxine Zieman** to the Mims/Scottsmoor Public Library Advisory Board; **Owen Gallagher** to the Mainland Library Advisory Board; and **Barbara Berry** to the Suntree/Viera Public Library Advisory Board, with terms expiring December 31, 2015.

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

ITEM III. PUBLIC COMMENTS

Jeff Denny stated he has found a product that he thinks the County could benefit from. Chairman Fisher inquired if he has spoken to staff about it. He responded no. He advised he has found a company that the Board could benefit from; it is a product from Bionic Soil Solutions that has developed a non-toxic, ecofriendly liquid, that when sprayed on sand, modifies the structure of the silica in the sand to turn it into waterproof sandstone. He went on to say this product is being used extensively on roads in Canada, Australia, and the Western United States; this product can be installed by the County using County workers and existing equipment; and costs 10 percent of installing a new road; and by using this product, it makes sand roads into stabilized rock roads and it is a simple one day process. He advised the road is shaped and fluffed to a depth of four to six inches; the road is then sprayed with water from a

March 3, 2015

water truck, the soil is fluffed again to mix in the soil solution and then compacted. He added once that is completed, the road can be driven on immediately and it will fully harden into stone in 24 hours. He noted the disintegrating asphalt roads in Palm Bay are only 3/4 to one-inch thick and they can be treated in the same manor. He pointed out the cost to turn a mile-long, two-lane sand road, such as San Andrea Boulevard into a rock-hard maintenance free sandstone road is approximately \$60,000-\$85,000; and for an additional \$15,000, a compatible asphalt road topping can be applied to eliminate 100 percent of the dust and make it look like any other asphalt road. He added it does not require new road construction, so it could be implemented today; and he believes the small cost of this road can be recovered over time, and roads will be maintenance free. He asked that the Board consider this solution and that San Andrea Boulevard be the first to try the product.

Mark Sailer stated he has developed an energy producing system that is 95 percent efficient; by installing them in the County buildings, it would provide plenty of power to power the buildings; and it runs full capacity, around-the-clock, so the County would be able to sell the excess energy back to the power company for carbon credits. He pointed out the carbon credits can be sold; and to fund the project, the Board could sell the future carbon credits to help finance the project.

John Mooney asked the Board to withdrawal the surplus property for sale; he does not think that whoever put this property up for sale did their job in investigating what it was for; which was for flood control; and if the Board sells it, his property will get flooded worse than anybody else. He stated when Hurricane Fay went through, it got flooded and the County had to bring in pumps to pump out the water; he also heard that it used to be a garbage dump; and inquired how the Board can sell property that used to be a garbage dump.

Fred McMillian congratulated Chairman Fisher on the mall; he thanked Commissioner Barfield for setting precedence in this community; and welcomed Commissioner Smith. He stated he requested information from the Tourist Development Office, and never received it; and he requested a meeting with Jim Liesenfelt, Space Coast Area Transit Director, and never received that; and his complaint or grievance at that particular time was about Waste Management. He commended Euri Rodriguez, Solid Waste Management Director, who came to him at the meeting and spoke with him to resolve his grievance. He advised he has another grievance, and that is that the Department of Transportation (DOT) is removing mailboxes on U.S.1; some people have spent a lot of money on their mailboxes; that sit six feet from the road; and this last week DOT removed mailboxes. He added he has pictures that he took, and this concerns him because no one was notified, and they were replaced with regular mailboxes. Commissioner Barfield stated that is the State, but his office will check into it and see what happened and get back with him.

Charles Tovey stated equal budgets for all the districts would strengthen and balance Brevard as a whole; and putting all the money into one district lessens the expanse of Brevard County; and thanked Sheriff Phil Williams for his participation and teaching Brevard's youth and communities a different way than crime. He added silt fencing removal from Titusville all the way down to Grant-Valkaria, it is stopping the clean water to the Lagoon; and stormwater should be part of the Lagoon. He advised the money the County is giving away should be going to roads and schools. He went on to say the Lagoon was having a stroke, and him and God brought it back to life; and thanked and will give any information he has on the environment to the most unbiased and un-prejudiced Commissioner, and the only ones who will speak with him, is Commissioner Infantini and Commissioner Barfield.

Michael Hatee stated he is with the Children's Movement of Florida, also known as the MILK Party, they are a non-partisan, grass-roots movement, advocating for the first five years of all of Florida's children; and frankly they are frustrated that children are not the number one priority in

March 3, 2015

Tallahassee. He went on to say, measure after measure, Florida ranks disgracefully in the amount of investment in children; and there has been great progress at the local community level, but Tallahassee could be doing much more for Florida as well as all of Florida's children. He added when the time comes for Tallahassee to decide on legislation, which would have a direct impact on Florida's children, they need to make sure they vote in favor for, and in the best interest of, Florida's children. He went on to say that children do not have a vote, they depend on grownups, and it is up to the grownups to form a coalition of civic leaders, as well as constituents, to hold State Legislators accountable; with the legislative sessions in Tallahassee starting today, they will be having house meetings, pot lucks, and town hall events, to spread awareness of these issues throughout the community and to take action; and asked to see him if anyone would like to be a part of this grass-roots movement of fighting for the children and sharing stories of raising children in Florida.

Kathryn Bird stated *Florida TODAY* had an article about how the Board is trying to get more money to dump into the Lagoon; she is here about septic tanks and fields. She went on to say large tract land owners that have historic septic tanks and fields close to the Lagoon, that have not upgraded their lands; and these tanks and fields that are on easements that are so close to the Lagoon, and are grand fathered in, whatever the use is, or now being grand fathered into new use, that is a hot topic issue. She stated she is adjacent to an issue where she lives; and would like to know why she is in a residential neighborhood with one commercially zoned property; and why her neighbor was permitted for industrial use in a 1940's home with injection molding on the Banana River and they do not have any of the hazardous waste removal guidelines. She added they, as neighbors, see the things that get removed; and if the Board granted this permit, she questions why they are asking for more money to clean up the Lagoon.

ITEM IV.A., RESOLUTION, RE: PETITION TO VACATE PUBLIC DRAINAGE AND UTILITY EASEMENT - MAYFLOWER STREET - PORT ST. JOHN, UNIT NO. SEVEN - HECTOR ALVAREZ

Chairman Fisher called for a public hearing to consider petition to vacate public drainage and utility easement.

John Denninghoff, Public Works Director, stated this is a petition to vacate a public drainage and utility easement on Mayflower Street in Port St. John, Unit No. Seven, and there are no objections.

There being no further objections, the Board adopted Resolution No. 15-022, vacating public drainage and utility easement on Mayflower Street in Port St. John, Unit No. Seven.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Curt Smith, Commissioner District 4
SECONDER:	Jim Barfield, Vice Chairman/Commissioner District 2
AYES:	Fisher, Barfield, Infantini, Smith, Anderson

ITEM IV.B., ORDINANCE, RE: SMALL SCALE COMPREHENSIVE PLAN AMENDMENT OF GRIFFIS LANDING 14S.10

Chairman Fisher called for a public hearing to consider Small Scale Comprehensive Plan Amendment 14S.10.

March 3, 2015

Robin Sobrino, Planning and Development Director, stated this is a housekeeping matter that relates to a Comprehensive Plan amendment; and it is regarding the Griffis Landing Property. She added they are requesting that the Future Land Use (FLU) be changed from Community Commercial to Public; and that is based upon two objectives. She noted the first one is the grant contract that they have with the State, stipulated that it would be required that the FLU reflect the use on the property, which is working waterfront; and secondly, the County's Comprehensive Plan, there is a Policy that requires that when the County acquires land, the FLU should be consistent with public ownership.

Kathryn Bird stated she lives in an old historic area, which used to be old Cocoa Road; it was the original infrastructure for this County to get from Cocoa Beach into the mainland. She added her old area actually houses the Griffis family; and Mr. Griffis used to pilfer from the crab traps, stealing people's livelihood. She added he became Merritt Island Trust Corporation, Tom Norwood fronted the whole thing; and the Board keeps leasing this out. She stated this is to go forward on a public issue to put it in a Comprehensive Plan, yet it is not talking about the ancient septic tanks and fields. She advised that she called Public Utilities and also looked on every database she could, to find out and rule out if sewer was hooked up; and it has not been. She went on to say this is a 1953 and 1961 building that was lounge and restaurant permitting; they could have modernized, but this is health. She added with her experience with Leah Marina and Banana River Marina, they are one in the same, they just changed ownerships, the Board can ask the local Department of Health and the Inspector General of the State on how she had to get them to inspect the tanks and fields of the Banana River Marina to find out if there has been any inspections, if it really existed, if there were any leaks, and because of the ridiculousness of it, it took a State Inspector to pour blue dye down the toilets. She advised because of Freedom Outpost Ministries, also on her street, four doors away, those inspections of those tanks, and the erroneous information, she does not trust staff to get back with her with the exact information. She requested that the Board get the actual records posted to *Florida Today*; if this lease moves forward, the Board is looking at maintenance on a failed system; that parking lot is parking on top of the field; how long is that field going to last; and what if it collapses. She went on to say if the inspection goes on and they say that the bathrooms cannot be used, what are they going to do. She inquired what if there is no inspection; and further inquired how many toilets, and kitchen sinks are supposed to be for that field and tank. She stated the citizens could be paying for the lessees new upgrades.

Mel Scott, Assistant County Manager stated, for the public record, one of the improvements that have occurred on this property, is that the sanitary sewer connections have been made, so this property is no longer using septic tanks; that has been part of the clean-up; and the leverage that the County benefited from was from Florida Inland Navigation District (FIND) funds; and the Department of Environmental Protection (DEP) Clean Vessel Act Grant.

Chairman Fisher stated it is no longer on septic at all then.

There being no further comments, the Board adopted Ordinance No. 15-02, amending Article III, Chapter 62, of the Code of Ordinances of Brevard County, entitled "The 1988 Comprehensive Plan", setting forth the second small scale plan amendment of 2015, 14S.10, to the Future Land Use Map of the Comprehensive Plan; amending Section 62-501 entitled Contents of the Plan; specifically amending Section 62-501, Part XVI (E), entitled the Future Land Use Map Appendix; and provisions which require amendment to maintain internal consistency with these amendments; providing for legal status; providing a servability clause; and providing an effective date.

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

ITEM IV.C., PUBLIC HEARING, RE: SUBSTANTIAL AMENDMENT TO 2011-2016 CONSOLIDATED PLAN, 2014-2015 ANNUAL ACTION PLAN, AND CITIZEN PARTICIPATION PLAN

Chairman Fisher called for a public hearing on substantial amendment to 2011-2016 Consolidated Plan, 2014-2015 Annual Action Plan, and Citizen Participation Plan.

Ian Golden, Housing and Human Services Director stated the Board previously approved the application to the U.S. Department of Housing and Urban Development (HUD) for two Section 108 loans for a waterline on Satellite Boulevard and West Canaveral Groves; and one to pay about 50 percent of the costs of a new Health Department Clinic in Melbourne. He pointed out, as part of that process, staff has to update the Consolidated Plan, Annual Action Plan, and Citizen Participation Plan to reflect those projects; and that is what is before the Board today. He added as part of the HUD process, they had a 30-day Public Comment period that was advertised in the *Florida TODAY*, it closed on February 27, 2015, and there were no comments during that time.

There being no further comments or objections, the Board conducted Public Hearing as required by the U.S. Department of Housing and Urban Development (HUD), for the purpose of receiving public comments on Substantial Amendments to the Brevard County Home Consortium 2011-2016 Consolidated Plan, the Brevard County 2014-2015 Annual Action Plan, and the Citizens Participation Plan; and approved the plan amendments for submission to HUD.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Andy Anderson, Commissioner District 5
SECONDER:	Jim Barfield, Vice Chairman/Commissioner District 2
AYES:	Fisher, Barfield, Infantini, Smith, Anderson

ITEM IV.D., ORDINANCE, RE: PROHIBITING COUNTY COMPENSATION TO FORMER COMMISSIONERS FOR A PERIOD OF TWO YEARS

Scott Knox, County Attorney, stated this is the ordinance that the Board asked him to prepare; and it is now being brought back with changes that were talked about at the last meeting.

Commissioner Infantini made a motion to approve the ordinance as is, seconded by Commissioner Smith, with discussion by Commissioner Barfield.

Commissioner Barfield stated he disagrees with the 50 percent number; and inquired where it came from. He added he has a difficult time accepting the fact that if a previous commissioner receives 50 percent of the funds from the County, and if a commissioner works for them within two years after leaving office, that the commissioner is unethical. He added if it is 49 percent of the funds that is okay. He added he does not know where that number comes from or if that is the right way to go. He added the State standards are set up to give the ability for someone, after two years, they cannot lobby in two years, but they can work; and he is not in that situation,

March 3, 2015

he has a job when he is done being a commissioner, but there are some Commissioners that work in the County that do not have other jobs to go to afterwards. He stated for instance, there is a County contractor, a Commissioner leaves and wants to work for this contractor even though he is retired and cannot because this contractor gets 50 percent of its funding from the County. He stated it is too stringent; and he does not feel the Board should be telling these Commissioners what ethics they should have, or what is right and wrong. He pointed out Palm Beach County has a dollar figure in there; and he does not know if that is correct either. He added the State regulations allow for people to work; and he wants to make sure the Board is doing the right thing; and does not know how the Board would enforce it. He noted if contractors have to go through such a process to hire, they may have issues with it.

Commissioner Infantini stated the 50 percent is a threshold; generally accepted accounting principals determine that if somebody owns 50 percent of a company, they have a controlling interest. She added there is another threshold of 20-50 percent means that there is a significant amount of control; and if the Board would like to use generally accepted principles, then she suggested the Board make it the 20 percent threshold. She stated the percentage is only a threshold, there has to be some kind of threshold; and she was just making a random guess. She went on to say, the only organizations that are really going to come into play, are the ones where the County knows, or should know, that it has a significant amount of control, such as the Economic Development Commission (EDC), Tourist Development Council (TDC), all of the CRA Boards, and all of those receive virtually all of their funding from the County. She stated she is not talking about a side contractor like a landscaping company, a plumbing company, or Harris Corporation, and that is why she used a large threshold, to reduce ambiguity. She pointed out for the record, she is aware that someone wrote an editorial in the Florida Today; and she wanted to say that her inquisition started before the letter was written to the Board of Ethics, she started asking questions back in August of 2014, before Chuck Nelson was out of office.

Commissioner Smith agreed with Commissioner Barfield; and added what the Board is doing is providing a guideline, and intent. He stated if one wanted to circumvent the Board's guideline or intent, then it would be obvious that the person is not someone that should be hired. He reiterated this is to offer guidelines and intent; and the Board is showing that it is unethical to be a commissioner then go to work for a company that is largely indebted to the County for their funds.

Commissioner Anderson stated after the last discussion the Board approved Legislative Intent so that it could get to this point to discuss these areas; and he and Commissioner Barfield had the discussion last time about the 50 percent. He went on to say for the public, and if the Board is going to do ethics upgrades on a County level, that surpass what the State is doing, then the County should be tougher than the State. He noted the two year moratorium from being employed he is okay with that; and he goes back to the private sector after his term as a County Commissioner. He stated this ordinance would impair him in getting a job, but he is willing to go through with it; and believes if the Board is going to do it, it needs to be done correctly. He believed it should be no percentage, if the contractor gets any funding from the County then a former commissioner cannot work there for two years. Chairman Fisher inquired if he wanted to go from 50 to zero percent. Commissioner Anderson responded affirmatively.

Commissioner Barfield stated ethics wise, he does not question the ethics of anyone here or in the future, but it does lay a guideline. He added the problem is, this needs to be accurate, and he agrees with the zero percent. He advised this ordinance can be passed with a 3:2 vote, but if it is changed, it has to be a 4:1 vote; and that does not make sense to him. He suggested that this be changed to reflect a way to define the percentage or dollar amount; there has to be some sort of appeals process to an Ethics Board; and this is not going to cover everything.

March 3, 2015

Chairman Fisher stated he never thought this was totally about Chuck Nelson, but he was never comfortable with the agenda item or whether or not the Board was allowing people after serving the public to go apply for another opportunity somewhere else; and he is going back to the private sector. He added he loves the rule, because he wants to go back and do what he does, but he never thought that this was totally legal; and there are a lot of questions over the legality of it. He advised that the Board go to the Attorney General and ask if this ordinance was legal and get some sense and a ruling that way versus trying to pass something that is not well written or thought out. He stated there is a lot of debate on this Board about the percentage or dollar amounts; this is a right to work State; and he is concerned about the legality of it.

Commissioner Infantini pointed out going to the Attorney General is just receiving an opinion; but until it goes to a court of law, it does not become validated. She stated this is setting a policy guideline; it is letting the public know that the Board is trying to set ethical standards; it is no more and no less; and reiterated that it is intended to be a guideline. She advised there has been a motion and a second and if the Board wants to change the percentage or dollar amount to go ahead, she is comfortable either way.

Commissioner Barfield stated he has no problem with an ethics ordinance, but there are a lot of gray areas; and he would like to have some way to sit and talk about it; he thinks of things from a contract standpoint and business perspective, and a lot of these things are a gray area that can be interpreted different ways; and if it had zero percent, he would vote for it.

Commissioner Smith stated since the Board cannot sit down and talk about this without it being in a meeting setting; and believed it would be good if there was a way to hash this out and discuss different issues; and that is what is being done. He reiterated that this is just intent, to set a guideline; zero percent works for him, too; and if Commissioner Infantini would like to change her motion to zero percent they could maybe vote on it.

Commissioner Infantini modified her motion to state zero percent rather than 50 percent. Commissioner Smith stated the Board has an astute legal mind on the dais, and he wrote this, so he defers to his opinion that this is legal.

Commissioner Anderson believed the Board is also focusing substantially on the funding issue; and it should also include any corporation that receives tax abatements, or bond issuance from the County, because those are forms of County funding.

Commissioner Infantini amended her motion to add tax abatements and bond issuance to the ordinance.

Commissioner Anderson stated he just wrote off a job that he was offered by making this motion amendment; and that is how serious he is about ethics.

Chairman Fisher inquired if this is legal; and the State clearly says that a former commissioner cannot lobby for a position for two years; and would like to know if it is legal to deny anyone the opportunity if any of the contractor or company's income comes from the County.

Scott Knox, County Attorney believed there is a State Statute that says the County can enact more restrictive rules for ethics than the State does; and the answer is yes. He added the thing he is not certain of is if the Board can impose that retroactively on former commissioners that are still within their two year period. He went on to say that is a little more questionable, but it is in this ordinance; and even if that were to be invalid, there are still other provisions of this ordinance which would prevent that from happening. He added the Board is restricting people who do business with the County that are funded by the County, not necessarily doing business

March 3, 2015

with the County; and it is kind of like the agencies that the County controls cannot hire a commissioner for two years is what it basically boils down to.

Diana Schommer stated from being a taxpayer, it looks like the Board is doing fancy footwork for very little reason. She added as a commissioner, they take a Board, a CRA, for example, that commissioner appoints all of the members on that board, then that person is not a commissioner anymore; and that Board writes a job description that fits that former commissioner. She went on to say that the former commissioner puts in the application for that job, it is all the people that have a connection with that former commissioner; and it is not an open hiring process. She stated she gets upset when the Board says it has no control over what the CRA's do with their money; the Board gives money to Merritt Island Redevelopment Agency (MIRA), but cannot give money to the schools for Art or Music programs, but there is money to give to businesses that should be providing their own funds. She stated these businesses can then do whatever they want to with the money; then there is an organization using the citizens tax dollars to provide a part-time \$100,000 a year job; and that just does not sit well with her. She believed Commissioner Anderson was overseeing or directing the CRA in Palm Bay. Commissioner Anderson responded he say on the West Melbourne Board, but that was only \$25,000 a year in that CRA. She stated there are some commissioners that help their communities and do not take pay for administering that large chunk of money; and she is still learning about those chunks of money, because it does not make any sense to her. She added she was in business for herself for years, and never got any County help to run or pay for anything in her business; and as a taxpayer, she does not want to give these people money. She added if they are not making it as a business maybe they do not belong in business. She went on to say in the case of MIRA, there is \$800,000 that goes into that, they could hire eight people at \$100,000 a year, and there is nothing her or the Board can do about it; and her only recourse is to come before the Board to speak. She believes that the Board should pass the ordinance.

Commissioner Anderson stated to clear up the CRA issue, that is a joint County CRA with the cities of Melbourne and West Melbourne and it is made up of the West Melbourne and Melbourne City Counsel and one Commissioner; and the Director of that is the City Manager of West Melbourne; and not even close to MIRA. He inquired if there was a second reading of the ordinance. Attorney Knox stated this is the final reading. Commissioner Anderson stated Commissioner Barfield has a lot of questions, and he, himself has questions if it is legal with what he wants in the ordinance, and the bond things; and his suggestion is to table it and put the new language into the ordinance, so it is all encompassing.

Commissioner Infantini's motion dies for lack of quorum. Motion by Commissioner Barfield to table ordinance to a later date and to add in the bond and abatement language and ask for the Attorney General and/or Commission on Ethics opinion. Mr. Knox stated he would talk to both. Commissioner Anderson inquired if it would then be brought back before the Board. Mr. Knox stated it would be a while before he would get any answers, so the Board should scrap the ordinance as it stands now until a future time when staff can re-advertise it.

Chairman Fisher inquired if there needs to be a motion at all, or if the Board could just move on from this item; and the Board is asking the County Attorney to ask for an opinion from the Commission on Ethics and/or the Attorney General as to whether or not this can be done. Mr. Knox stated yes, and before the Board can do any more with it, he would like to follow that direction.

The Board denied ordinance prohibiting County compensation to former commissioners for a period of two years; and directed Scott Knox, County Attorney, to seek the Attorney General and/or Commission on Ethics opinion to determine if this ordinance can be done.

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

ITEM V.A. REQUEST FOR PROPOSALS, RE: GROUP HEALTH INSURANCE

Frank Abbate, Human Resources Director stated this item is back before the Board as a result of Board direction that was received both at a December Board meeting where staff was bringing forward talk about going out on a Request for Proposals (RFP) and the Board wanted to see that RFP before it was put out; and as a result of that, there was a workshop on January 22, 2015, where staff obtained significant input from the Board on Group Health insurance related issues. He added staff spent a considerable amount of time with the Consultant reviewing the video from that particular workshop, and took the opportunity to develop a draft RFP to the Board. He went on to say, staff is ready to obtain the Board's input in terms of putting the RFP out on the street. He added this is a brief overview because it will be back at the March 17 Board meeting; and the RFP provides for a vendor to come in and offer administrative services, ASO contract, services contract; and under the current model, being a competitive model, which has an HRA and PPO. He went on to say additionally, staff has indicated in the RFP draft that it is possible that the Board choose exclusivity with one carrier; either on a narrow network or a broad network basis. He added they did request for a five year guarantee for the administrative services model, for administrative fees and discounts; and also asked them to guarantee beyond discounts, and that was on a billed charges basis, on the basis of the analysis of the County's claims costs from year to year, a cap. He went on to say the increase in future years over those same costs, that is if the contracts they have with the providers increase significantly, there is no way to control that after the first year; and asked if they would be willing to provide any sort of guarantees or caps on that; and he does not know if there will be any responses, but it is out there. He stated they are also addressing the issue of pharmacy benefits, which are currently under a five year contract with Cigna; and if a provider, or providers come in and want to integrate and offer pharmacy benefits that are more advantageous than what the County has now, that will be considered as well. He added they did very similar on fully-insured models; once again asking for a base-line, but at the same time providing the opportunity for any vendors to offer any alternative arrangements that they think are appropriate, as long as they spell out the arrangements and what the costs and savings will be. He went on to say they have done that and they would be also looking for a single exclusive provider option with a narrow network, however, with either a broad or narrow network, in both cases the draft shows a necessity for a five year guarantee on either the rates, or the caps associated with how much the proposed rate would go up over the five year period over the term of the agreement. He added if the provider gave less than five years, that proposal would not be considered as non-responsive; it was indicated that the County would desire regional, state-wide, and national centers of excellence, but that was also not mandatory, that was depending on all of the considerations and price in the network. He noted the Board would have the option to determine what was best. He stated finally, the third option was for integrative approaches that any vendor might want to put in; staff has indicated that they are looking for indicative approaches that they would not consider those that are not developed or not operational somewhere, or at least provide for a multi-year cost performance guarantee associated with it. He stated staff would like some direction on the evaluation criteria, it has been put together in such a way that it gives the greatest rate to the areas, based on what the Board had said it wanted to see. He added it the first thing is that it is based on a scale of one to one hundred, so the evaluators would be evaluating proposals submitted on a 100 point scale; and the most significant weight would be given to cost and the associated guarantees to those

March 3, 2015

costs over the term of the agreement; and that would be 45 points. He added associated with costs, which is very important in an evaluation, is network, 30 points goes towards network; and the Board would see 30 points for network, and one and one-half times that amount would be 45, which is network and pricing related guarantees would constitute 75 percent of the 100 percent evaluation criteria. He went on to say health management refers to managing the population, whether it is disease management, or other point aspects will impact costs as well; and that is 10 points. He added there are other areas that are important, but can be handled and evaluated by the Board; Plan Design for example, the Board has the opportunity to change the Plan Design at any time, that is five percent. He advised the general administrative costs are important because the Board would want to know who is bidding on it, or that are viable, so that the Board could see that they could stand by the guarantee they offer. He stated the draft provides for the 100 points that he has described; there is a lot of detail in the RFP; staff has asked for a lot of information in the RFP; and staff is prepared to move forward with the Employee Benefits Insurance Advisory Committee, to present this to them. He added staff will go over the draft with them on Friday; then staff will wait until the Board provides input; and then put the RFP out afterwards. He added that is always recalling any recommendation that comes to the Board will ultimately be the Board's decision as to how to move forward in the program.

Commissioner Anderson inquired if the Board would lose short-term savings by going out for five years on the RFP; and thought that the companies may inflate the proposed rates. He pointed out it could be better to only go out for three years. Mr. Abbate stated the Board and County staff had that discussion at the Workshop on January 22; and staff has prepared the RFP based on the Board's vote from the Workshop. Commissioner Anderson stated he does not know if the five year bid will create inflation problems in the bids that are sent back.

Chairman Fisher stated there are a lot of providers that will try to get the County for one or two years, and then there is a huge spike in rates and costs; and if there is a five year deal, there is no telling what is going to happen to insurance rates, but the Board felt it was better to have a five year bid than a three year bid; and this is a long term issue for the County. Commissioner Anderson stated he has always thought the Board would do better if it got a three year deal. Chairman Fisher stated it would be interesting to see how bad these providers would want the County's business.

Commissioner Barfield stated that five years is hard to predict in the health care business; but added that it could not hurt to put it out there and to see the responses.

Commissioner Infantini stated she is in favor of having a five-year and a three-year option, because she would like to see the difference in the pricing that would come back if the providers sent back a three-year guarantee instead of a five-year; and encourages any providers listening to submit three-year. She advised if a five-year deal was done, the pricing would have to be built up just to plan for contingencies that one may not be aware of.

Stockton Whitten, County Manager inquired if there is not a five year submitted, then a provider would be considered non-responsive. Mr. Abbate responded yes; and if the Board would like to change that, it can. Chairman Fisher stated if there are no responses, the Board can put the bid out again with something different. He inquired if staff has tried to meet with the different possible providers since this RFP has been drafted to see if there is something that the Board is missing, or something that should be considered. Mr. Abatte stated staff has tried to have an open door with the various providers, and have met with them on multiple occasions; this includes several of the hospital systems; and now have reached out to all of the hospital systems. He added there have been conversations with each of them over the past several months; some were prior to the RFP process, but there have been multiple meetings, including December and January as well. Chairman Fisher asked that Mr. Abbate speak with the providers and hospitals again once this RFP goes out.

March 3, 2015

Mr. Whitten stated this is a draft RFP that will eventually go out; and recommended that the Purchasing Department send out the draft RFP to all of the people in the database to be fair to everyone; and extend an opportunity for those people to come in and speak with Mr. Abbate.

Mr. Abbate stated if the Board would like them to have conversations with the hospitals, they would not typically be getting the RFP because they are not vendors for TPA services or health plans that would typically be providers that are part of a network by either the insurance carrier or a TPA provider; and would like to know if the Board is requesting that staff meet with hospitals in specific, so that they could expand that listing. Chairman Fisher believed it should be expanded, because hospital systems see a lot of different health carriers, and the competition out there, and they negotiate with the competition; and having that input would not hurt the Board.

Commissioner Smith stated Commissioner Infantini brought up a good point, he believes he was one of the proponents of moving this to five years, but he would not be opposed to send the message to ask for a three year and a five year; and that would give the Board more of a view of what the anticipation is. Commissioner Anderson agreed that is the best route to go. Commissioner Infantini stated she does not think it requires Board action, but believes it is for the listening public to know that they are required to submit a five year proposal, but it would behoove them to also submit a three year proposal so they can be compared. Chairman Fisher stated if there are providers that do not want to submit a five year, then they can go on record for that, and the Board can reconsider at that point. Commissioner Anderson stated this is a draft, they can submit a five year and three year and leave the decision with the Board to decide what it would like; and if there are savings with the three year proposal, it is the taxpayers money, and the Board is obligated to try to find that savings.

The Board directed staff to draft a Request for Proposals (RFP) that has as a component a request for a fully insured proposal with a narrow network health plan design, offered by a single health plan provider, with a five-year cost guarantee. As an alternative proposal, a three-year cost guarantee can also be submitted. The Board further directed that a revised draft of the RFP be sent to potential vendors and local hospital systems for their review and input to staff in advance of the March 17, 2015 Board meeting. The Board also directed staff to draft a Request for Proposals (RFP) that has as a component a request for fully insured proposal with a broad network health plan design that includes all three Brevard County Hospital systems, offered by a single health plan provider, with a five-year cost guarantee. As an alternative proposal, a three-year cost guarantee can also be submitted. The Board further directed that as a revised draft of the RFP be sent to potential vendors and local hospital systems for their review and input to staff in advance of the March 17, 2015 Board meeting.

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

ITEM VI.A.1., FLORIDA PROPERTY DAMAGE RELEASE, RE: DIRECT GENERAL INSURANCE COMPANY OFFER OF PRO-RATA DISTRIBUTION FOR EXPENSES RELATED TO REPAIR OF A DRAINAGE STRUCTURE DAMAGED DURING AN AUTOMOBILE ACCIDENT AT SARNO ROAD AND OSAGE AVENUE

John Denninghoff, Public Works Director, stated this is an item that has come up as a result of a traffic crash that had taken place between two cars; and there was damage to some County

March 3, 2015

property, specifically a drainage structure; and the repair costs to that drainage structure was just under \$1,000. He added the at fault driver's insurance was not adequate to cover the expense of all of the repairs that were required for the entire accident; and their insurance company has pro-rated out the coverage that would pay the County approximately two thirds of the expense, leaving it short about \$377.

The Board approved acceptance of the pro-rated offer of \$615.67, and authorized John Denninghoff, Public Works Director, to execute a Florida Property Damage Release.

Commissioner Smith inquired if there was something the Board could do to help Mr. Denninghoff and other Directors, because between him and other staff, the Board has most likely spent more than \$300 in salaries with this issue; and further inquired if there was some sort of threshold the Board could give to the Directors to make the decision.

Scott Knox, County Attorney, stated there is a policy that could allow that to happen; this is not the first time it has happened; and it seems kind of crazy to fool around with minor issues like this.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Andy Anderson, Commissioner District 5
SECONDER:	Jim Barfield, Vice Chairman/Commissioner District 2
AYES:	Fisher, Barfield, Infantini, Smith, Anderson

ITEM VI.F.1., LETTER OF SUPPORT, RE: PROTECT THE DEPARTMENT OF DEFENSE BUDGET FROM SEQUESTRATION

The Board approved a letter of support to protect the Department of Defense Budget from sequestration.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Andy Anderson, Commissioner District 5
SECONDER:	Jim Barfield, Vice Chairman/Commissioner District 2
AYES:	Fisher, Barfield, Infantini, Smith, Anderson

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

Stockton Whitten, County Manager stated a week or so ago, the citizens of Brevard received the *Brevard Insider*, which is a magazine that has a whole host of information with regards to County Government. He added Don Walker, Space Coast Government TV Director, and the County departments along with Bonnie from *Florida TODAY* have worked hard to put this document together; there is a lot of useful information in it; it went out inside the newspaper; and it is available everywhere, and there are some extra copies here for the general public.

Venetta Valdengo, Assistant County Manager, stated the Diversity Team is hosting a Women's History Month event on March 18, here in the Commission Chambers; they will have Carol Craig from Craig Technologies, there will be a retired Brigadier General, and Gurtis Stokler who was a Holocaust survivor; and it is from 11:00 AM to 1:00 PM.

March 3, 2015

ITEM VIII.C., REPORT, RE: TRUDIE INFANTINI, DISTRICT 3 COMMISSIONER - CITIZENS BUDGET REVIEW COMMITTEE

Commissioner Infantini stated she would like to see the Budget Review Committee to start meeting; so far there have only been three people attending the Budget Workshops; she would like to make a motion; and she will spearhead the first organizational meeting. She advised that each Commissioner should appoint a substitute member to attend, because sometimes the primary member that is appointed is not available; and that way the substitute could step in. She noted these meetings can still go forward and she would like permission from the group to spearhead the organizational meeting and get it set up; at least three people are willing to meet; and if the other two are busy currently, she does not want to stop this from moving forward.

Chairman Fisher stated he would like to be fair to staff, because he is not sure there is anything to present to the Budget Review Committee right now; and inquired what Mr. Whitten's position is on this. Stockton Whitten, County Manager, stated the direction he received from the Board was that they were going to sit through the Budget Workshops, he was going to come back with a revised resolution, and then they were going to determine the meeting schedule. He added he is not trying to prevent them from meeting, the Board has been in workshops each week, and it is a Committee that needs to be serviced by staff that way no one can be accused of steering it in any one particular way; and he did promise to a couple of the gentlemen that the meeting dates would get worked on. He added his Administrative Assistant was on leave for a couple of days; and they are preparing to set up the meetings in the coming week. He advised he has not asked for a meeting, so he does not think that people have been busy, it is that staff has been busy trying to educate the Board on the budget; and the meeting schedule will get done as soon as possible. He noted he did commit to Mr. Peter Fusscas that it would get done.

Commissioner Infantini stated if County Manager staff is busy, she would be willing to have a member of her staff sit in and record it and transcribe it, or turn it over to the Clerk to the Board or whoever is supposed to transcribe it; she understands that the Committee is anxious to get going; and if staff does not have any items for the Committee to look at, she has plenty of them.

Chairman Fisher stated she can go ahead and send those items to them; and to give the County Manager the courtesy of getting through the budget workshops. Commissioner Infantini stated the budget workshops are not scheduled to end for another few weeks; and she feels that the Committee can start working on elements of the budget that have already been presented. She added she does not know if Commissioner Smith or Commissioner Anderson is in favor of moving the Committee forward, but she is. She made a motion to be permitted to start organizing with Mr. Whitten's staff, to have these meetings start taking place, Commissioner Smith seconded.

Commissioner Smith agreed that there are these people that are dedicated citizens that have agreed to give their time to willingly go through the County's budget; and see if they can find some extra money. He added it would be a starting point; he has been told that they are required to have a forum before they can have a meeting; and they are not in a position to make a decision. He noted they are just an investigatory function of the Board; their goal is to get the Board information; and ultimately, the Board is who makes the decision.

Mr. Whitten stated he has advised Mr. Fusscas that the County Manager's Office will set up the meeting with Mr. Fusscas was just last week; he does not think that one Commission Office should be staffing the Citizens Budget Review Committee, if it is going to be a committee that represents the entire Board. He added his office is in the process of setting up those meetings; he did not tell anyone of the Committee that there was a quorum required, or that there is a unanimous or full committee required to meet; he told them that he believes it is best to have all of the members available at an organizational meeting; and, again, staff is working on it. He

March 3, 2015

advised his office will get that meeting set up; he is not trying to sandbag the Citizens Budget Review Committee; and he is fully committed to implementing the direction of the Board.

Chairman Fisher stated he believes he is asking in a nice way to respect his position and let him get it done.

Commissioner Barfield stated he would like to wait until the Board gets through the Budget Workshops, it makes a lot more sense to have the meetings once those are complete.

Motion died for lack of quorum.

ITEM VIII.C., REPORT, RE: TRUDIE INFANTINI, DISTRICT 3 COMMISSIONER - HARRIS CORPORATION RIBBON CUTTING

Commissioner Infantini stated she was able to attend the Harris Corporation Ribbon Cutting last week; it was a wonderful event; it is a great facility; and they have created an amazing facility to draw a lot of very qualified people to Palm Bay. She added Commissioner Smith was also there.

ITEM VIII.D., REPORT, RE: CURT SMITH, DISTRICT 4 COMMISSIONER

Commissioner Smith stated he would like to get Merritt Island Redevelopment Agency (MIRA) on everyone's radar screen; he commends them, and they have done a great job in the time in the 17 years they have been around; and believes their purpose has passed. He advised he would like the Board to consider the dissolution of MIRA sooner rather than later; would like to hear reasons as to why they should not be resolved; because if there are some, he would like to know.

Commissioner Infantini stated they have been in place for 31 years, but she knows that he is new and did not know that; and she has a lot of statistics if he would like to see how much money has already gone to that part of the County.

ITEM VIII.E., REPORT, RE: ANDY ANDERSON, DISTRICT 5 COMMISSIONER

Commissioner Anderson stated he is the Chairman and serving with Sheriff Wayne Ivey, for an event coming up with the Bridges Foundation, that does a lot of work for the Veterans and people with disabilities. He went on to say they also have a transitional house, which he has been involved in, located in Melbourne, that has been very successful; there will be a golf tournament on May 13, on the short course, it will not be a traditional golf tournament, it is called the Wacky Tacky Golf Tournament; and it is more like a caddy shack type situation. He added all of the details have not yet been ironed out, but it will be a fun occasion; they are looking for sponsors and participants for this; and if one is not a golfer, they can still participate, because even seasoned golfers will have a difficult time making par on this.

ITEM VIII.F., REPORT, RE: JIM BARFIELD, DISTRICT 2 COMMISSIONER

Commissioner Barfield stated he went to Washington D.C. a week or so ago and accepted an award on behalf of the County, for the American Shore and Beach Preservation Association for

March 3, 2015

one of the top four beaches that have been restored in the United States. He added it was with the Beaches from Hawaii, Virginia, and a few other places like that; and it is a big deal, because this restoration that the County did, normally lasts six years, but this restoration lasted nine years, and restoration is to prepare for big hurricanes when they come in. He pointed out restoration builds the beach, helps keep it from washing out the sand, and it is more cost effective to work on it in advance of a storm. He added Mike McGary, Natural Resources Management, he was the one who spear headed this; he is an amazing expert in beach erosion; and this organization understands that. He stated the award that they received portrays a picture that was taken by Robin Spratt in Natural Resources Management Office; and the Board is doing this correctly by preventing erosion. He noted it was a good experience up there; and while he was up there, he met with Congressman Bill Posey's staff, and Senators Bill Nelson, and Senator Marco Rubio's staff to talk about funding for restoration, as well as, the Emergency Operations Center (EOC); the funding for the restoration looks promising; and inquired what funding sources they could come up with for the EOC. He added he will be making a trip to Tallahassee to seek funding for the EOC and the Lagoon; and added the Lagoon was also talked about a lot in Washington.

ITEM VIII.G., REPORT, RE: ROBIN FISHER, DISTRICT 1 COMMISSIONER/CHAIRMAN - MOVE mARCH 12, 2015 WORKSHOP

Chairman Fisher stated he has a conflict with the March 12, 2015 Workshop; and inquired if it could be moved to a later date.

Commissioner Infantini stated it depends on what the later date is. Chairman Fisher stated a date that all of the Commissioners can make it would be good.

The Board tabled the March 12, 2015, Workshop to a date when all Commissioners would be able to attend.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Curt Smith, Commissioner District 4
SECONDER:	Jim Barfield, Vice Chairman/Commissioner District 2
AYES:	Fisher, Barfield, Infantini, Smith, Anderson

ITEM VIII.G., REPORT, RE: ROBIN FISHER, DISTRICT 1 COMMISSIONER/CHAIRMAN - FIELD OF DREAMS

Chairman Fisher stated there was an article in the Brevard Insider magazine about the Field of Dreams, and anybody that is going by Minton Road will probably see a lot of construction going on there. He added he is attending an organizational meeting with 15 different agencies that are talking about a possible partnership with the Field of Dreams; and he is looking forward to seeing the creativity that comes from that.

ITEM VIII.G., REPORT, RE: ROBIN FISHER, DISTRICT 1 COMMISSIONER/CHAIRMAN

Chairman Fisher stated when the Board leaves today, he is walking to Lori Scott, Supervisor of Elections, office to hand her an engineering report on the things about John Rodes building; five different engineering departments have looked at it; and have given a sign off and seal of approval that the Federal Emergency Management Agency (FEMA) project will relieve some of

March 3, 2015

the flooding in that area. He added he hopes to solve that issue with her so that the Board can move forward with the plan for purchasing that building; and hopefully that meeting will go well.

Upon consensus of the Board, the meeting was adjourned at 11:07 AM.



SCOTT ELLIS, CLERK OF COURTS



ROBIN FISHER, CHAIRMAN
BOARD OF COUNTY COMMISSIONERS
BREVARD COUNTY, FL

As approved by the Board March 17, 2015.