

Brevard County Board of County Commissioners

*2725 Judge Fran Jamieson Way
Viera, FL 32940*



Minutes

Tuesday, February 11, 2025

5:00 PM

Regular

Commission Chambers

A. CALL TO ORDER 5:00 PM

Present: Commissioner District 1 Katie Delaney , Commissioner District 2 Tom Goodson, Commissioner District 3 Kim Adkinson, Commissioner District 4 Rob Feltner, and Commissioner District 5 Thad Altman

C. PLEDGE OF ALLEGIANCE

Commissioner Rob Feltner led the assembly in the Pledge of Allegiance.

D. MINUTES FOR APPROVAL

The Board approved the September 24, 2024, Final Budget Hearing, November 12, 2024, Regular Meeting, and December 3, 2024, Regular Meeting Minutes.

Result: Approved

Mover: Tom Goodson

Second: Thad Altman

Ayes: Delaney, Goodson, Adkinson, Feltner, and Altman

F.1. Approval to Apply for the Waste Tire Amnesty Program and Execute Associated Agreement, Modifications and Amendments upon Funding Approval from the Florida Department of Environmental Protection (FDEP)

The Board approved the Mosquito Control District to apply for FDEP Waste Tire Amnesty Funding; authorized the County Manager to execute the Funding Agreement, future amendments and modifications, if funding is awarded by FDEP, upon review and approval by the County Attorney's Office, Risk Management, and Purchasing Services; and authorized the County Manager to approve all associated Budget Change Request.

Result: Approved

Mover: Kim Adkinson

Second: Katie Delaney

Ayes: Delaney, Goodson, Adkinson, Feltner, and Altman

F.2. Florida Department of Agriculture and Consumer Services (FDACS), Division of Agricultural Environmental Services, Arthropod Control Budget Amendment

The Board authorized the Chair to execute the State of Florida, FDACS, Division of Agriculture Environmental Services Arthropod Control Budget Amendment.

Result: Approved

Mover: Kim Adkinson

Second: Katie Delaney

Ayes: Delaney, Goodson, Adkinson, Feltner, and Altman

F.3. Appointments to the Save Our Indian River Lagoon Citizen Advisory Committee

The Board approved and confirmed the League of Cities' request to shift their appointee, Nicholas Sanzone, from Science Alternate to Tourism Alternate, and to confirm Mark Schrope as the Science Alternate on the Save Our Indian River Lagoon Citizen Advisory Committee.

Result: Approved

Mover: Kim Adkinson

Second: Katie Delaney

Ayes: Delaney, Goodson, Adkinson, Feltner, and Altman

F.4. Final Plat and Contract Approval, Re: Reeling Park South, Phase 5

Developer: The Viera Company

The Board executed and granted final plat approval for Reeling Park South Phase 5 – Developer: The Viera Company, subject to minor changes, if necessary, receipt of all documents required for recording, and developer responsible for obtaining all other necessary jurisdictional permits; and executed and approved the Subdivision Infrastructure Contract.

Result: Approved

Mover: Kim Adkinson

Second: Katie Delaney

Ayes: Delaney, Goodson, Adkinson, Feltner, and Altman

F.5. Approval Re: Amendment No. 3 to the Traffic Signal Maintenance and Compensation Agreement FM#413019-1-88-01 and Resolution with the Florida Department of Transportation (FDOT)

The Board approved Amendment No. 3 to the Traffic Signal Maintenance and Compensation Agreement FM#413019-1-88-01 with FDOT; adopted Resolution No. 25-009, authorizing the County Manager to execute Amendment No.3 and any future contract-related documents, not including amendments to Exhibit A, contingent upon County Attorney's Office, Risk Management, and Purchasing Services review and approval; designated the Traffic Operations Manager to execute all amendments to Exhibit A of the Agreement; and authorized the County Manager to approve any Budget Change Requests associated with this item.

Result: Approved

Mover: Kim Adkinson

Second: Katie Delaney

Ayes: Delaney, Goodson, Adkinson, Feltner, and Altman

F.6. Approval Re: Resolution to Authorize the County Manager to Execute Agreements for Ellis Road Widening

The Board adopted Resolution No. 25-010, authorizing the County Manager to execute agreements and all project-related documents to ensure timely project delivery and responsiveness to the County's partners on the Ellis Road Widening Project, contingent upon County Attorney's Office, Risk Management, and Purchasing Services review; and authorized the County Manager to approve any Budget Change Requests associated with this item.

Result: Adopted

Mover: Kim Adkinson

Second: Katie Delaney

Ayes: Delaney, Goodson, Adkinson, Feltner, and Altman

F.7. Appointment(s) / Reappointment(s)

The Board approved the reappointment of **Yvonne Minus** to the Community Development Block Grant Citizens Advisory Board, with said term to expire December 31, 2026.

Result: Approved

Mover: Kim Adkinson

Second: Katie Delaney

Ayes: Delaney, Goodson, Adkinson, Feltner, and Altman

F.8. Bill Folder

The Board acknowledged receipt of the Bill Folder.

Result: Approved

Mover: Kim Adkinson

Second: Katie Delaney

Ayes: Delaney, Goodson, Adkinson, Feltner, and Altman

J.3. Request of \$705,254.16 to Replace Current Voter Equipment - Supervisor of Elections

Tim Bobanic, Supervisor of Elections, stated he is here to address Brevard County's aging voting equipment which Brevard County purchased in 2013 and it will be twelve years old next month; if someone has technology laying around, it is the equivalent of what they have now; they currently have 200 precinct tabulators that are DS200 that need to be replaced; the State recently certified a new version of the software which does not perform very well on the existing voting equipment, especially the early voting equipment; last year the County Commission approved a carry forward from the prior fiscal year to purchase half of the machines now and half in the next fiscal year starting in October; the vendor offered an option to ship all 200 units now; and at the time, they had proposed shipping all 200, billing half now and half in the next fiscal year. He stated after consulting with the County Manager, County Attorney, and County Auditors, he cannot sign an agreement that obligates him beyond the fiscal year that he is in, and obligate him to something that is not approved by the Board; he is coming before the Board today to ask for approval of a budget amendment for the remaining \$705,254.16 to purchase all units now instead of eight months from now that will save in shipping costs, ensure all units are under the same warranty cycle, and would allow them to use them in the upcoming special elections in June which would be a great learning experience and training opportunity for the poll workers; it will also allow them to deploy the same precinct tabulator across all election day precincts, would eliminate the need to have to train poll workers on two different types of equipment, and voters seeing two different types of equipment being deployed; for those who have been to the Support Center, and everyone's been invited, and those who have served on the Canvassing Board, they have space issues and barely enough room to fit the units they have now, so getting another 100 units, holding them off, and getting them through will be a difficult challenge; if they can get them replaced now, they will be trading in the existing units they have; he has negotiated \$142,000 trade-in value for the 12 to 13 year-old voting equipment; that is his ask; and is happy to answer any questions.

Commissioner Delaney stated for the public she brings this up; and she asked that with the current systems they have right now, what are some things that could happen if they are not updated.

Mr. Bobanic replied right now he is still borrowing units that were traded in from Orange County that are a slightly higher model than theirs because the model they have will not run early

voting, they will crash, and will not function properly; the higher combined precincts will run slow and will not boot up; it is time to replace them from a security standpoint; having updated voting equipment and machines that have been recently certified will help that process; and the newer units have additional seals that show enhanced security as well.

Commissioner Delaney asked if this is not passed then basically he will not be able to move forward with the obligated responsibilities as Supervisor of Elections.

Mr. Bobanic answered they will move forward with the 100 units, but he will not be planning on implementing 100 units and running half and half of another unit, then it comes down to a situation where the new units are much faster and better to work with, which precincts get the older ones and which ones get the newer ones; and so forth; and he would rather not be put in that situation.

Commissioner Altman stated he appreciated the job Supervisor Bobanic does and he knows he is looking out after Brevard County, which has a great election system, and he wants to keep it that way.

Mr. Bobanic stated he appreciates that and the best thing they can do is stay out of the news.

Commissioner Adkinson asked how much this will save Brevard County.

Mr. Bobanic stated just the shipping alone will be about \$3,000; he verified that with the vendor, because they are shipping everything on a complete truck instead of two partial trucks; there is the warranty coverage having half of the units under one warranty and half under another, they will have to manage those and renew at different times throughout the year; and then the vendor would be coming in and doing support twice instead of all at once.

Commissioner Adkinson asked if the amount being requested would reduce the budget amount for the following year.

Mr. Bobanic stated yes, it would.

Chairman Feltner stated he thought of a few things since they crossed in the hall, early voting was mentioned, and one of the challenges, for clarity, is that he can early vote at any location in Brevard County despite that he lives in Precinct 421 and he can go to Titusville, so optical readers have to discern between the different ballots because his ballot is different from other precincts and parties during a primary; and he asked if that is something he needs to upgrade.

Mr. Bobanic stated that is the reason why early voting is affected most, because those tabulators have to accept all the ballot styles across the entire County, whereas the election days only have to handle the ballot styles for those precincts at that location, and that makes it so much more complicated.

Chairman Feltner asked if in a primary election, potentially one has over 300 different ballots.

Mr. Bobanic answered in a primary they have 170 ballot precincts times three.

Chairman Feltner stated while he is here, and he will not hold him to it, but the Board is looking at the special election; he needs these for the municipal election; and he asked if this is going to benefit him if he has it on time for a special election.

Mr. Bobanic replied they will not need it for April election but he hopes to have them for the June election since it is a great time to deploy new technology and equipment; and it is not a

huge, major, Countywide election so it will be low turnout, which will give them a chance to get their feet wet with new equipment.

Chairman Feltner asked if he knew the cost for the special election, just so the Board had a heads up.

Mr. Bobanic responded they are waiting for the court cases to work through the Supreme Court, because depending on how they rule could change it; they have a preliminary set up and he was planning on bringing it to the Budget Workshop; and even if it is not related to next year's budget he wanted to make the Commission aware.

Chairman Feltner advised the situation is that the County needs to front the cost for this and then it will be reimbursed later; and he heard it could be as much as two years.

Mr. Bobanic answered he would say at least that right now because there are so many special elections already happening and it is on a first come, first serve basis; and he cannot submit a request to the State until after elections are over and costs are paid.

Chairman Feltner asked if the earliest time he could do that would be in June.

Mr. Bobanic stated he could put the request in for the April primary election right away, and then they will get the June request in as soon as possible.

Frank Abbate, County Manager, explained he thinks that the County would pay that through the mid-year supplement and would make it a priority; that time frame, which would be April, that staff would know for certain those numbers and have the dollar amount available from that source; and he asked if that met his....

Mr. Bobanic answered if he waited until April to sign the Agreement and make the purchase, it would be a challenge to use them in April.

Mr. Abbate asked when they would need it.

Mr. Bobanic answered as soon as the Board can approve it; and he did not know about a time frame.

Mr. Abbate stated he thought maybe he needed it next year, but wanted to clarify exactly; and if the Board gives them authority, as part of the Motion, if he decides to do this, to give the authority to the County Manager to pull from the funds and then replenish funds as part of the mid-year supplement, wherever it is taken from.

Mr. Bobanic stated if that is in April they should be fine, because by the time the equipment is shipped, if the vendor is willing to ship everything and split the cost between now and next fiscal year, he can work with that.

Mr. Abbate stated they can try to get it to them in March.

Chairman Feltner asked to be clear, the County is agreeing to buy it now and pay for it in April.

Mr. Bobanic stated he was sure he could work that out with the vendor.

Chairman Feltner asked if that was acceptable for everyone.

Mr. Abbate stated staff will do their best to get it to the Supervisor of Elections by March.

Mr. Bobanic stated they will not actually pay the vendor until the acceptance testing, equipment arrives and is installed; they would probably push that off until after the April election and not be swapping out equipment during that time and he can work with that arrangement.

Chairman Feltner asked for any more discussion; and he asked what the Motion should include.

Mr. Abbate stated giving the County Manager authority to pull funds from wherever necessary during March and replenish it from the mid-year supplement.

Commissioner Delaney asked for clarity, is that from Reserves or where exactly will the funds come from.

Mr. Abbate replied he will be working that out with the Budget Office where the easiest place to pull it from is, and then replace it the following month.

Commissioner Delaney asked Jill Hayes, Budget Director, if she agreed.

Ms. Hayes stated the Board Policy is that it keeps the Reserves at 10 percent and it is at 10.4 percent, and is just over \$30 million, so they would look there or another place; they have projects that may not be in progress until after the mid-year supplements; and that would be another option, but it would be replenished.

The Board approved the \$705,254.16 to the Supervisor of Elections to replace current voter equipment; and authorized the County Manager to pull those funds from wherever necessary in March, and replenish from the mid-year supplement funds.

Result: Approved

Mover: Thad Altman

Secunder: Katie Delaney

Ayes: Delaney, Goodson, Adkinson, Feltner, and Altman

G. PUBLIC COMMENTS

Sandra Sullivan stated she had made comments to the Board over the last couple of months about how deplorable the conditions of the buildings in Brevard County are and how they look so poor; she drove up to District 1 and took some pictures of the Titusville building and posted them on Waves Action; there was one building with a tree growing out the top and out of the soffit, and mold up the side of the building; it is next to Fire Station 23, which from her understanding is condemned and the firefighters are at other locations and housed in facilities that do not have enough room; she wanted to talk about a root problem she sees in Brevard County and that space is getting a free ride as they are not taxed; she has been digging into different taxing Federal documents that says clearly the Federal Government trumps the State level when it comes to leasing to private entities, that the local jurisdiction has the right to collect taxes; Brevard County does not even collect stormwater; and she is seeing posts on YouTube on how much development is going to be happening. She went on to say Blue Origin is putting in 12 more buildings, 75 acres of buildings; if they look at the hydrology study that Commissioner Lober put in place for half a million dollars, it shows they are no longer on the flood plain, which means they are going to be impacting the surrounding properties; she also points out regarding Space Florida and the sewage, that in looking up Federal documents on space authorities and space ports, and she read, "that a space authority has a unique asset or powers including bonding authority which allows them to go to great lengths to support projects requiring large infrastructure investments;" she asked what did they say here; she stated they

want to use other people's money, they want to use Brevard County; that will bring her to other comments later about how the County is using public money or taxpayers money here in Brevard for space projects, including eight million dollars funded by North Brevard Economic Development Zone (NBEDZ) on taxpayers backs out of General Fund that went to give these companies dollars; that is taking money away from critical issues that the County has; and when she speaks under Fire Assessment, she will talk about those issues.

H.1. Petition to Vacate, Re: Drainage Easement - Per Official Records Book 2613, Page 284 - Section 23, Township 25 South, Range 36 East - Rockledge - Storsafe of Rockledge LLC

Chair Feltner called for a public hearing to consider a Petition to Vacate a drainage easement for Storsafe of Rockledge, LLC.

Mark Bernath, Public Works Director, stated H.1. is a petition to vacate a drainage easement for Storsafe of Rockledge, LLC, in District 2, East of US1, north of Barnes Boulevard; and in addition to approving the vacating, signing and accepting a public drainage easement and access easement, and accepting a public sidewalk easement, there are no issues.

Chairman Feltner stated there is a representative from the project here if there are questions.

Commissioner Delaney asked if the petitioner had any remarks to say about his project.

James Saygh stated he represents Storsafe of Rockledge located at 5301 Dempster Street, Skokie, Illinois; he just came to the meeting for purposes of Murphy's Law and if he did not come, someone would have questions; if not, that would be great; he flew down yesterday and has no spiel; the project is vertical; working with Jean Kremitzki was great, and Amber was great; they have given the County what it wanted, which is to vacate an old easement and give it a new one; it took a lot of time, but other than that, he has no complaints; and everyone had been a pleasure to work with.

Commissioner Delaney asked on behalf of the public, what the plans are for this project and about the easement that goes through the middle of the property, whether both sides will be used for storage facilities.

Mr. Saygh responded as a matter of public record, he filed the Planned Unit Development (PUD); it is very well publicized, every rendering, every site plan, and they are building the approved site plan; they are building about 100,000 square feet of all climate-controlled storage; phase two is to be determined; the way the PUD was enacted was to give the neighbors comfort; the entire use of the entire site is storage and is under BU-2; but there are conditions on the PUD that there cannot be any outdoor parking; and other than that, the neighbors are thrilled to have what he considers a buffer use, meaning if there were a grocery store there it would be a lot of trucks delivering groceries, a lot of garbage, refuse, and pallets. He noted storage is quiet and they put the retention pond towards the neighbors; they had a nice hearing and made friends with them; they put landscaping and retaining walls towards the back; and they are executing the plan agreed upon after vigorous but healthy public hearings.

Commissioner Delaney expressed her thanks for being a good neighbor.

Chairman Feltner stated he had one comment card.

Sandra Sullivan stated a little background of what was submitted to Planning and Zoning was a storage facility from the top of the property to the bottom of the property, but what came in to Site Planning is not the part the public sees; the site plan was changed, so only the top half of

the property is a storage facility; the concern has been for some time, and she has posted it for some time, especially given the obstruction of records on the \$60,000 or so that was spent on engineering, which she got one page for and since its Figure 3, there is more, this is, to be clear, by their own website an affordable housing developer; he talked about all the transparency but the P&Z board hearing was as if it was all storage; she asked who can argue with that; but in all reality when they submitted their site plan, it was not quite a bait and switch, but that is what she called it, to where it is only the north half; and she thinks the whole chopping down of trees on Rockledge Drive, which is her prediction, is for a large affordable housing development based on the one figure with the sizing of the lift station and the amount of property the County is looking at purchasing from this developer to put in everything needed. She commented the people have been told lies on the cutting down of the trees; first they were told it was a safety issue, cutting down trees is a safety issue, but she got records and it showed it is not a safety issue; then she did research and found there is a sewer system going in; then the County lied about that, the County said it is not putting in a sewer system; but she had records that stated it was putting in a sewer system; she does records requests and then gets obstructed on records; and she inquired what the County is hiding.

Commissioner Goodson asked Mr. Bernath if there was any truth to that rhetoric, and when he could buy an affordable house in Rockledge.

Mr. Bernath stated he was not aware of any affordable housing; to the tree issue, there were only four trees removed at the property with owners written express permission; the rest were either trimmed back or limbs were removed; they still exist today and have no tie to what was just mentioned; it was specifically for safety; and staff has an engineering report that states that, as a subsequent phase they are working with the Utilities Department on a sewer project, which is not the reason the trees were removed.

Commissioner Goodson asked if the sewer project was prior to his reign of terror or was it during former Commissioner Lober's reign of terror; and the other Commissioners did not want to do the sewer on River Road, or did it just come up during his reign of terror.

Mr. Bernath stated he did not recall the exact timeline, but could have Eddie Fontanin, Utility Services Director, reply.

Commissioner Goodson asked the developer to come back to the podium; and he asked him when he can buy an affordable house on his property.

Mr. Saygh answered that there is no reality to that; Storsafe is a self-storage company in nine states and are a Top 70 self-storage company, and he did not know what to say.

Commissioner Goodson asked Mr. Fontanin when the sewer line on River Road discussion was.

Mr. Fontanin replied prior to Commissioner Goodson, the project was identified as a Save Our Indian River Lagoon (SOIRL) Project.

Commissioner Goodson asked if the sewer plant is in the planning process now, in the engineering process.

Mr. Fontanin answered yes.

Commissioner Goodson asked if he could make it clear in explaining, and asked what year and date the plans would be approved.

Mr. Fontanin responded it would be approved in 2025, approximately September, for the plan completions then will proceed to bidding.

Commissioner Goodson asked if this was a phase-type job and not completed all at once, how many years would this take.

Mr. Fontanin answered the first phase is River Road and then subsequently backfilling, so the SOIRL area is identified as the County Boundary US 1 to Rockledge Drive.

Mr. Saygh stated with all due respect, he had nothing to do with a larger project in Brevard County and was just asked to improve an easement he would rather not had to do; he spent a fortune doing it along with time; and they did what they were supposed to do.

Chairman Feltner asked if there were any other questions or any discussion on the Item.

The Board adopted Resolution No. 2025-011, vacating a portion of a Public Drainage Easement, per "Official Records Book 2613, Page 284," Rockledge, lying in Section 23, Township 25 South, Range 36 East, as petitioned by Storsafe of Rockledge, LLC.

Result: Adopted

Mover: Tom Goodson

Secunder: Kim Adkinson

Ayes: Delaney, Goodson, Adkinson, Feltner, and Altman

I.1. Speak Up Brevard Workshop for Commissioners to Hear Citizen Effectiveness and Efficiency Recommendations

Commissioner Delaney stated this was to talk about the Speak Up Brevard Workshop to see if she could get Board support; what she heard from the Board the last couple of times was Commissioner Altman would prefer something in the evening and she proposed a 5:00 p.m. meeting; Commissioner Feltner was concerned about the total submissions and time duration, which she believed the last time the Board talked, it discussed a three-hour time limit; there were 77 submissions and 66 submitters; with all that being said, she does not believe that 66 people will show up to the workshop for various reasons; but for the people who do want to take time out of their day and explain their idea, she feels passionate about giving the citizens an opportunity to get involved in the community, the government, and government processes; over the past couple weeks they have gotten emails submitted to Commissioners from Districts 2, 3 and 5; it seems to be interest from the entire County; she hopes to get support for one of the three dates of March 3, 18, or 24; and she asked for any comments.

Commissioner Adkinson stated at the last meeting she asked whether County staff would have the opportunity to eliminate the things they have zero control over; and she asked whether Commissioner Delaney addressed that.

Commissioner Delaney answered that she was sorry and that she is fine with the staff pulling out submissions they have no control over.

Commissioner Goodson asked Frank Abbate, County Manager, of the dates given, would staff be able to review the submissions quick enough to get back before any of those dates.

Mr. Abbate responded if the Board asked for that, there is a 120-day process to review all submissions that is currently underway and the public information office has coordinated and sent them out to various departments; and if the Board wanted a list of which ones are outside the Boards jurisdiction, staff could do that for any of the dates the Board chooses.

Chairman Feltner asked for any other questions.

Maureen Rupe stated she has been on three Charter Review Commissions; in that yearlong process they had taken seriously what every person had recommended as value for their quality of life; she urged the County Commission to do the same and not to think it is time consuming; people have taken their time to speak or write to the Commissioners and he or she should listen; it is the job of the elected officials who have been elected and have the people's confidence; staff should not have priority to say yay or nay to the various suggestions; and she asked the Commissioners to say yes to a special meeting for it is too important to try and bypass the electors, as the people did not bypass the Commissioners or he or she would not be sitting there.

Commissioner Delaney asked Ms. Rupe if she was on the Charter Review Commission that passed Speak Up Brevard.

Ms. Rupe answered yes.

Commissioner Delaney asked her to explain what it was like at that time, who the person was and their vision.

Ms. Rupe answered she could not remember, they were year-long processes.

Commissioner Delaney asked if the workshop was something that was talked about like the one she was talking about.

Ms. Rupe answered it was much more open then; the last one she ran was in 2015; nothing passed the Charter Review; and she was disappointed, everyone was disappointed.

Sarah Hodge stated she is here to request and encourage support for the proposed Speak Up Brevard Workshop for the Commissioners to hear the citizens presenting their needs and wants; she participated in this program this year with her husband as did other residents that would appreciate an opportunity for the Commissioners to hear their ideas directly before the final Commission vote is taken; she said she was sorry and remarked on her comment card being lost; it happened too many times; she again apologized; and it happened when she went with Sandra as she was escorted out.

Chairman Feltner stated the card was not lost, he had it.

Ms. Hodge asked if he had her card.

Chairman Feltner answered, he said Sarah Hodge.

Ms. Hodge stated he said he had no cards.

Chairman Feltner replied Items I and J sometimes look alike without his glasses; and he asked her to have a little forbearance as he was getting older too.

Ms. Hodge stated two armed guards escorted her out last time.

Chairman Feltner stated he was not part of that.

Ms. Hodge continued that she was sorry and the Board deserves respect; it is a unique opportunity for the Commissioners to demonstrate their support for local citizen engagement; and she asked the Board to please show its support for the residents of District 2 and throughout Brevard County by voting yes in support of the proposed 2025 Speak Up Brevard Workshop.

Susan Connolly stated Charles F. Kettering once said 'a problem well stated is a problem half solved', and that is what Speak Up Brevard offers by taking a look at some of the most persistent and complex issues that continue to come before the citizens; Speak Up Brevard offers a way for many people to look at problems from many different angles, plus offer solutions; that is the heart of Speak Up Brevard, solutions to problems; she participated in Speak Up Brevard for the first time last year and two of her suggestions were accepted; and she complimented the staff in how the Speak Up Brevard is handled. She advised she was impressed both this year and last year of a quick response back to her submission with a number and tracking; she read other submissions, which helped her and were thoughtful in expanding awareness and helping resolve issues; she continued to offer thanks to the staff because part of the process is to record, review, and offered the Commissioners the opportunity in a format that is accessible to review, revise, and recommend; and she thanked all staff and Commissioners for the workshop to reach solutions.

Chairman Feltner asked if anyone else wanted to speak on the item; and if there was any discussion.

Commissioner Delaney asked if she had support would she need to bring forth a date in order to make a motion; and if anyone had dates that would work.

Commissioner Adkinson stated any of the dates would work for her schedule.

Commissioner Goodson stated he was not available March 18, 2025.

Chairman Feltner asked for any discussion.

Commissioner Delaney asked if the staff had a preference of March 3 or 24.

Frank Abbate, County Manager, stated either three days preceding or three days after a Budget Workshop is fine.

The Board approved a Speak Up Brevard Workshop on March 3, 2025, at 5:00 p.m. to hear from citizens regarding their submissions to the Citizens Effectiveness and Efficiency Recommendations.

Result: Approved

Mover: Katie Delaney

Secunder: Kim Adkinson

Ayes: Delaney, Goodson, Adkinson, Feltner, and Altman

J.1. Adoption of the Save Our Indian River Lagoon Project Plan 2025 Update, as Recommended by the Save Our Indian River Lagoon Citizens Oversight Committee

Virginia Barker, Natural Resources Management Director, stated J.1. is consideration of the Save Our Indian River Lagoon (SOIRL) Project Plan 2025 Update; in addition to adoption or modification of the plan, it includes associated and administrative authorities to implement the projects contained within the plan; significant changes in the Draft 2025 Plan Update include

revising the 10-year revenue projection up by \$20,443, adding 19 new projects, updating inflation for each project, increasing the maximum homeowner cost share for septic upgrades from \$18,000 to \$20,000, and then reporting on the costs, benefits, successes, and lessons learned from completed projects. The Consultant, Marcy Frick, from Tetra Tech is here to provide a brief slide presentation on the plan, structure, content, and proposed updates, including the new projects and inflation adjustments consistent with Board-approved policies and priorities given to staff, and to the Oversight Committee in past years; and the draft plan that was in the Board's packet was unanimously recommended by the Citizen Oversight Committee (COC).

Marcy Frick stated she is there to talk about the 2025 Save Our Indian River Lagoon (SOIRL) Project Plan 2025 and to focus on the major edits, the version of the plan that the Board has with highlights of the wording edits, so that is mostly to make updates on the things that happened in the last year, if a study was completed, or new results providing the latest information; before jumping into the plan, she wanted to give a little context talking about the history; after the Super Bloom in the Lagoon in 2011 the system was really in a state of unrest and there were many different blooms and factors that were affecting the Lagoon; in 2016, there was a very large fish kill; there were Dolphin mortalities, the Lagoon was not in a good condition; the Commission at the time asked staff if there were options that could be developed to help improve the Lagoon if there was funding in place; and as part of that, she supported County staff developing the initial Save Our Indian River Lagoon Project Plan in 2016, which looked across the board at the various sources affecting the Lagoon and potential options for addressing those. She went on to say the Plan was used to support the half-cent sales tax that was passed by a majority of the Brevard County citizens in November 2016; collection of the sales tax began in January 2017; and to support the sales tax, a citizen oversight committee was set up and they meet monthly to talk about information about the latest research and new project types in the Lagoon to make informed decisions every year for these updates. She noted the projects in the Plan are organized around the four R's, "Reduce" which is to reduce all the nutrient sources to the Lagoon that comes from wastewater, septic systems, stormwater, excess fertilizer; "Removing" the legacy nutrient loads within the Lagoon coming from muck, which is the organic material from previous discharges which can release the nutrients back into the Lagoon; "Restoring" the natural systems, which is adding back the oysters and the clams, the living shorelines; and "Responding" to new information and opportunities to adapt the Plan to most cost-effectively achieve the reductions. She commented the Table of Contents has been pretty much the same the last few years and they made an effort several years ago to streamline the information to try to make it a little more readable; it is a hefty document but does cover a lot of information; the first few Sections One, Two, and Three are really providing background for the need of the Plan, context of the area covered by the Plan, different pollutant sources, and ultimately, what they hope to achieve by implementing the projects in the Plan; the meat of it is really in Section Four when they talk by those R's, the different project options addressing the different sources; and that Section gets updated every year with the latest information that is available on the latest projects; Section Five is the Project Funding that she will talk about later, which goes into the new inflation every year, addresses contingency, and shows how the dollars are allocated by those R categories and how they have evolved over time from the 2016 Plan; Section Six provides a high level overview of the Plan summarizing everything in one bunch of tables where there is comparison to the County's total maximum daily loads to show the nutrient benefits that will be achieved by the projects, several tables that will show the cost that is allocated from the Trust Fund, as well as the total project costs from all sources; and the Rainbow Table, that is a nice big map that shows over the last 10 years how much money has been needed each year for the projects. She stated going into major additions, the first one is always adding new projects; all have been reviewed and recommended by the COC; the first ones are two wastewater treatment facility upgrades which the COC did have some discussions about; there are some new regulatory requirements that require advanced wastewater treatment, which were approved with the stipulation that as these

projects are moving forward, to look at how much they exceeded the regulatory requirements; that would be funded, so the recommended Plan funding should be changing in future years once there is better information; this also includes the Septic-to-Sewer Quick Connect Project for the City of Palm Bay, one vegetation harvesting project within Brevard County, two new clam restoration projects, and two new oyster projects; on the last slide 11 are new stormwater projects, which include from the Brevard County, as well as the Cities of Titusville, Melbourne, Satellite Beach, and Cocoa Beach; to make funding available for the new projects, they do look across the plan and try to remove the ones that are not as cost-effective; also there are ones that get withdrawn each year because they are not feasible or maybe other funding sources replace those, so this table shows the projects withdrawn from the Plan; and they also looked at the stormwater project list. She went on to say there are some basin-specific project holders; they looked at the basins that have the highest loading and what could be done there, so the least cost-effective were removed to the appendix; that has the unfunded projects; and those are ideas that they do not have funding for. She advised some Countywide oyster projects were placeholders as they come up with site specific oyster projects that they replace the more generic ones to reduce some of the oyster bar funding to move it towards the specific oyster and clam projects they received this year; in addition to the projects, there were a few changes to the overall plan itself; one is increasing the maximum allowable cost for the septic-system upgrades to \$20,000 per parcel; that up to \$20,000 gets tied back to the nitrogen removed so the higher the nutrients moved, the more cost-sure they are eligible for; the graph here shows why that was changed; they are all based on the actual costs of the projects to date; and the average is closer to the \$20,000 a parcel. She pointed out also based on past Board direction about interstitial treatment and muck projects, they added additional language of when they can be included in the bids allowing the dredging operations to move forward without the interstitial treatment initially, and then looking for opportunities to include where needed; an item that gets updated every year is looking at inflation and Ms. Barker and her staff does an excellent job of evaluating this each year; then they modify the allowable inflation amounts by year to try to account for trends; as the Board can see, the chart on the right shows inflation in blue for the US Analytics Index compared to the Save Our Indian River Lagoon Plan in green; their goal was to start to drift away from that so they are trying to get that more in line; they do apply inflation up to five years after a project is added into the Plan; and they try to represent the current costs so that they can keep up with the high prices that have been occurring.

Chairman Feltner remarked that he heard the other day that the Consumer Price Index (CPI) is only 2.95 percent.

Ms. Frick answered if he can see in the later years it comes down quite a bit; it is 2.4 percent now; it was very high earlier, if he looks at the charts for 2021 and 2022; but it came down; projected out, it is more in the 2.4 percent range; they are using that moving forward; they are using the latest information to help refine the revenue projection and current estimate at about \$585,734, which is about \$20,000 more than last year, so pretty close tracking to where it was estimated last year. She added this chart just shows a comparison of how the dollars are allocated between the R Categories between this year and last year, and they did keep it pretty much the same; the restored .1 percent difference is rounding, but they do try to maintain the funding allocated to each category; on a bigger picture, looking at how funding was allocated by project type, in the 2016 Plan and how it is allocated in the 2025 Plan, they can see originally two-thirds of funding was for the Muck Project, which is the gray part of the pie chart on the left; over time they shifted that to largely more of the wastewaters which is the different shades of orange on the pie chart on the right, and trying to get a more equitable distribution across the different sources to try to tackle the different problems; then this is a summary of how the cost changed between the 2024-2025 updates; and overall, they can see the \$20,000 increase which reflected the additional money based on latest projection. She stated there is a big reduction in stormwater which accounted for removing some of the least cost-effective projects that had higher inflation because they had been in the plan for a while and some

additional stormwater projects came out to help fund those wastewater projects where the increase is \$5.8 million; the increase in the muck and interstitial treatment came from adding inflation to projects that still have not been completed and not reached their five-year cap on inflation; there is a slight reduction in the restoration costs and that was from removing the Countywide projects and shifting funding to oyster and clam projects, which reduced some of the inflation and contingency that were on those projects; then the contingency overall came down for projects that were moving forward without needing those dollars; and with that those are the big changes to the Plan, and they will take any questions.

Chairman Feltner asked for questions for the speaker first, and then questions for Ms. Barker afterward.

Commissioner Delaney asked does the \$20,000 that was mentioned totally cover advanced septic or the hooking up to the new sewer lines.

Ms. Frick replied it depends on the type of system but it is more in line with the average costs of those systems.

Chairman Feltner asked if there were any questions for Ms. Barker.

Commissioner Delaney stated she expressed to Ms. Barker she was a little...when she took office, she felt like she did not want to rubber stamp a vote; she was sorry for saying it that way; she wanted more time and wanting a briefing specifically on this to really dive through what the Plan is for 2025; she feels like if she is voting for this, she is owning this Plan; she is not comfortable at this point; and once she has a chance to sit down with Ms. Barker, she asked if it was possible to bring the Item back at the February 25th meeting for a vote.

Chairman Feltner stated the Board is on questions for Ms. Barker and there is a card.

Sandra Sullivan stated that was a nice presentation by Ms. Frick who is the wife of a Board Member of the St. Johns River Water Management District, and of course, that has a lot to do with how this Plan was contrived; she would like to first point out about an article in December 2015 talking about muck, and that Commissioner Thad Altman was on legislation at that time with Debbie Mayfield who proposed a bill change to make it legal to use muck dredging for a muck tax, an infrastructure surtax, under State Statute 212.055; that bill failed in appropriations twice; her suggestion to Brevard County moving ahead, particularly since they will want to renew this tax, is to go get an Attorney General legal opinion on the use of this tax for maintenance dredging, which is not the same as capital dredging; secondly, she was at the November meeting when the vote was taken to use funding from this for the study of Port St. John Regional Sewage Plant for Space Florida; she said to be clear, one member brought up it was not legal under the use of the Lagoon Plan, so she thinks they should get that for emphasis, in moving towards all the wastewater, that they should look into that; thirdly, staff has come and made presentations that the direction of the Lagoon Tax is to pay septic-to-sewer and sewer to pay for the growth that is in Brevard County; and it may be not such a bad idea, but again, from a legal issue, what they were sold was Advanced Water Treatment (ATW) Plant upgrades addressing nutrient loading. She noted she wonders to what extent it is for wastewater plants since there are other items for that, on the Plan; lastly, Ms. Frick talked about instability of the Lagoon after 2010; she went back to the State change in legislation in 2010 to switch to broadcast spraying of herbicides; 2024 was the first year South Patrick Drive was not sprayed; she expressed thanks to Chairman Feltner for doing that, that is a start; she was looking at this, like glyphosate, one knows that is spray Aqua Star, which is 58

percent glyphosate on those ditches which feeds algae blooms; she asked since the science shows that, why would the State have made that change; there are questions; there is no pollution in the plan; there is nutrient loading, PFOS, glyphosate, and other things; and the Plan is lacking in pollution.

Chairman Feltner asked if there was any discussion on the Item.

Commissioner Delaney asked if anyone had any comments about what she previously mentioned.

Commissioner Altman asked if it would create a problem if they allowed a couple more weeks for Commissioner Delaney to review; it is quite a voluminous report and a lot of work has gone into it; and he can understand her wanting to have full understanding and it is a lot of money.

Ms. Barker replied it is a large report, there are a number of those new projects that are ready to go that would wait an extra couple of weeks, and there are about 100 homeowner contracts for septic upgrades that would want the \$20,000 reimbursement instead of \$18,000 reimbursements; but that is the majority of issues.

The Board adopted the Save Our Indian River Lagoon (SOIRL) Project Plan 2025 Update, as recommended by SOIRL Citizens Oversight Committee (COC) on January 17, 2025; and authorized maintaining the following administrative authorities provided by past Board actions, with the inclusion of grant agreements as listed in Item 2:

- 1) authorize associated Budget Change Requests;
- 2) approve continued signature authority to the Chairman (or authorized representative, in accordance with the threshold limits provided for in Brevard County Policies and Administrative Orders) to execute contracts, agreements, task orders, change orders, contract renewals, amendments, other contract-related documents, and grant agreements, subject to review and approval by the County Attorney, Risk Management, and Purchasing, as appropriate, for projects and programs approved in the SOIRL Project Plan;
- 3) authorize Natural Resources Management Director to execute no-cost time extensions up to one year total and approve the County Manager to execute no-cost time extensions up to two years total;
- 4) grant permission to advertise and competitively procure goods and services needed to implement projects and programs approved in the SOIRL Project Plan, subject to available funding; and
- 5) authorize staff to submit grant applications for leveraging cost share for projects and programs approved in the SOIRL Project Plan.

Result: Adopted

Mover: Tom Goodson

Seconder: Kim Adkinson

Ayes: Goodson, Adkinson, Feltner, and Altman

Nay: Delaney

Board Recessed at 6:04 p.m. – 6:09 p.m.

J.2. Consideration of Fire Assessment Increase and Updated Seven-Year Plan

Commissioner Delaney asked Space Coast Government TV to put up the slides she gave them, and stated she brought up the fire assessment because the County is working on getting the Fire Department funded; she wanted to put it out there is some narrative out there that taxes are going to be raised; she is not saying that taxes would not be raised, but that would not be the only thing; she would like input and collaboration from the Board, regarding impact fees, fire assessment, 1998 referendum, and curbing its spending as far as looking at different contracts, looking for ways or processes to go about contracts that the County could save some money, to free up money, in the General Fund to be able to allocate more to Fire Rescue; and she had some key points to bring up. She remarked one thing that was not part of the fire assessment presentation was some of the personnel issues; there were 121 personnel separations since January 1, 2024; while some people were hired, out of the 121 the County has lost a lot of experience throughout that time; the Board appreciates people coming on to the force, but one cannot make up for the people who have left that had 10-15 years on the job and even eight or six years; they are the ones in the firehouses training the County's people, and creating the culture within the Fire Department that makes it great; replacing all the people with new firefighters, please keep them coming, but the experience is something really needed; something pretty glaring was 24,692 hours of mandatory overtime between January 1, 2024, and February 10, 2025; this is not just overtime, but mandatory overtime; the people who are basically saying 'you cannot go home, you need to stay another 24 hours'; and there are the spots that could not be filled by voluntary overtime. She stated in addition to that, the County has spent \$7,297,162 on overtime in 2024; if they were staffed properly, that would not be happening; from what she has seen, the County needs five additional ambulances; there are health and safety concerns in multiple firehouses, as she believes Ms. Sullivan brought up earlier about a couple of the stations; the County has a lot of needs and the biggest one in her opinion, is staffing; that should be at the forefront of this whole conversation; and she would like support in asking for the seven-year plan from the County's Fire Chief to move forward with the plan, and going to the public with the fire assessment update.

Commissioner Goodson asked Chief Patrick Voltaire, Fire Rescue Director, if he could explain the overtime whether it is from sick leave, vacation, holiday, and everything else.

Chief Voltaire answered the overtime the Board sees is a result of sick leave, annual leave, military leave, and leaves of absence; and all forms of leave will lead into that mandatory overtime number.

Questions came from the audience.

Commissioner Goodson stated that Chief Voltaire could answer questions from the audience; and he asked if it mattered whether they were down 79 people if that number reflects some of that too.

Chief Voltaire answered yes.

Chairman Feltner asked if there were other questions.

Commissioner Adkinson asked if the fire assessment would be done anyway at some point.

Frank Abbate, County Manager, replied they are, he believes, in year four of the seven-year plan the County has; this request, as he understands it because staff gave the report back in January, this would allow them to update the seven-year plan and start afresh with a new one, whatever it is that the Board chose to adopt, and move forward with that; then the Board would have the opportunity to raise the assessment consistent with whatever direction; what they

would plan would be a multi-tiered approach where the Board would have a variety of options to choose from; and staff would do a not-to-exceed at that point on the fire assessment portion of the plan, and they would move forward.

Commissioner Delaney asked, for a point of clarity from Chief Voltaire, if the County would be starting off a new year in a five million dollar deficit because of the American Rescue Plan Act (ARPA) money; and if there was ARPA money allocated, five million dollars, towards the Fire Department.

Mr. Abbate answered when the last fire assessment was approved by the Board the plan they put in for seven years would have been a 33 percent increase in the fire assessment; the Board did use some of those resources and spread it over a seven-year period, a million dollars a year; at the end of the seventh year, there would be a million dollar deficit; part of the plan that would be put forward would have to keep things just where they were under the seven-year plan; and it would have to increase it by that amount as a baseline, and then go from there for a variety of other items that were submitted to the Board.

Sandra Sullivan stated it was great to have this on the Agenda; of course, the fire assessment will not help this year but it will help next year, the Board really needs to have a conversation, in her opinion, and maybe today, about what it will do for this year; there is obviously a crisis; here is an example of \$1.71 million pulled out of a hat on an item added to a meeting an hour before the meeting for Space for their Phase 2 study with no specification; to pull that money and have Space pay for their own study; and she was absolutely fit to be tied and livid. She advised she found out Station 62 where she lives had mold issues, water dripping through light fixtures that were shorted out, a fire hazard, a health hazard for the firefighters that was identified in 2021; Chairman Feltner put out materials that he stands by Fire Rescue and was elected to office nine months later; that was not addressed until an email came in from a prominent person to former Commissioner Steele at that time who got the job done, a \$500,000 restoration; she seen photos and had one which had black mold that made firefighters sick; it is not just this station, but this is also going on in other stations; and there are issues with not only other firefighter stations but the equipment they are driving. She noted when she talks about the buildings being deplorable the way this County is being managed is abhorrent; she makes a suggestion that the County needs to dig deep into its budget and figure out and make some sacrifices for Fire Rescue; District 1 has Station 23, which she understands is condemned, and they are not there; she asked about the County taking North Brevard Economic Development Zone (NBEDZ) and sunseting it since it is coming out of the General Fund, and to put this year's budget of \$4 million toward the firefighters; impact fees; three Commissioners went with that study; she asked how many are going to vote and pass those impact fees that have not been updated in 25-35 years; she commented it is time to not put the burden just on the people, but to look into the budget; and just like the Board pulled out \$1.71 million for Space, to pull it out, change things around, and address the Fire Rescue.

Commissioner Altman stated he knows there is a presentation on the fire assessment, and there are serious problems; and he asked if Ms. Sullivan supports increasing the fire assessment.

Ms. Sullivan replied yes; she advised the problem the Board is going to have with increasing the fire assessment, as was spoken when it was brought up at a previous meeting, is that the fire assessment must be increased but there has to be an increase by a percentage of the Emergency Management Services (EMS), which is on the Ad Valorem side; the problem the County has this year is a referendum to increase the homestead exemption, and then the property cap; she asked how does the County increase this side and be bound on the other side; she stated she provided this Commission an Attorney General legal opinion that if the

people were grandfathered in before 2002, the EMS assessment could be moved below the line; and she asked in failing to do that, how can the fire assessment increase, and stated then the EMS side is stuck unless it is moved below the line.

Commissioner Altman asked if she supported the millage rate increase to help the fire situation.

Ms. Sullivan answered she does not support taking away the tax cap; she believes that is a manipulation of ignoring the Attorney General; she knows from speaking to staff previously when she was running for the County Commission that there is an agenda to remove the three percent tax cap; and she is not in favor of doing that.

Commissioner Altman asked as bad as the problems are, are they not bad enough to raise the property taxes.

Ms. Sullivan answered she thought he was manipulating the public and that Brevard County Commissioners are catering to 'we the money' special interests and not looking to the taxing sources that are available from Space Florida; she researched that there are double leaseback deals with Space Florida on lands that are not in their jurisdiction by State Statute, as defined by State Statute; and the stinky BS that goes on in this County needs to stop.

Thea Thorne stated she is not a firefighter, she is a Registered Nurse, but her husband retired from Brevard County Fire Rescue in 2009 as a Lieutenant; there were two studies done that she is aware of but there may be more; one in 2006, the Cody Study, paid for by taxpayers; another was in 2015; she could not say none of them were aware because one of them was aware what that study showed; the Board can plead ignorance today if it was not aware of what the studies showed, because the study showed that not only the firefighters being below pay, but many of the Brevard County employees were below pay; there is one person sitting up there today, and she will not call him or her out because he or she knows who they are, and all of the Board knows who they are; he shot it down; it is on record he shot it down; and she shared it on Facebook. She pointed out she does not know what his problem is with the firefighters but safety is of number one concern; many people have said that and ran on that; she does not know why the firefighters continue to be kept down; many in the public may also feel this way; and she lost a good friend this week because she had the audacity to say that firefighters make enough money. She stated \$15.00 is enough for what they do because all they do is sit around in their fire departments; the Board does not know what these men and women go through every day; the Board does not know what call they will go on that day; but maybe they will not have any major calls; she could list things that her husband has shared with her that could cause Post Traumatic Stress Disorder (PTSD); her husband has not gotten that because she supported him; but many of these great men and women go through awful and atrocious calls that many of them would not recover from; she wants to see any one of them crawl into a burning building and pull a little boy out like her husband did; he could not find his way out, it was just all smoke and dark; and he could have not come home that night. She added they deserve to have this money, and no, not through increased taxes, the people already pay enough taxes; but there is so much corruption; look at Department of Government Efficiency (DOGE), look at the corruption they are finding; she is sure that corruption has gone down into every little crevice; she is sure none of the Commissioners want to go down as being corrupt; and she asked the Board to do the right thing, not only for the public, but for his or her families.

Chairman Feltner asked for discussion on the Item.

Chairman Feltner stated he needed to clarify for the record that he does not do often, when he became aware of a problem at the firehouse at C Park he went there immediately; the public record will show that and he knows the firefighters and that station will confirm that as well; and he asked for further discussion.

Commissioner Altman asked as far as the assessment if the Board needs to look at raising the assessment what would be the timeframe.

Mr. Abbate replied if the Board approves the Item tonight staff asks for 30 days to come back, and give the Board a variety of options; the Board would then provide the staff direction not to exceed amount on a fire assessment depending on the direction the Board gave them; they would send out a letter to all residents who need to get the letter, that would start the clock moving forward; he thinks about 20-30 days later would be the first of two public hearings on it, that would need to be completed before September; there is plenty of time beforehand to get it done; with this timeframe, their goal is to get it done as quickly as they can; he thinks May or June it should be ready for the July meeting; but he was hopeful for early May; and that would take care of that piece of the puzzle. He mentioned whatever the amount is, the Board will have the opportunity depending on what happens as it goes through the budget process; there are two aspects that would be involved, one, as the Board heard, the General Fund; in the past they have committed to the Board and will try to again depending on what action the Board takes to do everything needed; staff would have the opportunity to set the millage rates appropriately by whatever direction the Board gives them before that; if in fact the fire assessment dollars were not enough to accomplish what the Board is wishing to accomplish, then the Board would have the opportunity as part of the budget process that would happen in July; once it gets the County Manager's budget proposal, then it looks at whether or not a Municipal Service Taxation Unit (MSTU) increase would be appropriate; staff would know as they move forward in the budget process after the Board makes the fire assessment piece if it takes care of that; and that is the timeframe they are looking at.

Commissioner Altman asked at this tenure the Board would not talk about an amount just ask staff to come back with options.

Mr. Abbate replied right, and staff will know, depending on the options, what amount would be needed over time to support the seven-year plan that the Board approves; depending what it says the 'not to exceed amount' is, the Board may say yes, it will go to this full amount, it might say higher or lower, but if it wants staff to complete the seven-year plan and it is lower, then they would look to make an adjustment to the MSTU; and the Board would have the opportunity to vote on that as part of the budget process.

Commissioner Delaney stated like it has been said multiple times tonight, this affects the fire side so it also needs to affect the Emergency Medical Service (EMS) side; she is hoping, and she shared that with other departments, that she hopes they come forward at the budget workshops with different ways the County can save money to look at some of projects to see if they are that necessary, and are they so necessary that the Board needs less money for the fire department; one thing she likes to pick on is the six pavilions at Sand Point Park that just got replaced for \$735,000; she is still waiting on records for that; and to her that sounds a little excessive. She noted Ms. Thorne mentioned what is happening at the Federal level right now; while County staff does a great job, she cannot imagine that Brevard County is the one government in the whole country that is 100 percent efficient and there is no way to curb its spending; she is sure there are ways to do that; and she just wanted to put it out there. She commented she believes that the voters put a tax cap in for a reason; it is what they want, and it is in the County Charter; while it is there that the Board can remove it for exorbitant critical needs, and while fire is a critical need, she wants to look at every option possible before the Board goes that route, if that means a couple less pavilions at a park; that is when the County

goes back to the voters and ask what is important to them; the two biggest things the Board must do is fund public safety and infrastructure; those two things are the most important; if the people in the community want other things, which those things are valid, people love them, and the Board wants them in Brevard County, stuff is expensive; fire and infrastructure, those are the top two priorities; and she just wanted to put that out there.

Chairman Feltner stated for clarification the County could not go to the voters before 2026, just so everyone understands that time frame.

The Board directed staff to prepare recommendations for Board consideration of a Fire Assessment increase.

Result: Approved

Mover: Thad Altman

Secunder: Kim Adkinson

Ayes: Delaney, Goodson, Adkinson, Feltner, and Altman

L.3. Katie Delaney, Commissioner District 1

Commissioner Delaney stated she wanted to share what she has been up to the past couple weeks; in addition to meeting with residents and dealing with citizen concerns, she had the pleasure of attending the Scottsmoor Homeowners meeting and getting onboarded with two different boards, Central Florida Expressway Authority (CFX) and the East Central Florida Regional Planning Council (ECFRPC); she expressed her thanks to them for making their way to Brevard County to get her briefed; she had the pleasure of going to some of the Lockheed Martin facilities and Astro Tech, which are incredible, in District 1; and they do incredible work there and she is happy to have them in the community. She went on by saying she also got to go to Junny's Animal Medical Center Ribbon Cutting, which was pretty great; Brevard County has a brand new animal hospital for its rescues, and Chairman Feltner was there also, which was pretty awesome; the Economic Development Commission (EDC) annual meeting, they were talking about some of the great things going on in the community as far as different businesses that are coming, or have recently come; Lynda Weatherman, EDC of Florida's Spacecoast & President & CEO has done great work and she was happy to be there; she also was able to meet at Sand Point Park for the Celebration of the 100th project for the Save Our Indian River Lagoon (SOIRL), oysters were dropped into the river, that was cool, and Virginia Barker, Natural Resources Management Director, and her team did a great job of putting that event on in the community; and she loved it. She stated there was a dedication ceremony for the Second Harvest Food Bank; it was a packed house; this place is just incredible; this organization, they help get food to different organizations and food pantries out there that people can come to in Brevard County communities; they serve all over Brevard County helping to get food to those organizations to feed the people; they are pretty incredible and looking for volunteers to help pack boxes and things like that; and if that is one's passion to feed people, this is a great place to do it. She mentioned she just wanted to share a little about that, so that

is her happy list; unfortunately, she has received some complaints and feels the Board needs to get to the bottom of this; she knows the Commissioners are all on the same page for getting the fire department to a better place; the events that have happened over the past couple weeks, she requested some emails she talked about at the Zoning Meeting; they were between the County's Representation and the Unions Representation for negotiations; there is a narrative out there that has been put out, that the Union is unwilling to come to the table; and from what she is reading out of these emails, she does not see that. She continued by saying on January 31, 2025, was the initiation where the County Attorney went to the Unions Attorney and said they had a proposal, and to please let them know if the Board was available on these

three days; they were met with an out of town, it looks like a stock email that says they are out of town, and if it is an emergency to reach out this way; and then the County Attorney proceeded to contact the Union President and his Attorney, basically with the same email because the Attorney was out of town. She added on February 3, 2025, the Union asked for a copy of the proposal in writing; he said that the proposal was coming in a couple of days, the County Attorney did get them the proposal, sort of, in writing, she has it right here; she is not sure if she would call it an official proposal because it is just an email, it is not like it is a document of any kind; at that point, the County Attorney asked for, and she is sorry she does not mean Morris Richardson when she says County Attorney, the County's representation in this said they have scheduled an appointment, a negotiation session, for February 6, 2025 from 9:15 to 4:00 p.m.; and at that point the Union's Representation did not say they were available during that time. She stated the Union's Attorney said he is not available that Thursday or Friday, but they would get back to them for a date over the next two weeks; at that point, the County's Attorney basically said, and she paraphrased, they were not going forward with their date; that is when the Union Attorney came back with a question on the proposal about retro-pay, which was on February 4, 2025; February 4, 2025, continued with the response from the County's representation clarifying on how the retro-pay would be included; and this continues on February 4, 2025. She pointed out all this takes place in a couple of days; basically, the County's Attorney would not cancel the public hearing; she personally does not think this is right that a public hearing was scheduled without the other side saying that they are available; not only that, they literally responded that they could not be there because of conflicts on Thursday and Friday; she does not understand why the County's attorney went forward with this public hearing when he knew the other side could not be there, because the Union is not going to proceed with negotiations without their lawyer nor should the Board expect them to; she does not believe that is negotiating fairly; she thinks it is unreasonable; this is not how the County should be treating its people; and she really would like an explanation why it moved forward with this negotiation knowing that the other side was not able to be there.

Commissioner Goodson asked if that was a Board Report or a book report.

Commissioner Delaney replied she could go on.

Commissioner Altman asked if she asked the staff to go over this with her and give her answers.

Commissioner Delaney replied basically they said it is within their right; and she wanted more explanation after speaking with staff.

Commissioner Altman stated he would like to request to talk to staff directly, personally, about it rather than drag it out here to hear their side of the story, especially something as sensitive as this.

Chairman Feltner asked to clarify if Commissioner Delaney wanted an executive session.

Commissioner Altman answered no, just here, he thought she was asking staff here.

Commissioner Delaney answered yes.

Commissioner Altman stated he did not think this was the place for that; and before that is done he would like that put on the Agenda to give the other Commissioners an opportunity to speak directly with staff.

Commissioner Delaney stated she felt like it had been pretty public after the County put out communications with news; its stance is out there, for the people out there, and who are

watching this meeting; people care about this; and they deserve to know why the County is negotiating that way.

Chairman Feltner asked for any other comments.

Commissioner Goodson asked if Commissioner Altman is asking for him to get with staff.

Commissioner Altman stated rather than trying to flush things out there at the end of the meeting, yes.

Mr. Abbate stated that the staff and he is available to meet with every Commissioner individually at any time on the issues; and they are happy to do that.

Chairman Feltner stated he thinks the Board would like to move with next step in negotiations; and that is a feeling the Commissioners all share, so moving forward, negotiations are a good thing.

Commissioner Delaney stated she is sorry for interrupting but she is frustrated and this is the only place the Commissioners can talk about this because of the Sunshine Law; she is frustrated that the workshop she proposed got canceled, at the direction of the County's lawyer, because possible topics that could possibly come up during that time; she has a few questions; the reason she is asking these questions is why a workshop is any different from these things that happened; she asked how and when the documentation that one of the Commissioners disseminated at the firehouses while the firefighters were on shift became public record; was that not direct negotiations between a member of the legislative body and the Union Members; who told this Commissioner that this documentation was a public record, and/or that she was free to negotiate directly with the members of the fire department while they were on shift; other than during the Christmas holiday, and after impasse was declared, did the Union say they were not available to meet for negotiations; she remarked the County Manager wants people to believe that the Union leader is not filtering down information to its members; and she asked why did the County Manager assist the Commissioner in doing this, and is this why he did that. She stated she does not understand why her workshop, where she wanted to bring the public in to have this discussion about how to go forward with funding the fire department with impact fees, assessment, the 1998 referendum, scouring through the budget, all these different things, could not have this conversation; why was that taken from it and then another Commissioner had the opportunity to directly negotiate with the Fire Union; she stated the Fire Union president himself was handed documentation from this Commissioners staff; but the Board could not have a public workshop; she deserves answers on this and the public deserves answers on this; she knows this is not the ideal situation to bring this all out, but this is what she has to do with Sunshine Law, she does not have another opportunity to talk to the Commissioners about this in any other capacity; and if anybody would like to answer any questions, that would be great.

Chairman Feltner stated he could not answer all of her questions but a couple of things, the Board can have executive sessions where it talks about negotiations; he thinks it has done two of those, if it is the pleasure of the Board to do it again, he would entertain that; as far as on the Commission Agendas, certainly during the budget season it will discuss millage and the rest of it, it is going to have a budget workshop it will go through that to; individual items, he thinks, related to the issue would not necessarily cause a problem with Union negotiations, but it could be on a Commission Agenda; that would take place here in a public forum; he did not address all her issues; but there are a few things to consider.

Commissioner Delaney advised the only issue with that is January 30, 2025, was the date; the Board would have already been gone past this whole conversation if it would have just had the

workshop, it would not be open to different legal ramifications because documents were passed out at firehouses; and she is sorry but believes she deserves an answer on this.

Chairman Feltner responded to her suggesting she meet with the staff so they can get all that information to her.

Commissioner Delaney stated she wanted to put it out there; and she asked if he was saying that the public does not deserve to know these questions and this answer.

Chairman Feltner replied he did not say that.

Commissioner Altman explained he thinks the public deserves to be notified; it is one thing to bring up all these questions, and it is good to talk in public, but also part of the Sunshine Law is before the Board discusses things in detail it has to notice these things; he feels blindsided, this was not on the Agenda; these are pretty intense statements she is making; and he would love to see them ahead of time so the Commissioners could think about them, talk to staff, and to ask questions, so if it does choose to have a public deliberation, it makes sure it knows the facts, it is prepared, and he or she talks to the Attorney to make sure the Commission does not cross any lines as far as the collecting bargaining law. He stated he appreciates her passion but would like time to deliberate this with proper notice.

Commissioner Delaney noted the reason she did not make it an Agenda Item was because this was really a question from staff; she has been trying to get that information from them; she is not satisfied with the answers she has gotten; she believes that the public, while the Commissioners are elected, the County Manager and County Attorney, she believes personally, are also accountable to the people since the people pay their salaries; she reiterated this is something the people care about; and they deserve to know, that is why she brought it forward this way.

L.7. Rob Feltner, Commissioner District 4, Chairman

Chairman Feltner stated he wanted to end on a happy note; there was an article in the Florida Today that Brevard Zoo was in the running to be one of the 10 best zoos in the country; he has to disclose he grew up in Columbus, Ohio, and the Columbus Zoo always enjoyed top spot; he thanked Jack Hannah who was amazing there; he is proud of Brevard Zoo, it is in his District; here is a plug for Brevard Zoo; and to go to an article by Michelle Spitzer in Florida Today and one can vote for Brevard Zoo as one of the top 10 zoos in the Country.

Upon consensus of the Board, the meeting adjourned at 6:55 pm.

ATTEST:

RACHEL M. SADOFF, CLERK

ROB FELTNER, CHAIRMAN
BOARD OF COUNTY COMMISSIONERS
BREVARD COUNTY, FLORIDA

As approved by the Board on April 8, 2025