

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

5:00 PM

The Board of County Commissioners of Brevard County, Florida, met in regular session on November 5, 2015 at 5:04 PM in the Government Center Commission Room, Building C, 2725 Judge Fran Jamieson Way, Viera, Florida.

**CALL TO ORDER**

| <b>Attendee Name</b> | <b>Title</b>                          | <b>Status</b> | <b>Arrived</b> |
|----------------------|---------------------------------------|---------------|----------------|
| 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       |                |

**ZONING STATEMENT**

The Board of County Commissioners acts as a Quasi-Judicial body when it hears requests for rezonings and Conditional Use Permits. Applicants must provide competent substantial evidence establishing facts, or expert witness testimony showing that the request meets the Zoning Code and the Comprehensive Plan criteria. Opponents must also testify as to facts, or provide expert testimony; whether they like, or dislike, a request is not competent evidence. The Board must then decide whether the evidence demonstrates consistency and compatibility with the Comprehensive Plan and the existing rules in the Zoning Ordinance, property adjacent to the property to be rezoned, and the actual development of the surrounding area. The Board cannot consider speculation, non-expert opinion testimony, or poll the audience by asking those in favor or opposed to stand up or raise their hands. If a Commissioner has had communications regarding a rezoning or Conditional Use Permit request before the Board, the Commissioner must disclose the subject of the communication and the identity of the person, group, or entity, with whom the communication took place before the Board takes action on the request. Likewise, if a Commissioner has made a site visit, inspections, or investigation, the Commissioner must disclose that fact before the Board takes action on the request. Each applicant is allowed a total of 15 minutes to present their request unless the time is extended by a majority vote of the Board. The applicant may reserve any portion of the 15 minutes of rebuttal. Other speakers are allowed five minutes to speak. Speakers may not pass their time to someone else in order to give that person more time to speak.

**INVOCATION**

The Invocation was given by Pastor Joshua Harris, Palm Bay Baptist Church, Palm Bay.

**PLEDGE OF ALLEGIANCE**

Commissioner Jim Barfield led the assembly in the Pledge of Allegiance.

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**ITEM I.A., RESOLUTION, RE: SUPPORTING GOVERNOR SCOTT'S LEGISLATIVE REQUEST TO DEVELOP THE FLORIDA ENTERPRISE FUND**

Chairman Fisher read aloud a resolution supporting Governor Scott's legislative request to develop the Florida Enterprise Fund.

The Board adopted Resolution No. 15-216, supporting Governor Scott's legislative request to develop the Florida Enterprise Fund.

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

**ITEM II.B., PRELIMINARY PLAT/FINAL ENGINEERING APPROVAL, RE: HERITAGE ISLE TRACT E - LENNAR HOMES, LLC**

The Board granted preliminary plat and final engineering approval for the Heritage Isle Tract E - Lennar Homes, LLC project.

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

**PUBLIC HEARINGS**

Chairman Fisher called for a Public hearing to consider Planning and Zoning Board Recommendations of October 5, 2015.

**ITEM III.B.1. (15PZ00056) - IMPERIAL SOUTH, INC. - (WILL REYNOLDS) - REQUESTS A CHANGE OF CLASSIFICATION FROM PIP TO RU-2-15 ON 30.7, LOCATED ON THE EAST SIDE OF WICKHAM ROAD, APPROXIMATELY 330 FT SOUTH OF JORDAN BLASS DRIVE (2975 ALLEN HILL AVENUE, MELBOURNE (TAX PARCEL 253); 2600 PROMENADE DRIVE, MELBOURNE (TAX PARCEL 254); 6375 N. WICKHAM ROAD SUTIE 107, MELBOURNE (TAX PARCEL 756); TAX PARCELS 265 AND 250 HAVE NO ASSIGNED ADDRESS AND ARE IN THE MELBOURNE AREA)**

Cynthia Fox, Planning and Zoning Manager, asked that the Board table this Item to the December 3, 2015 Zoning Meeting.

There being no comments or objections the Board tabled consideration of a request for change of classification from PIP to RU-2-15 on 30.7 acres, located on the east side of Wickham Road, to the December 3, 2015 Zoning Meeting.

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| <b>RESULT:</b>   | <b>TABLED [UNANIMOUS]</b>                           | <b>Next: 12/3/2015 5:00 PM</b> |
| <b>MOVER:</b>    | Andy Anderson, Commissioner District 5              |                                |
| <b>SECONDER:</b> | Jim Barfield, Vice Chairman/Commissioner District 2 |                                |
| <b>AYES:</b>     | Fisher, Barfield, Infantini, Smith, Anderson        |                                |

**ITEM III.B.2. (15PZ00051) - ROY WAYNE YATES - (DAVID AGEE) - REQUESTS A CUP FOR LAND ALTERATION IN AGR AND AU ZONING CLASSIFICATIONS ON 32.50 ACRES, LOCATED ON THE WEST SIDE OF BABCOCK STREET, APPROXIMATELY .50 MILE SOUTH OF MICCO ROAD (9400 BABCOCK STREET, FELLSMERE)**

Cynthia Fox, Planning and Zoning Manager, asked that the Board table this Item to the December 3, 2015 Zoning Meeting.

There being no comments or objections, the Board tabled consideration of a request for a CUP for Land Alteration in a AGR and AU zoning classifications on 32.50 acres, located on the west side of Babcock Street, to the December 3, 2015 Zoning Meeting.

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| <b>RESULT:</b>   | <b>TABLED [UNANIMOUS]</b>                    | <b>Next: 12/3/2015 5:00 PM</b> |
| <b>MOVER:</b>    | Andy Anderson, Commissioner District 5       |                                |
| <b>SECONDER:</b> | Curt Smith, Commissioner District 4          |                                |
| <b>AYES:</b>     | Fisher, Barfield, Infantini, Smith, Anderson |                                |

**ITEM II.B.3. (15PZ00054) - EDWARD L. TYLER, LIVING TRUST - (JANET ROCHESTER) REQUESTS A CHANGE OF CLASSIFICATION FROM IN(L) TO EU-2, ON 1 ACRE, LOCATED ON THE SOUTH SIDE OF AURORA ROAD, APPROXIMATELY 0.25 MILE WEST OF WICKHAM ROAD.**

Cynthia Fox, Planning and Zoning Manager, stated that this request is for the rezoning from IN (L) to EU-2, this is going from an institutional zoning to single family zoning, and the request is so that property owners may build a single family residence.

There being no comments or objections, the Board approved a request from Edward L. Tyler, Living Trust for a change of classification from IN (L) to EU-2, on one acre, located on the south side of Aurora Road, approximately 0.25 miles west of Wickham Road.

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

**ITEM V.A. LEGISLATIVE INTENT AND PERMISSION TO ADVERTISE, RE: ORDINANCE OF ADDITIONAL FUEL TAX AND LOCAL OPTION GAS TAX**

Commissioner Barfield stated that this is a big subject to discuss roads, and what the Board is going to do in the future; he knew the turmoil this topic may cause, and it is a hot topic, however, nothing has been done; and it had to come to a head. He added that it began back in 2013 when the Blue Ribbon Committee was asked to look at the condition of the roads, and to look at the funding; from that came two areas of concern, the normal maintenance of roads and the capacity of where they can be expanded; and from that there were four areas on how this could be funded. He went on to say one was to maintain the current funding, which is \$14 million per year; the second was to increase the gas tax by six cents; the third was to institute the impact fees, which can only be used for capacity improvements, not maintenance; and the fourth was a half cent infrastructure sales tax increase. He added that the purpose of this meeting is not strictly to look at gas tax, it was to get everyone here in order to make some decisions on what is going to be done in the future. He added that the Board has pushed it off for as long as it could be, and either the Board will make a decision or not and move on; however, he does not believe these things should be allowed to linger. He went on to state that in 2015, the Board had eight budget workshops and two budget hearings prior to the budget vote; he was disappointed to see that the Board did not have the input of the citizens at these workshops; he went on by stating that the Board has had approximately 40, or more, meetings with staff to discuss roads; and what he is trying to say is that the Board has done a lot and has been involved and has learned a lot; and he brings this up because of the importance of it. He added, on a personal note, that it was amazing to him the number of people who can send vial and nasty emails; there were a number of good emails with good input and he appreciates that; however, they have to get along, be civil, and listen to each other. He added that there has been a lot that has come across, facts that are not really facts; he has done a lot of research to find out what the truth was; one of the issues was the impact fees; and impact fees cannot, by law, be used for maintaining roads. He went on to say the what is being discussed is a six cent gas tax, which will be applied strictly to road maintenance and resurfacing, and it is approximately \$7-\$8 million annually that would be generated for that, for the County and for the cities; he added that another misconception is that tourist dollars can be used for roads, however, tourist dollars, by law, cannot be used for roads either. He went on to say that the question has come up regarding why the Board has not prioritized its activities and revenues to address roads, however, there has been significant reductions; these reductions have been made in the form of 400 positions in the Brevard County government, primarily in Parks and Recreation and Library Services; and he added that, as far as prioritizing, the Board could close Park and Libraries, however, that is not a very popular subject. He went on to discuss the issue with the \$5,000 palm trees purchased for State Road 520 on Merritt Island through a grant, but it was multiple grants, multiple areas, Merritt Island Redevelopment Agency (MIRA), the State, it was all a team effort; and there were palm trees purchased at \$4,500. He added that this is not the only time expensive palm trees have shown up in this County; he went on to say the Commissioner Infantini never mentions the 29 palm trees that when in on U.S. 1 in Palm Bay, her district, were purchased at \$6,200 each; they were planted by the Plam Bay Community Redevelopment Agency (CRA), while she was in office; and that he really does not understand what the issue is about palm trees. He went on to state that Commissioner Infantini has stated, in emails, that the County has allocated \$6 million for speculation (spec) building for commercial purposes; however, the spec building is not even funded, it is in the Capital Improvement Plan (CIP), but it has not been approved by the Board. He went on to say that another issue is that the County allocated \$6 million for a mall in Titusville, however, that has not happened, and it will not happen until the developer spends approximately \$25-\$30 million of his own money, and his four anchor tenants are in place; once the money is in place the money is to be used for public improvements, infrastructure which includes, stormwater, sewer, utilities, all which affects the community. He pointed out that there have been other things said on this Board, by Commissioner Infantini and others, one of which is that property taxes have been raised 30

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percent in the last four years, however, the ad valorem property taxes have not been raised 30 percent; in fact, the operating revenues have been slightly increased from \$177 million in 2011, to \$175 million in 2012, to \$182.5 million in 2013, and then to where it is now at \$201 million; that is a 6.5 percent increase, and if a person figures all of that up, it is less than the consumer price index; along with that is the milage rates, the milages rates in 2011 were 4.9063, for 2014-2015 they dropped to 4.5, so there has not been these increases in taxes; and he needed to make sure that everyone understands that. He added that another statement that was made, by Commissioner Infantini, was that utility taxes, also called user fees, have increased by 58 percent; however, these fees were increased up to 70 percent over 10 years; he added that it was Commissioner Infantini who made the motion to increase utility fees. He went on to say that there are a number of other issues, including the 1985 gas tax and what it was spent for then; that was used to build Minton Road, Dairy Road, North and South Courtenay Parkway in Merritt Island, Fay Boulevard in Port St. John, Dairy Road in Titusville, Grissom Road, Palm Bay Road was widened to four lanes, Wickham was widened to four lanes; Apollo, Evans Road, Nasa Boulevard, Hollywood Boulevard, were realigned; and that this was only a few, and it was 30 years ago, and he believes it is about time that these roads are resurfaced. He went on to say that to give perspective on where the County is, just in his district there is over 260 miles of sidewalks, 255 miles of paved roads; but the comparison about Brevard's population that people need to understand is that the population of unincorporated Brevard County is 214,549, so when how money that has been allocated over the years is looked at, it matches up to the need because of the number of roads; again, he goes back to the reason for this, which is to make a decision what will be done for these roads, it is time.

Commissioner Infantini stated that the rate increase was for Barefoot bay to have water improvements; the stormwater tax was the stormwater fee that is actually a tax, it is not a user fee, it is just an assessment that is Countywide; and it is not based on consumption. She added that the \$6 million for the mall has been approved, although it has not yet been spent; the spec building is the \$6 million that is in the CIP, which was approved by the Board; and with regards to the Palm Bay CRA, she would not have any idea how much Palm Bay spends, she is not a member on Palm Bay's CRA board, nor does she approve its invoices, the only invoices that the Board approves and has access to are the ones for MIRA. She added that every time the Board has approved a cash giveaway, she questions where the money is going to come from, it is only after the money is spent that the Board goes back and looks at where it will get the money from. She suggested that if roads are the most important thing in this County, that the Board make that its first priority.

Ron Taylor stated that there is already a six cent per gallon local option gas tax, allowing the County to collect approximately \$9 million per year for the last three budget years, on average, two thirds of these funds went to pay off loans on road improvements, most of which supported builder-developer projects; and as a result, the existing roads in Brevard County neighborhoods have been neglected. He added this proposal doubles the County tax to 12 cents per gallon; the neighborhood roads are in desperate need, and given the past usage of these funds, he questions how the taxpayers can be assured that the addition monies raised will go first for maintenance and repaving of all the neighborhood roads. He suggested that if road maintenance is where Commissioner Barfield says the money will go, then it should be stated as a clause in this proposed legislation. He also suggested that the Board re-implement the road impact fee; recall or reconvene a new Blue Ribbon Committee (BRC) to go through the budget again, without the new tax only restriction; and the BRC's job is to prioritize and fund essential services, such as roads and community needs first, and then consider funding economic development projects. He also suggested that should there still be a road fund deficiency, the Board should put before the public a tax increase covering the deficiency in the form of a referendum, the public may choose a sales tax increase, or a property tax increase if they are involved in the decision making process.

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Carol Hamilton suggested that there should not be any increase in taxes until the impact fees are reinstated, and asked the Board, in the meantime, to look into other sources. She shared with the Board an article from *Florida TODAY* that was written ten years ago, this article discussed the same issues with roads; she highlighted that these issues have been present for ten years.

Evan Newman expressed that he is in favor of the reinstatement of impact fees, and suggested that the Board reassess the property taxes; he added that he believes there are other ways to get the money for roads, and that a gas tax is a bad idea.

Vince Lamb stated that he does not want to more taxes, but he believes that maintaining the roads and building new ones to accommodate growth ranks high in government priorities; he asked the Board to move forward with the six cent local option gas tax increase as quickly as possible.

Kim Snyder stated that taxes collected for infrastructure is an investment, not an expense; it improves safety, reduces travel times, and reduces car repairs; and it is also a fact that government faces inflation also. He added as costs go up, revenue needs to be increased; he believes it has been 30 years since there was a gas tax increase in Brevard; and the County also has fixed expenses, which limits where cuts can be made. He went on to say that he ran the numbers and found that the average increase would amount to ten cents a day; and he is willing to spend an extra ten cents a day for the safety of people, for less time spent in traffic, and for less damage to vehicles; and he encouraged the Board to pass the six cent local option gas tax increase.

Ed Lankenau stated that he, like most people, is fed up with taxes; everything has a tax; he added that \$35 million was more or less blown off in the past few years, because the Board waived the impact fees for builders and developers; and he questions why that impact fee was waived. He went on to say that it is time for the Board to stand up for the taxpayers and turn down any gas tax until it has the guts to re-implement the impact fees.

Silvia Sanchez stated that she is a disabled veteran, and taxes are waived for veterans with 100 percent disability; she is not deemed 100 percent disabled so she does pay taxes; with everything increasing, she has a hard time deciding every month between putting food on the table for her daughter or paying for her medicine; and there has to be another way to fix roads.

Roger Gangitano stated that he read Commissioner Barfield's article in *Florida TODAY*, that stated citizens have benefited from a reduction in gas prices, so there is no better time to increase the tax on gas; he added that he is offended by the implication because he is no longer be gouged by the price of gas, that he should now pay a higher gas tax to take some of that benefit away. He went on to say that when he fills his car with gas, he does not buy the gas at \$2.05 per gallon when he can buy it at the gas station next door for \$1.99, so six cents a gallon influences his buying decision every day; and businesses will pass their added costs on to the consumer for goods and services, so in the real world this six cents translates to far more than six cents to the consumer. He went on to say that the saving made on lower gas prices is minimal compared to the cost of living. He went on to explain his opposition to increasing the gas tax and asked the Board to come up with a different solution.

Pam LaSalle stated that her concern is not that the roads need repairs, it is where the Board is getting the money for those repairs; she does not understand why the Board cannot go back and look at the budget; she added that when her health insurance rates increased, she did not get a cost of living increase, and she had to go back and look at her budget so that she could pay her bills; and that is what she believes the Board should do.

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Joan Albert stated that she is representing the House of Hope, a ministry, and charity; her organization tries to provide food for the people that are in need in this County, they serve over 4,000 households per month and they are struggling; they only receive donations, and if the donations do not come in the organization has to sit down and budget, which she handles personally; she added that she just found out about this gas tax increase, and she was not aware that there were budget meetings; and the citizens need to be made aware of what is going on and be allowed to have input.

George Rosenfield expressed that he is not a fan of fracking for oil; and he suggested that the Board get the funds elsewhere.

Bob White, Republican Liberty Caucus of Central East Florida, shared with the Board a Resolution that the Republican Liberty Caucus of Central East Florida adopted in opposition of the proposed six cent local option gas tax; he stated that in regards to the 30 percent increase in the ad valorem taxes mentioned by Commissioner Barfield, a person cannot look at the levels of spending during that same period of time, a person has to look at what is happening with the proposed milage rates relative to the assessed values of the properties that are being taxed; and the only measure that makes sense at all is what will happen to a person's taxes that they are paying on their property if the County Commission takes this step. He added that the Board cannot look at whether it rolled back the milage because the property values went up and the taxes went up, which is a tax increase, and he can assure the Board that there were back to back years that when combined it was 30 percent that the ad valorem tax rate when up in Brevard County.

Connie Smith advised the Board that everyone is in favor of fixing and maintaining roads, however, the question is what happened to the dollars that were budgeted for essential budgetary items, which is road maintenance. She added that it appears the money that was budgeted for road maintenance went to special programs and projects; there are approximately 19 CRAs that are not essential budgetary items; and there have millions of dollars through the years that have been directed to CRA projects, which short the General Fund through tax increment financing. She added that there has been an \$8 million grant given to a billionaire businessman, and \$1.7 million was given to Lockheed Martin; and all of the dollars that were given away to the projects and millionaires could have been used to fund the road maintenance. She noted that she was forced to cancel her life insurance policy in order to make up for increased healthcare premiums and deductibles. She went on to say that the Board spent the roads budgetary dollars, and questioned why the public should have to pay for the Board's shortfall. She asked the Board to not vote for a gas tax increase, and suggested it put a hold on CRAs or discontinue funding.

Gary Johnson questioned the Board why higher taxes are used as a solution to every budget shortfall, and why the Board does not understand that its job is to manage within the budget and that the taxpayers cannot afford its irresponsible spending. He pointed out that taxes are going up faster than people's paychecks; and he added that this year his property taxes have increased by eight percent, yet his fixed income has not increased at all. He questioned how the public is supposed to pay for the Board's extravagant spending; he stated that because the Board refuses to curb its extravagant spending, he has to cut more out of his personal budget to pay for \$5,000 palm trees. He added that he is tired of the Board's irresponsibility, and the people of Brevard elected the Commissioners to manage the affairs and services of the County within the budget that was established; that was the job of the Board and it has failed. He questioned why the Board is not prioritizing expenses so that essential services, such as road repair, are properly funded, and non-essential services, such as golf courses and \$5,000 palm trees, are rejected. He also questioned where in the Charter is it stated that the Board is authorized to spend taxpayer money to speculate in real estate. He urged the Board to stop its frivolous spending and suggested that there be no more tax increases.

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Lois Lacoste asked the Board not to increase the fuel tax. She stated that a large number of people in Brevard County live on a fixed income and will not be receiving an increase in that income due to the low price of gas, which the Board wants to increase. She went on to state that the cost of living index is not based on, nor does it take into account, the ever increasing cost of groceries or medical care and costs; she added that every month her cost of living increases while her income does not. She went on to explain why the Board should increase the fuel tax.

Alisa Artigas, Americans for Prosperity (AFP), stated that she and AFP are opposed to the tax increase, in fact AFP has taken a stand against increases in gas taxes both federally and statewide; the AFP are against these increases because it costs citizens too much; and she explained that it will hurt working families. She concluded by asking the Board not to increase the gas tax.

Jim Phend, Melbourne Motorists Association Director, stated that there is a low expectation for government, which is usually met; and there is something wrong when average motorists are taking the hit with more increases in gas tax and/or sales tax, which the average motorists/citizens are opposed. He added that in his opinion, when something like this goes wrong, there is a lack of accountability somewhere; and it is his hope that the Board chooses not to increase the gas tax.

Barbara Weiler stated that it is obvious that the problem with fund road maintenance is that most of the Commissioners do not understand fixed fund budgeting; she suggested that the Board consider citizens with a fixed income; and she stated those citizens prioritize what they have to spend around the core items are needed to sustain their households, and do without the items that are not essential and not affordable. She suggested that the Board needs to learn how to manage a budget and use the money that is there properly.

Ron Bobay stated that he thinks the figures are impressive, that only eight miles of roads are being resurfaced per year when there is a need of 55 miles; 280 miles of legacy costs for the roads that are unable to be resurfaced; and the result is that higher costs are incurred for ignoring the legacy costs, which are continuing to accrue every year. He encouraged the Board to increase the gas tax and re-implement the impact fees; he added that he would also like to see a referendum for the half cent sales tax for fifteen years; and he believes it will take all three to supplement the need for roads.

Commissioner Infantini clarified that, with regards to the eight miles of road maintenance, in 2011 and 2012 there were over 100 miles of roads re-paved in district one; there was a request to give \$10 million to district one because the roads needed to be re-paved; and that when there is a desire, there is a way to find the money. She went on to say she is unsure of where the eight miles figure comes from, because there were 100 miles re-paved in district one, and 50 miles in district two; when the need was identified, the money was found.

Chairman Fisher clarified that the money came from savings from local gas tax that was not spent, and the Board decided how to distribute that money; and at that time a new parkway was being built, and he suggested that roads should be paved instead of building a new parkway; when he took that position, his philosophy was that there should not be new roads before the old roads were repaired; he took the portion of the money that was given to district one and had 50 miles of roads paved in 2011 and another 50 miles paved in 2012; and he was leading and getting things done.

Commissioner Anderson explained that during that time, the money had been bonded out, using the fuel tax as collateral, to the parkway and other projects; construction prices dropped

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significantly; due to the reduced construction costs the budget amount for those projects was less, and the leftover proceeds came back to the County to reallocate.

Pat Pasley stated that there is no oversight in the spending of CRAs, and therein lies the problem; she suggested that if the Board de-funded CRAs, there would be plenty of money to repair the roads. She added that she has to live within her means, and live within her budget; and she played an audio recording of Commissioner Smith speaking about focusing on the needs instead of wants, and building a surplus. She concluded by stating that surpluses need to be built and not tax the citizens, and she hopes that Commissioner Smith holds true to his campaign promises.

Chairman Fisher commented that after one becomes a Commissioner, that person then gets all of the facts, and when that person gets the facts it is a lot different than being on the campaign trail.

Dave Pasley stated that he is hearing a lot about the Blue Ribbon Committee, but there is also a Budget Review Committee that presented recommendations to the Board; he added that there is not a pot of gold in the budget, but there are a lot of gold flakes. He added that if the Board prioritized its spending, the money can be found; and the Board has a lot of work to do.

Peter Fusscas stated that the core function, the maintenance of roads, is a core problem, and he questioned why. He went on to read aloud a statement from Marty Adams.

John Weiler stated that the citizens are told that road maintenance is a core function of the County, and that there are no credible methods to fund this core function, except for raising the gas tax; he added that if this is a core function then it should be priority number one, and funded before anything else in the budget. He suggested decreasing funding for frivolous, non-core issues, that the Board consider road maintenance funding only be used for unincorporated Brevard County roads outside existing CRA boundaries, and let the CRAs fix the roads that are in its boundaries.

Joyce Errekar stated that she is opposed to an increase in gas tax, and the ground work does not seem to have been laid to show that currently budgeted funds can not cover needed costs and that new tax revenue would be used effectively; she added that many Brevard County residents are struggling in this difficult economy. She went on to say that the Transportation Blue Ribbon Committee reported to the Board that the County has serious unfunded road maintenance and construction needs; and from what she has observed the fiscal year 2015 budget was adopted a few months later with no real increase in the road maintenance budget; and then again on September 28, 2015, more than one year after that report, the fiscal year 2016 budget was adopted with no significant increase in road maintenance costs. She added that this was only six weeks ago, and already the Board is discussing a tax increase. She went on to read aloud a portion of the minutes from the Blue Ribbon Committee report.

Courtney Barker, City Manager of the City of Satellite Beach, stated that she is in support of Commissioner Barfield's efforts to discuss the possibility of instituting a local option gas tax for the funding of road maintenance, and she wishes the discussion would have taken place last year, because Satellite Beach has already increased the utility tax to pay for road maintenance; and she believes an increase in gas tax would benefit Satellite Beach, in that it would be able to decrease the utility tax. She added that it is important to note that the County has been cutting its budget for approximately eight years; and she believes that the Board has realized that it cannot let go of CRA funds, it is a partnership and it has been looked at and discussed greatly. She went on to say that she believes the Board has made all of the cuts to the budget that can be made. She added that if the Board increases the gas tax, it would be a good idea to place

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assurances in it so that the public could be assured that the money will be used for road maintenance; and she also agrees with the impact fees.

John Titkanich, City Manager of the City of Cocoa, gave an explanation of the benefits of CRAs; he added that he understands that the Board has a challenge, and he believes that immediately attacking one source, CRAs, is going to solve the problem; good roads and good economic development go hand-in-hand; and he suggested that everyone should come together and look for a solution as a whole.

Nick Tomboulides stated that with regards to the two previous speakers, that they are city managers and suggested that they have a conflict of interest and that they should recuse themselves from the discussion. He added that with regards to poverty and unemployment, the best economic development engine that Brevard has is the Free Marketplace, and the County should not be taking more money from those impoverished people in the form of a gas tax. He went on to stated that the Board is not listening to the citizens of Brevard County, but are instead listening to major corporations; and the Board funds frivolous items on a regular basis; he suggested that the Board prioritize its spending habits instead of latching onto the taxpayers like a parasite.

Ed Dean stated that the Board wants to raise taxes every year, and he understands that it has categorical spending; however, the property taxes have already increased by six percent, that is millions of dollars going into the general revenue, and because of that he questioned why the taxpayers are being asked for more money. He questioned what was done with the stimulus money that Brevard received in 2009/2010; he added that the City of Palm Bay spent \$5 million of it on a new city hall instead of fixing the roads in southwest Palm Bay. He questioned that if the Board is going to override the recommendations of the Citizens Budget Review Committee, then why even have a Citizens Budget Review Committee. He went on to say that he would be supportive of the gas tax increase if the Board reduced the property tax; and he suggested that the Board conduct a workshop in order to exhaust all of the other options and arguments.

Rocky Randels thanked the Board for addressing this issue, and encouraged it to continue addressing it in workshops; and he added that this is important for the Citizens of Brevard and for the tourists who visit.

Bob Baugher stated that Cocoa Beach is the only City that is funded for roads in the next 20 years. He added that in addition to being on the Blue Ribbon Committee, he also served on the Transportation Planning Organization Citizens Advisory Board; and during that time it became clear to him that the County has a funding problem for the roads. He went on to say that the cost of the roads is going to increase if the County does not fix the problem now. He noted that Brevard County citizens pay approximately 50 percent of what the surrounding counties pay in taxes; and Brevard County is underfunded and undertaxed. He concluded by stating the gas tax alone is not going to solve the problem, it is only one of many; and this problem needs to be solved now and the Board needs to make the hard decisions; and attacking CRAs is not a good idea because the CRAs aid in bringing money into the County.

Tom Hermansen stated that if a place does not have good roads, a good school system, good infrastructure, good policing, and sensible government, then it is not a good place to live; and roads are an important part of that. He added that the Commissioners were elected to assess the situation, and to manage the complex budget; and there are many needs. He went on to say the he feels that he pays more than his fair share of taxes, and he could not believe that he would even consider supporting the Board on a gas tax increase, however, if the roads are underfunded and continue to deteriorate, the issue is not addressed, and the Board has done its due diligence to go through the budget and try to find the funding and still come up short, then the Board needs to address how to find the funding; he added that he believes that if the County

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is doing itself a disservice if it is not taxing itself at least at the same rate as the surrounding counties; and he asked to Board to make the difficult decisions.

Ronda Witt advised the citizens to read the Blue Ribbon Committee report, because it tells how bad the road situation is. She pointed out that impact fees will not help; the gas tax will solve some of the problems but it will not cover the back log. She stated that the statistics are that the County needs \$18 million annually for the next 15 years above the \$14 million that has been budgeted; that is a lot of money and it has to come from somewhere; and the longer the County delays, the higher the bill is going to be, because it costs more to build new roads than to maintain the ones that the County already has. She added that there is a misconception that there is a lot of money in the budget that could be allocated for roads; she asked Commissioner Infantini to send out her suggestions on how to cut the budget and save money. Commissioner Infantini stated that she would suggest that the Board stop saying yes to spending anything before it knows where the money is going to come from. Ms. Witt noted that the public needs to be better informed about the money and the budget. She added that if Brevard cannot get new companies to come here, then there is no tax revenue or jobs; surrounding counties offer incentives for those big companies to move in; and that it what Brevard has to do also, Brevard has to compete for it in order to receive the benefits.

Commissioner Infantini stated that she believes that the County would survive some companies not coming to Brevard, and that there will be other companies that will come without an up-front cash incentive.

Bob Wille stated that he has been coming to Board meetings for years, and telling the Board about these issues; and the Blue Ribbon Committee has confirmed what he has been saying. He added that the Blue Ribbon Committee was never asked to review the County Budget, and he believes it was because the County already had a Citizens Budget Review Committee. He went on to express that it is good to finally see there being a discussion in order to solve these problems, and as much as it pains him, he is supportive of the increase in gas tax; he added that had this discussion taken place during the budget hearing and budget process, then it probably would not have come to increasing taxes.

Mary Jane Nail stated that she would like there to be an audit on the County government; and she believes that it will be found that there is all kinds of money, hiding in all kinds of places, that can be used for roads or special projects. She provided the Board with a document entitled Energy Matters; she went on to explain to the Board why energy does matter. She added that the County does not need an increase in gas tax; and she suggested that the tourist tax collected by hotels be redistributed for road projects and nothing else.

Keith Rigler stated that cities, counties, and local governments' only top priorities are roads, infrastructure, police, and fire; anything after that is a want. He added that those four things should be included in the property taxes. He noted he believes that the Board needs to change its way of looking at things, and to get back to the way things were supposed to be in America. He asked why the Board did not come up with this before the budget, the Board knew about this problem, but waited until after the budget was done.

Stockton Whitten, County Manager, stated that the County does not provide any funding to United Way, it is all from donations; and budget information can be found on the County website; there is a budget dashboard that allows the user to compare by department, by program, and expenditures; and the user will also find the recommended budget, a summary of the adopted budget, archived budgets, and ten year expenditure reports.

Commissioner Smith stated that he would like to more forward and table this proposition, and the Board has spent an exhaustible amount of hours on this subject over the last eight or ten

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months, and a lot of the public was not involved; he added that he has heard a lot of comments made, that had the public been involved, would not have been made; but there are a lot of things that the Board has to consider. He went on to say that he does not believe that the Board is in a position to increase Brevard's residents tax burden right now, because it has not exhausted every avenue and turned over every rock, to find every dime that it can to contribute to roads. He added that the Board has not produced a strategic plan which would include a list of prioritized projects and road standards across the County and all municipalities; and most importantly, this tax does not provide enough revenue to cover what it needed, it would be a big help, but it is not going to solve the problem. He pointed out that the Board has to do a workshop, and reconsider this in front of the public. He reiterated that there is no big pot of gold in the budget, and the Board needs to solve the problem; and when there is a road that needs repair and it is not repaired, then it needs to be replaced, which costs more. He added that he is not comfortable with passing this tonight, and there must be a comprehensive plan, that clearly defines the need. He noted that everyone must contribute to the solution, and get creative to find money; everyone must give something; all solutions must be looked at and tough decisions will have to be made. He added that a surplus needs to be made, but before that can happen, the problem needs to be fixed. Commissioner Smith moved to table this item until the issues have been addressed.

Commissioner Infantini seconded.

Commissioner Barfield stated that if the Board moves forward with tabling, he would like to see a time and date added to make sure that the Board will make a final decision.

Commissioner Smith agreed with Commissioner Barfield, and stated that he is all for starting as soon as possible and should come to a decision by February 1, 2016; and whatever is decided will not be implemented until January 1, 2017, but the Board needs to move forward as quickly as possible.

Commissioner Anderson suggested that the cities and municipalities be included in all of the options being considered. Commissioner Smith agreed.

Chairman Fisher stated that if the Board wants to workshop the issue that can be done, however, he does not believe the Board will not learn anything in a workshop that it does not already know. He added that there is a revenue problem and the County cannot get the same amount of revenue that surrounding counties get without increasing or adding taxes. He added that he is not interested in cutting a park, library, or a CRA to fill a pothole.

Commissioner Infantini stated that the reason there is a revenue problem is because the Board makes expenditures without knowing where the money is going to come from. She suggested attracting businesses by being the most business friendly, instead of bribing businesses to come to Brevard; she added that the Board cannot turn to the taxpayers to pay more because it ran out of money, because it gave so many cash up front bonuses in the North Brevard Economic Zone; a workshop is going to put it off for another few months; and she does not see a need for a workshop, if this was so important, then the board would have discussed it during the budget and nailed it down right then and there, but it is coming up now.

Commissioner Smith stated that he has made a motion, and he would like to see a vote; the Board has a lot of things to talk about, and the Board has all the facts it needs, but he believes the public deserves an opportunity to hear the facts; and he is going to do what is best for the County to fix this problem.

Commissioner Barfield stated that he really appreciates everyone coming out to discuss this issue; and he called for a question.

The Board tabled legislative intent to hold a public hearing to consider adoption of the additional fuel and local option gas tax for road improvements in Brevard County to a future Board Meeting; and approved conducting two workshops, involving Cities and Municipalities, with a decision deadline of February 1, 2016.

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| <b>RESULT:</b>   | <b>TABLED [UNANIMOUS]</b>                    | <b>Next: 12/10/2015 1:00 PM</b> |
| <b>MOVER:</b>    | Curt Smith, Commissioner District 4          |                                 |
| <b>SECONDER:</b> | Trudie Infantini, Commissioner District 3    |                                 |
| <b>AYES:</b>     | Fisher, Barfield, Infantini, Smith, Anderson |                                 |

**ITEM V.B. PERMISSION TO ADVERTISE PUBLIC NOTICE, RE: KINGSMILL-AURORA STORMWATER IMPROVEMENTS - WICKHAM ROAD CULVERT CROSSING**

The Board authorized permission to advertise public notice to determine whether it is in the public interest for the Brevard County Public Works Department (Road and Bridge) to perform services necessary to construct a new drainage culvert under Wickham Road as part of the FEMA cost-shared Kingsmill-Aurora Stormwater Improvements; and approved Budget Change Requests to recognize balance forward for this project.

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

**ITEM VI. PUBLIC COMMENTS**

John Weiler stated that the fact that a number of people attended this meeting should show that there is a particular interest in the issues that were discussed; he briefly explained his understanding of how a budget works; and he suggested that the Board participate in a budgeting course.

Pat Pasley stated her frustrations with Chairman Fisher are, in her opinion, he is being rude, insulting, degrading, and disrespectful to her, to the people who came out to speak, and to Commissioner Infantini; and if there is a workshop, she would like it to be an inter-active workshop, in which both the Board and the public interact.

Pam LaSalle provided to the Board her concerns regarding issues surrounding feral cat colonies; she added that she believes it is unsafe for humans to be in any waterways in Brevard County because of the parasites.

**ITEM VII.G.1., RESOLUTION, RE: HONORING THE LIFE OF JUANITA EVANGELINE MOORE**

The Board adopted Resolution No. 15-217, honoring the Life of Juanita Evangeline Moore.

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

Upon consensus of the Board, the meeting adjourned at 8:20 p.m.

ATTEST:

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

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SCOTT ELLIS, CLERK