



Agenda Report

2725 Judge Fran Jamieson
Way
Viera, FL 32940

Minutes to Approve

D.1.

12/2/2025

Subject:

Minutes for Approval: September 16, 2025 Regular Meeting; October 14, 2025 Regular Meeting

Fiscal Impact:

Dept/Office:

Requested Action:

Minutes for Approval

- September 16, 2025 Regular Meeting
- October 14, 2025 Regular Meeting

Summary Explanation and Background:

Clerk to the Board Instructions:

Brevard County Board of County Commissioners

2725 Judge Fran Jamieson Way
Viera, FL 32940



Minutes

Tuesday, September 16, 2025

9:00 AM

Regular

Commission Chambers

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

A. CALL TO ORDER 9:00 AM

The Board approved for Commissioner Goodson to participate via telephone.

Result: Approved

Mover: Kim Adkinson

Second: Thad Altman

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

C. PLEDGE OF ALLEGIANCE

Commissioner Adkinson led the assembly in the Pledge of Allegiance.

Chairman Feltner advised the Board has quite an Agenda today; he spoke to a couple of folks in the audience, and the Board is going to go to Item E.7., Presentation Regarding Grassroots Citizen Effort to Affect State priorities at the County Level by Addressing Shortfalls in State Campaign Finance, first; and that will probably be the most efficient this morning.

E.7. Presentation to the Brevard County Commissioners Regarding Grassroots Citizen Effort to Affect State Priorities at the County Level by Addressing Shortfalls in State Campaign Finance

Commissioner Delaney stated many times the leadership and whatnot had mentioned that Commissioners can sponsor citizens Items; a group of citizens across the County brought her this information; she just thought that it really needed to be presented; and from there, she will hand it off to Mr. Twitty.

Wayne Twitty stated he is a resident of District 3, and he is here with a group of citizens who believe strongly that transparency in elections is foundational to good governance; before he begins the core presentation, he would like to briefly speak to the process that brought him here; all of the Commissioners received a written request to meet individually; and he wants to thank each and every one of the Commissioners for his or her time and consideration. He went on to say he especially wanted to recognize District 3 Commissioner, Kim Adkinson, who was the first to respond and took the time to meet with them in person; her thoughtful questions and insights were instrumental in helping them sharpen the focus of this presentation; later they met with District 1 Commissioner, Katie Delaney, who offered a constructive and actionable recommendation to bring this issue before the full Board; that is exactly what he is doing today, coming before the Board respectfully and in good faith, because this matter does not just affect one District, it impacts every voter in Brevard County; and this presentation is being made now because Brevard Legislative Delegation meets on September 30, and they fully intend to bring this issue forward at that meeting. He noted over the past few legislative sessions, citizens, no matter how organized or well-informed, have often found themselves stonewalled in Tallahassee; legislative leadership, namely the Governor, Speaker, and the Senate President wield immense influence over what advances, that is why the Board's leadership as the County Commission matters, because the weight of local government can amplify citizen voices in a way they cannot do alone; the attached one-page visual outlines the issue in plain terms, but he asked to allow him to walk the Board through it; in both the August 2024 primary and the

April 2025 special election, Brevard voters were inundated with campaign materials, mailers, digital ads, text messages, and the like; many of these ads were styled to look like official voter guides; they misused names and logos associated with trusted institutions, President Trump, Governor DeSantis, the Brevard Republican Executive Committee, and the Republican Party of Florida; and the effect was voter confusion and a misleading perception of endorsement. He stated in response, Brevard Republicans voted decisively 95:16 in favor of a resolution for campaign finance reform, signaling broad, local consensus on the need to restore transparency; the kicker, voters could not tell who paid for any of the ads; why, because the political committees behind the ads engaged in a shell game of unlimited Political Committee (PC) to PC transfers, which are completely legal under Florida Law; by bouncing funds between multiple political committees, the true donor disappears, leaving voters in the dark about who is trying to influence their vote; and here is how the loophole works. He pointed out Florida campaign finance laws only trigger transparency rules when express advocacy is used, magic words like vote for or vote against; but these political committees and their consultants have become experts at skirting those words; instead, they shape perception without ever crossing the legal line; the result, ads that influence elections without the legal obligation to disclose the funder; he asked if voters cannot tell who is behind the messaging, how can they make an informed choice; if special interests shape the outcome, how can they expect the policy to reflect the public will; he advised this is not just about campaign flyers, this is about public governance; when outside interests determine who can afford to run, what messages dominate the public space, and which policies move in Tallahassee, local voices are drowned out, which leads to soaring utility and insurance rates, State preemption that ties the Board's hands, and Home Rule is being eroded; and they are not asking the Commission to write a bill or wade into party politics, but what they are asking the Board, their elected local leaders, is to stand with the citizens of Brevard to help them elevate this issue. He mentioned specifically, to pass a resolution that has been provided urging the legislature to prohibit the PC to PC transfers, and ask the Brevard Delegation to support legislation in 2026 to close this loophole; he has an example in the packet, and the Board can use that as a template, and they urge the Board to join with the citizens; what they are facing is not hypothetical, it is unfolding right now, growing in scale, and steadily eroding the trust the residents place in their elections and local governance; they need the Board's help to ensure voters, once again, look at the political messaging and who is behind it; and together, transparency can be restored, elections protected, and Home Rule preserved in Brevard County.

Commissioner Delaney commented when this was presented to her, her first reaction was, sure she will bring forward a resolution, but after she thought about it more, just because of the political nature of this, she did not feel comfortable bringing forward a resolution without consensus of the Board; she is wondering how the Board feels about that, because she would be happy to sponsor a resolution; the second thing is, she has signed the presenters letter; she supports this, she thinks it is a great thing, and she appreciates all of them for doing this, because government and politics starts locally; and when the citizens come together, even across party lines, this is an everyone issue, not a left or right issue. She advised she is all for what they are doing, and she appreciates them for doing it.

Mr. Twitty stated they look forward to presenting this to the Legislative Delegation on September 30; and they invite the Commissioners to come and stand with them.

The Board acknowledged a citizen proposal to consider prioritizing State campaign finance prior to the 2025 September legislative priorities session.

D. MINUTES FOR APPROVAL

Chairman Feltner pointed out he missed the minutes, and he wanted to be sure the Board included Commissioner Goodson.

The Board approved the July 8, 2025, Regular meeting, July 22, 2025, Regular meeting, August 12, 2025, Regular meeting, and the August 7, 2025, Zoning meeting minutes.

Result: Approved

Mover: Katie Delaney

Second: Kim Adkinson

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

E.7. Presentation, Re: Grassroots Citizen Effort to Affect State Priorities at the County Level by Addressing Shortfalls in State Campaign Finance

Commissioner Delaney stated because of the Sunshine, there is no way for the Board to talk about this offline; she did not know if the Board wants her to bring it forward as a discussion item; and she is sure the Commissioners will have to think about it.

Chairman Feltner stated Commissioner Delaney can send it one way, and other Commissioners do not respond to her; and he thinks that is a way she can do that

E.1. Resolution, Re: Supporting the Melbourne Tillman Water Control District's Request for the Florida Legislature to Amend Subsection (12) of Section 8 of Section 3 of Chapter 2001-336, Laws of Florida

Commissioner Altman read aloud a resolution supporting Melbourne-Tillman Water Control District's request for the Florida Legislature to amend Subsection (12) of Section 8 of Section 3 of Chapter 2001-336, Laws of Florida.

Chairman Feltner asked since the Delegation meeting is coming up, does the Melbourne-Tillman Water Control District expect this to be a local bill.

Phil Wineberg, Board of Directors, replied affirmatively; he commented with him is Rick Nipper, their District Manager; he expressed his appreciation to the Board for the resolution and its support in this matter; and he stated they feel this bill is critical for the District in order for them to continue serving the residents of the District to help prevent flooding as they have done for the last 103 years.

The Board adopted Resolution No. 25-097, supporting the Melbourne-Tillman Water Control District's request for the Florida Legislature to amend Subsection (12) of Section 8 of Section 3 of Chapter 2001-336, Laws of Florida.

Result: Adopted

Mover: Thad Altman

Second: Kim Adkinson

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

E.2. Resolution, Re: Acknowledging September as Suicide Prevention Month in Brevard County

Chairman Feltner read aloud, and the Board adopted Resolution No. 25-098, recognizing September as Suicide Prevention Month in Brevard County.

Result: Adopted

Mover: Rob Feltner

Second: Kim Adkinson

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

Johnette Gindling, President and CEO of Space Coast Health Foundation, stated she is here with representatives from several of their partners, Do It for Hunter, 211 Brevard, Health First, Palm Point Behavioral, and a new organization, Give Yourself a Reason; she expressed her appreciation to the Board for this Resolution and its ongoing interest it has had in promoting suicide awareness, prevention, and mental health in Brevard County; the latest stats from the Florida Department of Health are from 2023; that is when people saw nearly 150 people take their own lives; and that is a rate of 21 per 100,000 people; the rate in Florida was just over 14 per 100,000 people; and one life passing by suicide is too many. She continued by saying the Space Coast Health Foundation and others in Brevard mental health community are determined to do something about this; the Board's support will help towards getting to a solution in finding better alternatives for people when they need them the most; and she would like to turn the microphone over to their Board Chair, Linda Dale.

Linda Dale commented the Space Coast Health Foundation started this local suicide prevention awareness initiative four years ago; they were inspired by some remarks made by Christine Moore, who at the time was with Brevard Public Schools; Christine, who is now with the foundation board, was noted some very troubling mental health issues at the school and how they were affecting students as young as junior high; from there, Johnette took on initiative and had the Space Coast Health Foundation focus more on mental health issues, as well as the suicide awareness; the County Commission, with its action today, is an important part of that awareness; and she expressed her appreciation to the Board for all of its concern and support.

A representative stated what she has found in over 33 years in public education, and the last several years working with community leaders, is that there are no easy answers to challenges like suicide prevention awareness; but the fact that there are no easy answers, does not mean that they look away; all of them are impacted by suicide, some of them more directly than others; and that is why developing strategies and plans means so much and why they will keep counting on the Board for its collaboration and leadership to help them move forward.

Belinda Stewart, representing 211 Brevard, remarked they have been answering suicide calls in Brevard County since 1968, when they co-founded the first suicide hotline in Florida; they now answer more than 5,000 crisis calls per year from Brevard County residents; and they average one per day where the person is at serious risk of taking their own life. She expressed her appreciation to the Board for the Resolution and to the Health Foundation for their leadership in this issue.

Kelly, Do It for Hunter, advised she is just a mom who was directly affected by this four years ago when she lost her son; they know there are many more out there, and they have to do something; that is why they started their grassroots, very grassroots, they say it is in the weeds, their non-profit to try to get the word out to the kids who are mostly affected by this; everyone is affected, but mostly the kids; they do have a really great, fun event coming up on September

27 if the Commissioners would like to come; it is called 'You Matter Day' at Merritt Island High School; they have done it now, this will be four years in a row; it is a great event to get the message out, especially to their kids; she asked the Board to look it up on doitforhunter.org; and if anyone would like to join them in the dunk tank, he or she is more than welcome.

E.3. Resolution, Re: Recognizing Constitution Week

Commissioner Adkinson read aloud, and the Board adopted Resolution No. 25-099, recognizing September 17 – 23, 2025, as Constitution Week in Brevard County.

Result: Adopted

Mover: Kim Adkinson

Second: Katie Delaney

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

Michelle Abby, Honorary Chapter Regent of the Abigail Wright Chamberlain Chapter, Daughters of the American Revolution, stated on behalf of their Chapter, she expressed her appreciation to the Board for the proclamation and support of the United States Constitution; as daughters, mothers, sisters, and wives, they accept the responsibility to help education their children and young people about American history; there are two documents of a paramount importance to American history, the Declaration of Independence, which forged the national identity, and the United States Constitution, which set forth the framework for Federal government that is in use today; and while Independence Day is a beloved national holiday, fewer people know about Constitution Week, an annual commemoration of a living document that upholds and protects the freedoms central to the American way of life. She mentioned the Daughters of the American Revolution initiated the observance in 1955; later that year, the Daughters petitioned the United States Congress to recognize the importance of this document; on August 2, 1956, President Dwight D. Eisenhower signed Constitution Week, September 17 – 23 of each year into public law; the celebrations goals are three-fold; first, to encourage the study of historical events that led to the framing of the Constitution in September of 1787; second, to inform people that the Constitution is a basis of America's great heritage and the foundation of their way of life; and third, to emphasize the responsibilities as the United States citizens to protect, defend, and preserve the Constitution. She thanked the Board again for its support of this important commemoration; and she advised they will be celebrating all month in September and hope the Commissioners can and will visit the Melbourne Public Library on Fee Avenue to view a patriotic Constitution Week display presented by the Abigail Wright Chamberlain Chapter.

E.4. Resolution, Re: GFWC Viera Woman's Club International Day of Service

Commissioner Adkinson read aloud, and the Board adopted Resolution No. 25-100, recognizing September 27, 2025, as General Federation of Women's Club (GFWC) International Day of Service.

Result: Adopted

Mover: Kim Adkinson

Second: Katie Delaney

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

Harriet Hankerson, President of the GFWC Viera Women's Club, stated she is here with her fellow sisters in work; on behalf of the GFWC Viera Women's Club, she thanked the Board for recognizing September 27, 2025, as International Day of Service to end domestic sexual violence in Brevard County; she stated they have called this day 'Shatter the Silence' here in

Brevard County; this designation is so meaningful because it shines a light on an issue that too often remains in the shadows, domestic violence and sexual exploitation; as a club, they are international in their efforts to educate and raise awareness, and to stand with survivors; this year, this date carries an even greater significance; and on September 27, GFWC clubs across the United States and internationally will recognize this day. She noted thousands will be united in the same mission, standing against domestic and sexual violence; it is powerful to know that while they are in Brevard County working in their own community, others across the United States internationally are taking action on their own; together, their voices are stronger; leading up to this important date, they are hosting two community events; on Saturday, September 20, they invite everyone to join them at the Avenues Viera for the Walk for Victims as they stand in solidarity with survivors and those whose voices have been silenced; on Tuesday, September 23, at the Brevard Health Department Conference Center, they will hold a community education session featuring representatives from Life Recaptured, who will share important information and resources to help all better recognize and respond to exploitation; and together, through awareness, education, and compassion, they can make a difference, so today she invites and encourages the community to join them, come out, be present, and help them shatter the silence. She expressed her appreciation to the Board for standing with them in this work and for helping bring light to an issue that impacts far too many families in Brevard County.

E.5. Resolution, Re: Acknowledging October 2025 as Domestic Violence Awareness Month

Commissioner Adkinson read aloud, and the Board adopted Resolution No. 25-101, recognizing October 2025 as Domestic Violence Awareness Month.

Result: Adopted

Mover: Kim Adkinson

Second: Katie Delaney

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

A representative stated they will be incredibly busy out in the community educating, connecting with survivors; it is very helpful for the Board to help them recognize that and getting that started; she is here with their domestic violence task force, at least some of them, because there is just dozens of folks who are part of their group; from the police departments, advocacy groups, domestic violence centers, and State Attorney's office, they are really a coordinated community response, hardworking and so cohesive working together to help survivors and hold batterers accountable, which is so important; and she expressed her appreciation, as these are awesome people.

E.6. Resolution, Re: Naming September 2025 as Hunger Action Month

Commissioner Delaney noted she would like to introduce Bill Collins, he is the Chief Operating Officer for Second Harvest Food Bank; and with that, she would like to read the resolution.

The Board adopted Resolution No. 25-102, recognizing September 2025 as Hunger Action Month in Brevard County.

Result: Adopted

Mover: Katie Delaney

Second: Kim Adkinson

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

Bill Collins commented people can go to their website www.feedhopenow.org if he or she would like to participate more; he is intensely proud of the 11 million pounds of food they distributed in the County this past fiscal year; 8.9 million meals is a significant amount; he himself is a Titusville resident and a Brevard County resident as well, so he could not be happier; he expressed his appreciation to the Board; and he stated they cannot get this work done without these partnerships.

F.3. Indian River Lagoon (IRL) Council Grant Contract# IRL2025-01 – Brevard County – Indian River Lagoon, 50+ Quick Connects to Sewer Project

Rick Heffelfinger stated sometimes he asks questions and sometimes he gets yelled at because this is not a question and answer; he does not know if maybe there is someone here from Indian River Lagoon (IRL), because he has a problem with what he is talking about, the one about the direct connect; he thought the County was just doing septic tanks, or the real, hard septic; and the County is paying people's bills to get connected to sewer. He went on to say he thought when the sewer went in, that one had to hook up when he or she was within so many feet and they paid the connection fee, so he does not understand who these special people are; he would like to volunteer to be on that list because his septic system is very old; but he does not know, so no answers today; he just has a problem with that one, he really does, because he does not know why the County is spending money for somebody to hook up to a sewer if it is already there; and he hopes that is not what it is.

Commissioner Delaney asked if there is anybody who can clarify that.

Morris Richardson, County Attorney, replied the Agenda Report explains that this project provides funding to convert 50 septic properties within the watershed to sewer and eliminate the nitrogen resulting from those septic systems.

Mr. Heffelfinger asked if that means the sewer has to be close; is the sewer line there; why did they not already hook up; and he commented he does not understand why the County is paying.

Attorney Richardson advised this is a conversion of septic to sewer.

Mr. Heffelfinger stated he has a septic tank and he would like to be one of those 50 people; he asked if the County can hook him up with sewer; can he get on that list; and the County is paying, right.

Commissioner Delaney stated if she understands this, these are just homes that are along the Lagoon.

Attorney Richardson stated these are in the IRL watershed that are on septic currently, and the grant will in part make it possible to convert from septic to sewer.

Commissioner Delaney noted these are people who are being basically mandated from the State to do this.

Attorney Richardson pointed out connection will be required under Statute when there is sewer within a certain distance, but project costs also include extending sewer lines where it does not presently exist sometimes.

Mr. Heffelfinger asked so the County is buying sewer line then, that is what this is for 50 people getting special sewer because they are close.

Attorney Richardson noted that is as in-depth as he can go; that is in the Agenda Report; but it is not new homes on sewer as Mr. Heffelfinger suggested, it is septic to sewer conversion.

F.13. Approval of an Agreement with the Property Appraiser for Data Sharing and Non-Ad Valorem Assessment Support

Rick Heffelfinger commented this is an easy one; there is no cost increase with this Item to renew; that is incredible; that does not happen often; and he would like to give a shout out to the Property Appraiser for not charging anything more to do a service they have already been doing.

F.1. Florida Department of Environmental Protection (FDEP) Grant INV64 - Indian River Lagoon Circulation and Water Quality Forecast Model

The Board approved and authorized the Chairman to execute the Florida Department of Environmental Protection (FDEP) Grant INV64 for the Indian River Lagoon circulation and water quality forecast model, upon approval by the County Attorney's Office, Risk Management, and Purchasing Services; authorized the County Manager to execute any future amendments to the Contract; and authorized the County Manager to execute any necessary budget change amendments.

Result: Approved

Mover: Kim Adkinson

Seconder: Katie Delaney

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

F.3. Indian River Lagoon (IRL) Council Grant Contract# IRL2025-01 – Brevard County – Indian River Lagoon, 50+ Quick Connects to Sewer Project (continued)

The Board approved and authorized the Chairman to execute the IRL Grant Contract #IRL2025-01 for Brevard county IRL 50+ quick connects to sewer project; authorized the County Manager to execute any future amendments to this Contract; and authorized the County Manager to execute all necessary budget amendments.

Result: Approved

Mover: Kim Adkinson

Seconder: Katie Delaney

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

F.4. Final Plat and Contract Approval, Re: Aripeka at Viera - Phase 5 Developer: The Viera Company

The Board, in accordance with Section 62-2841(i) and Section 62-2844, granted final plat approval and authorized the Chairman to sign the final plat and Contract for Aripeka at Viera, Phase 5, Developer: The Viera Company, subject to minor engineering changes, as applicable, and developer responsible for obtaining all other necessary jurisdictional permits.

Result: Approved

Mover: Kim Adkinson

Seconder: Katie Delaney

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

F.5. Legislative Intent and Permission to Advertise Amendments to the Brevard County Code of Ordinances, Re: Business Tax Receipts, Including, but Not Limited to, Chapter 102, Article II, "Business Tax Receipt"; Section 74-116, "Findings, Purpose and Declaration"; and Section 62-1155, "Zoning Approval for Business Tax Receipts; Approval of Home Occupation," Brevard County Code of Ordinances

The Board approved legislative intent and permission to advertise amendments to the Brevard County Code of Ordinances to ensure consistency between the Code and Florida Law pertaining to Business Tax Receipts, including but not limited to, Chapter 102, "Taxation," Article II, "Business Tax Receipt," and Chapter 74, Offenses and Miscellaneous Provisions," Article VII, "Pain Management Clinics," specifically Section 74-116, "Findings, Purpose, and Declaration," and Chapter 62, "Land Development Code," Article VI, "Zoning Regulations."

Result: Approved

Mover: Kim Adkinson

Second: Katie Delaney

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

F.6. Correction of Resolution 25Z00009 (Forbes Remodeling & Construction, LLC) (25Z00009) (Tax Account 2802070)

The Board rescinded Resolution 25Z00009 as previously executed; and authorized the Chairman to execute the corrected Resolution 25Z00009-C.

Result: Approved

Mover: Kim Adkinson

Second: Katie Delaney

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

F.7. Approval, Re: Contract for Sale and Purchase of Easement from Indian River REH LLC as Related to the Lift Station J-13 Rehabilitation Project

The Board approved and authorized the Chairman to execute Contract for Sale and Purchase of Easement from Indian River REH LLC as related to Lift Station J-13 Rehabilitation Project; and approved waiving the appraisal requirement.

Result: Approved

Mover: Kim Adkinson

Second: Katie Delaney

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

F.8. Approval of Change Order No. 3 - Mims Asbestos Cement Water Main Replacement Phase 4

The Board approved and executed Change Order No. 3 – Mims Asbestos Cement Water Main Replacement Phase 4; and authorized the County Manager to execute all contracts, contract amendments, and any contract extensions, budget Amendments (BCRs), change orders, and any documents or other administrative actions related to this agreement.

Result: Approved
Mover: Kim Adkinson
Second: Katie Delaney
Ayes: Delaney, Goodson, Adkinson, Feltner, and Altman

F.9. Approval, Re: State Aid to Libraries FY 2025-2026, Grant Application with the Florida Department of State, Division of Library Services

The Board approved and authorized the Chairman to execute the State Aid to Libraries Grant Agreement Application, Certification of Hours, Free Library Service, and Access to Materials; authorized the County Manager to execute any follow-up agreements, amendments, or modifications contingent upon approval of Risk Management and the County Attorney; authorized the County Manager to execute all necessary budget amendments (BCRs); and approved the Brevard County Libraries Annual Plan of Service 2026.

Result: Approved
Mover: Kim Adkinson
Second: Katie Delaney
Ayes: Delaney, Goodson, Adkinson, Feltner, and Altman

F.10. Board Approval, Re: Fire Protection, Rescue/Emergency Services, and Vehicle Agreement with Four Communities Volunteer Fire Department

The Board approved and executed the combined Fire Protection, Rescue/Emergency Services, and Vehicle Agreement with Four Communities Fire Department.

Result: Approved
Mover: Kim Adkinson
Second: Katie Delaney
Ayes: Delaney, Goodson, Adkinson, Feltner, and Altman

F.11. Board Approval, Re: Fire Protection, Rescue/Emergency Services, Vehicle Agreement, and Use of Space with Merritt Island Volunteer Fire Department

The Board approved the combined Fire Protection, Rescue/Emergency Services, Vehicle and Use of Space Agreement with Merritt Island Volunteer Fire Department.

Result: Approved
Mover: Kim Adkinson
Second: Katie Delaney
Ayes: Delaney, Goodson, Adkinson, Feltner, and Altman

F.12. Board Approval, Re: Fire Protection, Rescue/Emergency Services, and Vehicle Agreement with Mims Volunteer Fire Department

The Board approved the combined Fire Protection, Rescue/Emergency Services, and Vehicle Agreement with Mims Volunteer Fire Department.

Result: Approved
Mover: Kim Adkinson
Second: Katie Delaney
Ayes: Delaney, Goodson, Adkinson, Feltner, and Altman

F.13. Approval of an Agreement with the Property Appraiser for Data Sharing and Non-Ad Valorem Assessment Support

The Board approved and executed a three-year Agreement with the Brevard County Property Appraiser for data sharing and non-ad valorem assessment support.

Result: Approved

Mover: Kim Adkinson

Seconder: Katie Delaney

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

F.14. Proposed Revisions to Board Policy BCC-27, “Construction Contracts”

The Board approved and executed proposed revision to Board Policy BCC-27, “Construction Contracts.”

Result: Approved

Mover: Kim Adkinson

Seconder: Katie Delaney

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

F.15. Legislative Intent and Permission to Advertise a Public Hearing on an Ordinance Amending Section 102-118, Brevard County Code of Ordinances, Relating to the Administration of the Tourism Development Tax (TDT)

The Board approved legislative intent and permission to advertise a public hearing on an ordinance amending Section 102-118, Brevard County Code of Ordinances, relating to the administration of the TDT.

Result: Approved

Mover: Kim Adkinson

Seconder: Katie Delaney

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

F.16. Appointment(s)/Reappointment(s), Re: Citizen Advisory Boards

The Board appointed/reappointed **Dale A. Dettmer** to the Brevard County Educational Facilities Authority Board, with term expiring October 22, 2030; and **Drew Powshok** to the Melbourne-Tillman Water Control District, with term expiring September 30, 2028.

Result: Approved

Mover: Kim Adkinson

Seconder: Katie Delaney

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

F.17. Approval of Resolution and Real Estate Contract for Sale of Property to Milton J. Wood Fire Protection, Inc. in the County-Owned Spaceport Commerce Park in Titusville

The Board executed and adopted Resolution No. 25-103; approved Contract for Sale and Purchase permitting the sale of approximately three (3) acres of land in the County-owned Spaceport Commerce Park in Titusville for \$190,635 (or \$63,545 per acre) to Milton J. Wood

Fire Protection, Inc.; and authorized the Chairman to execute all documents in connection thereof.

Result: Adopted

Mover: Kim Adkinson

Second: Katie Delaney

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

F.18. Acknowledge Receipt, Re: 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

G. PUBLIC COMMENTS

Christina Wilberg expressed her appreciation to the Board for recognizing Suicide Prevention Month in Brevard; she stated she is a former employee of both Health First and Brevard Public Schools; she has reached out to Representative Mike Haridopolis, Senator Ashley Moody, and even President Donald Trump to vocally address the mental health crisis climbing in the nation; and locally, they need more awareness and prevention and more voices heard for this growing crisis. She continued by saying she never had a close suicide loss until she lost a student to it while teaching at Heritage High School, then tragedy struck even closer to her own home; on July 30, 2025, her own husband, Brad, died by suicide at 43 years old; he was a psychology major, a dedicated behavioral analyst, mainly serving children in Brevard County with autism for almost two decades; his first job was actually at Devereux in Viera in 2009; he loved his community, gave himself to it, and Brevard lost a dedicated worker while she lost a loving husband to this terrible disease; but her husband, Brad, lived with chronic illness, ulcerative colitis and then Crohn's Disease from childhood at four years old; and that constant physical pain started to shape his mental health. She mentioned when one talks about suicide, stigma often takes over that it is selfish, unforgivable, or a sign of being crazy; she admits, she also once believed some of those false stigmas until she watched both her student and her husband fight this horrible disease; they cannot afford that stigma anymore; for the sake of those people that are loved, he or she must change the face of suicide; and prevention alone is not enough, actual, true prevention required both awareness and connection with medical professionals. She explained right now, mental health and physical health are treated as separate entities; that separation has proven deadly; the brain is an organ just like the heart, liver, and lungs are; if a person has liver disease, the physicians track and monitor it over time; if depression is left unmonitored, the illness can take the brain in the same way; when someone is diagnosed with depression or anxiety, coordination should begin that same day, just as it would if one was diagnosed with diabetes or heart disease; one does not wait until an organ fails before acting; and the same needs to be done with mental illness. She stated her husband fell into the gaps of a system where his doctors and his mental health providers were not collaborated; her husband did not know how to truly ask for help; by the time he tried, it was too late; the gap in this coordinated care allowed his brain to drift further into the disease until it became overwhelming; he needed steady, consistent care and access to a crisis coordinator when suicidal thoughts urged; and instead, his illness grew between those gaps. She advised those gaps they must build a bridge between primary care and mental health care so patients have long-term plans that monitor both; suicide prevention should start far earlier, before the disease truly overwhelms the brain; she lost her husband because those bridges were missing; she

asked the Board to let this story push everyone to build them for the Board's families, for hers, and for the people who cannot fight alone; and she stated she wants to continue to voice her concern until there is true, efficient care for complete and total health and well-being.

Christopher Childs commented he is a small business owner in Titusville; he wants to speak about spending; he thinks everyone needs to focus on reducing spending; as a small business owner and as someone who has worked in large healthcare organizations, Human Resources (HR) is one of the biggest, if not the largest, expense to a business; when the Board is making those decisions, it has to take into consideration experience and value what they bring to the position; and it is a tough balance because the County wants to keep good employees. He noted he knows that is really hard, he knows, he has done it himself; he has hired people and decided what their salary is, and worked with HR to determine that as well; they would go through the whole pay scales and stuff; they would give him a number, and this is all they could give; and they are not going to give over what other companies are giving. He stated former President Ronald Reagan once said that they did not get to a trillion dollar in debt because they taxed too much, they got to a trillion dollars in debt because they spent too much; he thinks all of the purported conservatives on this Board can show that he or she are the conservatives that he or she is purported to be if the Commission makes some good decisions on spending; to be frank, the magical money fairies, also called the taxpayers, are running out of money; he thinks the Board really needs to focus on spending; and he appreciates the Board hearing him.

Judy Trandel advised as everyone knows, this year Florida enacted Senate Bill (SB) 180 intended to speed up recovery from hurricanes; it places severe restrictions on counties and municipalities like Brevard; for up to three years after a disaster declaration, new land use rules cannot be adopted or enforced, zoning changes, or development standards that are stricter than those from July 2024; that means everything passed after July 2024 is null and void; and this freeze applies broadly, even to areas not directly hit, overriding the Home Rule powers under the Florida Constitution and stifling their ability to adapt to flooding, growth, land use, and protections to wetlands. She went on to say as Brevard County faces storm risks along the Space coast, tools are needed to protect the environment, infrastructure, and residents, not handcuffs from Tallahassee; the best way to fix this is a targeted amendment, limit SB 180's effects to strict 12 to 18-month timeline and apply it only to officially-named disaster areas, such as those designated by Federal Emergency Management Agency (FEMA) or the State; this would support quick rebuilding while restoring the local control for long-term planning, ensuring updated flood zones, environmental protections, and smart growth enforcement without undue State interference; she urged the Board to formally request that the Brevard County Legislative Delegation introduce and support an amendment in the 2026 legislative session; and she stated the Bill diminishes the 1968 Charter Rule and the 1973 Municipal Home Rule Act. She pointed out that the Board's voice carries weight and it certainly has grassroots support to back it; and she asked the Board to do the right thing, to vote and voice his or her opinion for an amendment.

Chairman Feltner stated he knows he told the Commission it would be taking a break; he sees a couple of people that maybe could get out of here, and then the Board can take a break; and he asked if the Commissioners are amenable to that.

J.2. Approval, Re: Tourist Development Council's Recommended Funding for Brevard Cultural Alliance Professional Services Contract for FY 2025-2026

Peter Cranis, Tourism Development Director, stated Item J.2. is Brevard Cultural Alliance seeking \$217,000 in Tourist Development Tax (TDT) funds.

The Board approved TDCs recommendation to approve funding for one year for the FY 2025-2026 BCA Professional Services Contract; further, based on the programs outline, by approving this Agenda Item, the Board made Legislative findings that the Tourist Development Tax (TDT) funds are authorized for the cultural programs, pursuant to Section 125.0104(5)9(a)3, Florida Statutes, and Section 102-119(3)d, of the Brevard County Code of Ordinances; authorized once the contract is developed and approved by the Purchasing Department, Risk Management Department, and the County Attorney's Office, the Board Chairman to sign the necessary contract and related documents; and authorized the County Manager to execute all necessary budget amendments.

Result: Approved

Mover: Katie Delaney

Seconder: Thad Altman

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

I.1. Request Board Approval for the Chairman to Execute a Professional Services Contract with SBM Partners, Inc. for State Lobbying Services

Kathy Wall, Central Services Director, stated Item I.1. is a request for approval of a one-year professional service contract with SB Partners, Inc. for the County State lobbying services; the Board may renew the contract for another year in July, after an annual review of the services provided by SBM Partners, Inc.; the Board may consider to reject the proposals and authorize Purchasing Services to advertise or Request for Proposal for State lobbying services; on July 22, the Board directed staff to negotiate a five-year contract with Crisafulli Consultants LLC; after the proposals were received by the County on April 2, Crisafulli Consultants LLC merged with SBM Partners Inc. in July; and with this merger, Mr. Crisafulli is a partner in the firm and would be responsible for the County State lobbying services if the contract is approved by the Board. She advised this selection and negotiating committee, consisting of James Liesenfelt, County Manager, Jill Hayes, Interim Assistant County Manager, and Virginia Barker, Natural Resources Management Director, on August 19 and September 4, negotiated a contract based on the Board's direction; and based on these negotiations and information obtained from two similar contracts with Hillsborough and Collier Counties, the negotiating committee recommends the Board consider a one-year professional services contract with SBM Partners Inc. with a Board review in July.

The Board approved a one-year professional services Contract with SBM Partners, Inc. for the County's State Lobbying Services; and the Board may renew Contract for another year in July after an annual review of the services provided by SBM Partners, Inc.

Result: Approved

Mover: Katie Delaney

Seconder: Kim Adkinson

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

*The Board recessed at 10:06 a.m. and reconvened at 10:11 a.m.

H.1. Public Hearing, Re: Petition to Vacate Portion of a Public Right-of-Way – Plat of "Houston Lane Estates" Plat Book 62, Page 46 – Merritt Island – D R Horton Inc

Chairman Feltner called for a public hearing to consider a petition to vacate a public right-of-way, Plat of Houston Lane Estates, Merritt Island, as requested by D. R. Horton, Inc.

Marc Bernath, Public Works Director, explained Items H.1. and H.2. are tied together; H.1. is a petition to vacate a portion of public right-of-way for Houston Lane in District 2; this 3.5 foot by 3.5 foot area was previously taken by maintenance for a speed hump that was never pursued by the County; it is in the way of the private drainage for this affordable housing project, so on this Item, staff is seeking a petition to vacate; Item H.2., which would be a separate action; there would be a County deed that would provide that three and one-half by three and one-half foot section; the County would have the right to discharge drainage from the public right-of-way into the private easements and track; and this is needed for the developer to provide drainage.

There being no comments or objections, the Board adopted Resolution No. 25-104, vacating a portion of a public right-of-way, Plat of "Houston Lane Estates", Merritt Island, Florida, lying in Section 22, Township 24 South, Range 36 East, as petitioned by D. R. Horton, Inc.

Result: Adopted

Mover: Tom Goodson

Secunder: Katie Delaney

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

H.2. Public Hearing, Re: Approval of County Deed to D. R. Horton, Inc. for a 3.5' x 3.5' Section of Right-of-Way (ROW) Related to the Houston Lane Vacate

Chairman Feltner called for a public hearing to consider a deed to D. R. Horton, Inc. for a 3.5' x 3.5' section of ROW related to the Houston Lane Vacate.

There being no comments or objections, the Board executed and adopted Resolution No. 25-105, authorizing the conveyance of real property interest by the County; and executed and approved the County Deed to D. R. Horton, Inc. for a 3.5' x 3.5' section of ROW related to the Houston Lane Vacate.

Result: Adopted

Mover: Tom Goodson

Secunder: Katie Delaney

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

H.3. Public Hearing, Re: Petition to Vacate Portion of Three Public Utility Easements – Plat of "Cocoa North, Unit No. 2", Plat Book 21, Page 101 – Cocoa – Mayda Janet Morales

Chairman Feltner called for a public hearing to consider a petition to vacate a portion of three public utility easements – Plat of "Cocoa North, Unit No. 2", Plat Book 21, Page 101, Cocoa, as requested by Mayda Janet Morales.

Marc Bernath, Public Works Director, stated H.3. is a petition to vacate a portion of three public utility easements; it is in Cocoa north, south of SR 528, and north of SR 524, in District 1; vacating these three public utility easements would allow for the existing buildings to remain and resolve a Code Enforcement violation; and there have been no objections brought to the Department.

There being no comments or objections, the Board adopted Resolution No. 25-106, vacating a portion of three public utility easements, Plat of "Cocoa North, Unit No. 2", Cocoa, Florida, lying in Section 13, Township 24 South, Range 35 East, as petitioned by Mayda Janet Morales.

Result: Adopted
Mover: Katie Delaney
Seconder: Thad Altman
Ayes: Delaney, Goodson, Adkinson, Feltner, and Altman

H.4. Public Hearing, Re: Petition to Vacate Portion of Two Public Utility and Drainage Easements – Plat of “Port St. John, Unit 2”, Plat Book 14, Page 48 – Cocoa – Dale O’Connor and Patricia Rivera

Chairman Feltner called for a public hearing to consider a petition to vacate a portion of two public utility and drainage easements – Plat of “Port St. John, Unit 2”, Plat Book 14, Page 48 – Cocoa, as requested by Dale O’Connor and Patricia Rivera.

Marc Bernath, Public Works Director, commented H.4. is a petition to vacate a portion of two public utility and drainage easements; this is in Port St. John, south of Delespine Road, and north of Fay Boulevard in District 1; they are seeking to vacate the two public easements to allow for buildings to remain and resolve a Code Enforcement violation; and no objections have been raised.

There being no further comments or objections, the Board adopted Resolution No. 25-107, vacating a portion of two public utility and drainage easements, Plat of “Port St. John, Unit 2”, Cocoa, Florida, lying in Section 24, Township 23 South, Range 35 East, as petitioned by Dale O’Connor and Patricia Rivera.

Result: Adopted
Mover: Katie Delaney
Seconder: Kim Adkinson
Ayes: Delaney, Goodson, Adkinson, Feltner, and Altman

H.5. Public Hearing, Re: Proposed Ordinance Amending Chapter 58 - Historical Preservation, Article II - Historical Commission, Section 58-37 - Members; Qualifications, Term, Method of Appointment, of the Brevard County Code of Ordinances, Pertaining to the Historical Commission’s Membership

Chairman Feltner called for a public hearing to consider an ordinance amending Chapter 58 – Historical Commission, Section 58-37 – Members; Qualifications, Term, Method of Appointment, Brevard County Code of Ordinances, pertaining to the Historical Commission’s membership.

Morris Richardson, County Attorney, explained Brevard County Code currently provides for a 15-member Historical Commission with membership consisting of three residents of each County Commission District appointed by the Board of County Commissioners; the proposed ordinance before the Board, which it granted a legislative intent and permission to advertise on August 12; this ordinance would amend that to allow a Commissioner to appoint a resident who is knowledgeable in the history, cultural, law, and development of Brevard County regardless of the Commission District in which they reside; and if the Board approves the ordinance, there is also a request by Commissioner Adkinson to approve appointment of Dan Ryder to the Historical Commission to one of her seats.

There being no further comments or objections, the Board conducted the public hearing and adopted Ordinance No. 25-18, pertaining to the Brevard County Historical Commission; amending Chapter 58 – Historical Preservation, Article II – Historical Commission, Section 58-37 – Members; Qualifications, Term, Method of Appointment, of the Brevard County Code;

providing for resolution of conflicting provisions; providing for severability; providing for an area encompassed; providing for an effective date; and providing for inclusion in the Code of Ordinances.

Result: Adopted

Mover: Kim Adkinson

Seconder: Katie Delaney

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

On the recommendation of Commissioner Kim Adkinson, the Board appointed **Dan Reiter** to the Historical Commission, with said term of appointment expiring December 31, 2026.

Result: Approved

Mover: Kim Adkinson

Seconder: Katie Delaney

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

I.2. Consider Revisions to BCC-95 Citizens Efficiency and Effectiveness Recommendations (CEER) Policy, Also Known as the Speak Up Brevard Program

Commissioner Delaney advised she is bringing this Item back to the Board for discussion after it was tabled she believes last regular meeting; she wanted to read something into the record so the Board makes sure that correct information is out there; and this is an email she received from the County Attorney. She read, "Honorable Chairman and County Commissioners, Commissioner Goodson wishes to correct the record regarding something that he stated at the Board meeting earlier this week. During discussion of Item J.1., he stated that the County spends between \$50,000 and \$100,000 per Board workshop or special meeting. However, that figure was based on a rough estimate of this year's cost to administer the CEER Program, not the cost to conduct a meeting. Commissioner Goodson does not wish to leave the Board with an erroneous understanding of the cost of meetings. Because of Sunshine Law considerations, please do not reply all or otherwise communicate with your fellow Commissioners about this email outside of the public meeting. Kind Regards, Morris Richardson." She commented she just wanted that to be stated for the record that a workshop is not going to cost the County \$50,000 to \$100,000; and if it is okay, if there are any cards on the Item that the Board can go to that.

Rick Heffelfinger stated he is amazed how much time the Board is spending on this; it spends less time on the Budget than it does on this; all his Commissioner is trying to do is give the people a really nice, robust system so that when they have a good idea, they all think they are great ideas, it gets documented, and there is a system that proves it gets looked at; the Board can spend as much time on them as he or she wants; he does not like the summary dismissals, like it is not the Board's job; he asked what does it mean that it is not the Board's job; the Commissioner is trying to formalize this so the people can get a feeling that the Board really does care; and the Board is not doing much to make them feel like it really does care. He stated he does not think there is any cost associated with this; he asked if that is correct; staff has to type it up and they have to redo that; he thinks the work has already been done for them; to remove superfluous wording, that would be good to cleanup whether the Board approves this or not; and maybe it can just approve that one. He asked about submission cycle extended to 60 days; is there any staff required for that; he remarked no, that is just leaving the window open so people can get their stuff in; the Board told them they can submit something anytime on the website; if it does not get written down, it does not get documented; and half of the time, people do not receive an email back. He pointed out the County is not real good at that; he asked if codifying the annual workshop cost anything; he stated he guesses it does not cost as

much as the people were led to believe from Commissioner Goodson; he asked again what it costs; he stated he thinks they pay the Commissioners to show up at all the things he or she shows up at; he asked if staff are paid and are they hourly; he stated he does not think so; and he asked if the Board is going to do overtime on all of those people. He stated the Board has staff that sits in on every one of these silly citizen boards; they do not even get minutes from them; he asked if the board realized that; he stated the County is seriously dink on a lot of minutes; the County has staff burning time; it will not do something that the community wants it to do; and this has bad optics, it really does. He continued by saying Commissioner Delaney has put a lot of time on it, that is why she is sitting there; he does not know what the other Commissioners constituents think when he or she just blows them off; Commissioner Delaney is not blowing the people off; they put her there because she does stuff like this; there are elections coming up; he asked when that is happening; he advised it would really do a lot for the other Commissioners, and it does not cost anything; he asked the Board to pretend it cares; he stated the people might buy it; and he will not, he has been here too long. He commented he really just does not understand; the Board is always complaining about staff; he thinks those people work here anyway; and he asked the Board to just to put this to bed, and to have a nice program.

Elizabeth Blackford expressed her thanks to the Board for considering policy amendments to the Speak Up Brevard Program; she mentioned the County knows their ad hoc group pretty well by now; they are committed to improving this important tool that residents have to participate in their government; they particularly appreciate Commissioner Delaney's efforts to improve the Speak Up Brevard Program Policy; and they will continue their work on ways to change the process to help citizens research, write, and collaborate with others to ensure that submissions warrant the time and effort County staff invests in them.

Sarah Hodge commented she just appreciates the Speak Up Brevard Program, and she cannot tell the Board how important it is that the Commission knows what the people want and need; she is here for public records and Consent Agenda, because she has worked on this for many years, not necessarily with the present Board's staff, but to get public records on the Internet so that people do not have to pay outrageous fees, have delays where they cannot get those records until after it is voted on; there are many issues in the past before the present Commission; this needs to be a public record where they have access; and she is never going to give up, she is going to be here every year saying the same thing, except she will do better research and get better ways to do it. She pointed out the Consent Agenda was her husband's issue, and he is not ready to talk today; it was something to bring the things off that need to be taken off and discussed before they are voted on; she is sorry she is wasting the Board's time on this, but she is not giving up; and as long as she is alive, it will continue.

Commissioner Delaney noted she was not sure if any of the other Commissioners had anything to say, suggestions, or feelings about the changes or any of that.

Commissioner Adkinson advised her thought is the County needs to retain the current submission period, the 120 days; maybe staff should place every suggestion on the first or second regular Agenda, depending on timing, following the close of a submission period that will allow the public to look in on this to be part of it, be more transparent; those would be a couple of things she would suggest; and otherwise, she is not sure she could get behind it as it is written.

Commissioner Delaney asked Commissioner Adkinson to explain that again.

Commissioner Adkinson replied she thinks the submission period whittling it down to, she thinks Commissioner Delaney proposed 60 days, that is not enough time; she thinks that

citizen's suggestions should come in front of the Board, having a meeting to look at these things in public could be helpful; and she would not mind hearing some of staff's thoughts on her suggestions if they would be interested in saying their thoughts on it.

Commissioner Delaney explained she thinks there is a little bit of confusion, the 60 days is to extend the submission time from the current 30 days, to make that wider to 60 days, it is not shortening the program to 60 days.

Commissioner Goodson stated his position has not changed; he asked who better knows what the Board should do than a person's own Commissioner or County staff; he remarked he does not see a need to extend it or change it; and he would like to make a motion that it stays the same.

The Board considered proposed revisions to Policy BCC-95, CEER, the County's Charter Program to consider citizen recommendation to the Board, but voted for it to stay the same.

Result: Approved

Mover: Tom Goodson

Seconder: Kim Adkinson

Ayes: Goodson, Adkinson, Feltner, and Altman

Nay: Delaney

Commissioner Delaney stated she would ask, because of some frustration that is coming, not only from herself, but from the public, is that this program was supposed to be a citizen program, something for them; over the past two years that she has been researching this, the topic has been pushed to the end of a very long meeting; the first year she was going to participate and was not able to, because she had to be at work, and she had already sat through a few hours, that they were pushed to the end, and then the same thing happened this year where people waited to the end of a five-hour meeting; there was talk before to even shorten their time to two minutes; she is wondering how the Board can get to a better place with this program so that people do not feel like it is an afterthought and like their submissions do not matter; the Board does not like her suggestions, but what she can say is that the public does not like the program the County is doing; and this program is all about them. She asked if anybody has any ideas on how this can be fixed, how the Board can do better for its constituents.

Chairman Feltner stated he appreciates Commissioner Delaney's thoughts; and he stated there are other items on the Agenda today.

Commissioner Delaney asked how many times this has been talked about; she stated this is the thing she is frustrated about this is not a new topic; the Board has talked about this over and over again; the Commission heard one of her constituents stand up here and tell it how they feel about this; she asked Commissioner Adkinson, with all due respect, if she has residents that came as well; is the Commission not here to deliberate and talk about these things; and she stated maybe there could be a workshop about this, a policy-making workshop. She went on to say the School Board meets before every one of their meetings to talk and deliberate about policy; that way they could come together with a consensus to bring forward to their business meeting; the City of Titusville does the same thing, they get presentations from the staff, deliberate, and talk about these things; she is extremely frustrated and she knows the residents are extremely frustrated, because they see the Board just rubber stamping policy and business without any explanation from most of the Commissioners; and this is not the way that government is supposed to work.

I.3. Discussion, Re: County Manager's Agreement

Morris Richardson, County Attorney, explained on August 12, 2025, the Board appointed Jim Liesenfelt as County Manager, and appointed the Chairman and himself to negotiate an employment contract with Mr. Liesenfelt; they met, and negotiated the terms of the County Manager's agreement for the Board's consideration and approval; the agreement is in the Board's packet; it is largely unchanged from former County Manager Abbate's Contract, except certain provisions of that contract relating to the voiding of Mr. Abbate's Deferred Retirement Option Program (DROP) agreement, specifically, a contract term providing for County payment of Mr. Abbate's required Florida Retirement System (FRS) employee contributions was deleted; and Mr. Liesenfelt is in the DROP and will not be receiving those contributions towards FRS. He continued by saying Mr. Liesenfelt provides that he will be reimbursed for 50 percent of his unused sick leave at separation, whereas, the prior agreement with Mr. Abbate was 100 percent; 50 percent is what Mr. Liesenfelt would receive anyway, absent this agreement, based on his tenure with the County and when he started employment here; the other terms are listed in the agreement; he is happy to answer any questions; and the negotiated salary is well within the range that was established by the consultant when there was a search underway.

Chairman Feltner asked as a clarification on the retirement issue, if Mr. Liesenfelt's high five is affected by this at all.

Attorney Richardson replied it is not, he will not receive a retirement benefit as a result of this salary, because he is already in DROP, his high five was frozen at the prior salary.

Commissioner Delaney inquired if there is any way Chairman Feltner can fill everyone in with more detail about the committee meeting with Attorney Richardson, and share more about the deliberation and negotiation with the two-person committee and the County Manager.

Chairman Feltner commented he and the County Attorney met with Mr. Liesenfelt, and discussed terms; largely, a lot of this was what former County Manager Abbate had; he thinks as a starting point, obviously it was discussed about the retirement situation, also the payout for Mr. Abbate for his personal time; with Mr. Abbate's situation, his personal time was at a higher rate than what Mr. Liesenfelt's will be; he thinks those were the major things; and he asked if Attorney Richardson wanted to add to anything that he is forgetting.

Attorney Richardson responded he does not know; they had a very full discussion; they went through the contract, all of the provisions, and lined out things that were not applicable, which were very few; but at the end of the day, largely, there was not any reason to change significantly from the existing agreement.

Commissioner Delaney asked if there was any solicitation from the rest of the Board, any feedback that was solicited, or anything about his or her thoughts or feelings about the contract.

Attorney Richardson replied she sent him thoughts and feelings he believes, yes.

Commissioner Delaney pointed out she initiated this on Thursday, August 21; she basically asked how the salary was being determined, which was never answered, she asked if there were any evaluations that are part of the contract, and she also mentioned that she would appreciate a fixed-term contract with Commissioner review six months prior to renewal; basically, she was responded to by thanking her for her suggestions; the quote was, "I will keep your thoughts and suggestions in mind when I discuss with Commissioner Feltner;" and she asked if that was discussed.

Attorney Richardson noted some of those things were discussed; they did not see the need because of Mr. Liesenfelt's longevity with the organization and he is in a somewhat unique position, he is not an up and comer, first time here with no proven track record; they did not see the need for certain kinds of look and see provisions as if he is on training wheels; they felt he is already up and riding the bike; he has delivered a budget; and Chairman Feltner and he believe they did not need some of those provisions on the front end, plus the contract terminates at the Board's option at any time, so they did not feel the need to put in an initial brief term.

Chairman Feltner stated one thing on that is he thinks they agreed he is an at-will employee, as that has happened in this County before.

Commissioner Delaney mentioned but not for a very long time.

Chairman Feltner commented it is not a preferred thing, but it has happened.

Commissioner Delaney stated about experience and whatnot, the County Manager had experience with over 30 percent of County staff, and only six Departments, which are Housing and Human Services, Parks, Transit, Library, Tourism, and UF Extension; she does not know if the other Commissioners had a chance to look over any of the applicants that had been sent in, but this person managed 145,000 personnel; in another place, they managed 4,300 personnel with \$4.5 billion projects that they were over; this person managed 62,000 employees; in another position, they managed 507,000 employees and a \$1.8 billion budget; another person as city manager, not in Florida, increased financial and budgetary controls, increased interdepartmental cooperation and support, thereby decreasing independent silo behaviors, collaborated with local businesses and leaders using public/private partnerships to expand services, several new parks were built, renovated, and expanded; and they met regularly with all members of the Board to discuss the issues facing the city and impacts, provided administrative direction, oversight over all activities of administration, including finance, accounting, purchasing, human resources, pay roll, and so on. She continued by saying the individual also reduced a wastewater treatment plant and sewer system project from costing \$450 million to \$120 million; that is quite a considerable savings; some of these people that the County bypassed had far more experience, which was far more diverse as well; this person, they paid off the general fund debt in two years because of their innovative out-of-the-box thinking, negotiating long-term solar revenue for the city; she was told in this government that it has tried strategic plans but they do not work, so they are not done; for her, that is not an acceptable answer; and counties and cities all over the country use strategic plans, that is the forward thinking and planning one does. She stated the previous County Manager was making this initial amount of money and some more because of the retirement and whatnot; she thinks it was 2017 when he was hired as County Manager at \$197,000, which is what Mr. Liesenfelt is currently now being paid; he started out at \$197,000, and only until 2022 when the County's current County Attorney got hired did they bloat Mr. Abbate's salary up to \$249,000 from \$209,000, giving him a \$40,000 raise; and then, subsequently, two weeks later, just like the Board is doing here, it gave him a \$13,000 raise. She mentioned when she had talked to Attorney Richardson about this in his own salary, because he claims he did not know he was going to get the subsequent almost \$13,000 raise two weeks after he was hired; but she knows for a fact that Mr. Liesenfelt knows about that, because she has talked to him about it; prior to Attorney Richardson, the County was only \$194,000 for his predecessor; the County hired a new County Attorney at a much higher rate, which was \$240,000; because of "an equity issue" with the County Attorney and County Manager, did they bump up Frank Abbate's salary to \$249,000; she asked if the County is just going to make bureaucrats millionaires, like that is what the County is in the business of; she asked to explain to the public more in depth how the conversation about the salary was brought, especially when the consultant that the County paid

\$30,000 for, told the Board that the range they recommended was \$240,000 to \$320,000. She asked somebody with six months experience in the position, how they should get a premium salary in this role; and she pointed out that is her question.

Attorney Richardson advised he has a slide if Space Coast Government Television (SCGTV) could bring it up since Commissioner Delaney brought up the issue of range; the consultant Colin Baenziger & Associates did recommend a salary range study, and that certainly factored into their negotiations with Mr. Liesenfelt; as Commissioner Delaney noted, they recommended a range of \$240,000 to \$320,000; the midpoint of that is \$280,000; Mr. Liesenfelt is negotiated number, again, based on the prior County Manager is number, comes in at just two percent above the midpoint in the salary study; Mr. Baenziger suggested maybe increasing the top end of the range of \$300,000 to \$350,000; but he and Chairman Feltner only considered the calculated range of \$240,000 to \$320,000, based on comparable county manager positions out there. He went on to say Mr. Baenziger did note that the lower end of the range was, for example, and up and comer, so perhaps someone younger and with less experience in government; but given Mr. Liesenfelt's 35 years of experience, and respectfully closer to the end of his long and honorable career than the beginning, it was decided it was more appropriate to put him near the midpoint of that range; with regard to the comments about other applicants, they were not directed to determine who to hire; the Board had unanimously hired and appointed Mr. Liesenfelt; and they were just to negotiate the terms of the contract.

Commissioner Delaney inquired if it is true though that his extensive experience is only over 30 percent of the employees of this County, only six Departments of this County.

Chairman Feltner explained he does not know how one works in a large organization for 35 years and one is not aware or does not have interaction with all of the Departments, and he says that very respectfully; he has worked in a couple of large organizations, and by virtue of being there every day and working with all of the different folks and work on all of the different things that a county organization has to do; and he does not think that to say that he personally supervised six Departments as Assistant County Manager is one thing, but over the 35 years he has worked for this County, he certainly has experience with all of the Departments of the County.

Commissioner Delaney asked if most of that was in Transit.

Chairman Feltner asked if Mr. Liesenfelt wants to speak to his time in Transit; and he advised after that he has Commissioner Adkinson, as she has been waiting.

Jim Liesenfelt, County Manager, stated he kind of covered this when he was selected as County Manager, he gave the big speech of the background; he has been involved in the senior management meetings, those are weekly, there are seven or eight of them; he has been around 35 years; he has been in plenty of briefings working with Commissioners; he may have been in Transit, but he was aware of the issues; during COVID, Mr. Abbate was out for surgery; and when the buildings were shut down, he was not allowed to come to work. He noted he was here working with Mr. Abbate over the telephone; he was at the Board meetings; and just because it was 30 percent of the Departments, does not mean he does not have the experience.

Commissioner Adkinson pointed out first of all, Mr. Liesenfelt has been doing the job; like Attorney Richardson suggested, Mr. Abbate submitted a balanced budget; she watched Mr. Liesenfelt with new eyes work with every single Department head to figure that out; he made some hard decisions; and she appreciates his leadership. She stated what she wants everybody to understand is when one works in a company, whatever kind of organization it is,

and one works their way up, he or she does not get promoted because they do not do their job, they get promoted because they are the best at their job; that is what promotions do; with promotions, being over six Departments and now being over 22, he gets a pay raise to do that; she will say that one of the things the search committee said was to get a better crop of people, the salary is going to need to be increased to whatever they said, \$350,000 or something; the County has someone who knows the Departments, and someone who knows the strengths and weaknesses of all of the people who work here; she does not understand why the Board is even discussing this, why it is a difficult vote because Commissioner Delaney is the one who made the motion to stop the search; and then the rest of the Board said yes, Mr. Liesenfelt is the guy.

Commissioner Delaney commented she did that to be a team player with this Board, and to try to move forward together, because she knew what the Board had already decided, so she wants to be clear about that; this is not about not giving our County Manager a raise; obviously, with more responsibility, of course, a workman is worthy of their wage; the thing she is struggling with is giving him a promotion of \$100,000; and she asked SCGTV to put her slide up. She went on to say this initial promotion is \$88,000, and then a subsequent two weeks later, the Board is talking about another almost \$12,000; she is sorry, but over the weekend after this became public, she shared information about this, about the Contract; she received three positive comments and the rest of them were extremely negative comments, 77 shares of her post; a news agency picked it up, and they contacted her; she had multiple employees of the County reach out to her saying how disgusted they were, because there is a compression issue in this County; the rank and file feels that every single day; and the Board slaps them in the face with a \$100,000 promotion. She mentioned as the Board is telling the taxpayers the County does not have enough money and it needs to raise their taxes, it has plenty of money to make bureaucrats millionaires; and that is what she has a frustration with.

Rick Heffelfinger stated the County Attorney is one hell of a negotiator, as he squeezed that dude, he hopes he negotiates the next garbage contract; he asked if that is what they are going to get, the Board just hands out money; he asked if the Board knows whose money it is handing out; do the Commissioners know who he or she works for; and he stated the people. He continued by saying if one wants to talk about the budget he brought, his taxes are going to be the highest they have been in 21 years, because the Board pushed all of this crap down to the fire, did a good thing with the fire; he walks away with this huge increase, and the people get stuck with this fire budget, and a fire Multiple Service Taxing Unit (MSTU), holy crap; that is the budget he brought, he is thrilled; reward him, give him \$200,000; the County needs to reward the County Attorney, to give him \$100,000 for one hell of a contract; what a bunch of crud; he asked if the County Attorney is trained in the State to negotiate, because he thinks Mr. Liesenfelt might have been one of the guys who negotiated the garbage contract about seven years ago; he never received an answer that he knew how to negotiate; he thinks someone in this room needs to go to some training, because boy oh boy what a crud job that was; all that money was thrown out; and he asked did he threaten to leave the County high and dry, because it would not give him \$100,000. He asked if Mr. Liesenfelt is now the highest paid guy in Brevard County, or if that medical guy is still it; he noted the medical guy is making almost twice the Governor's salary; he asked if he is not getting any FRS as he is frozen; he stated he does not know what that line was in there that said he was going to get makeups and he was going to get his 457 benefits; he asked what the total package is worth; he stated people know what his salary is; he asked if they have medical, does he pay anything for it; he has medical, insurance, a cellphone; he asked if he is subject to Sunshine, because making that kind of money, man, one can buy their own freaking phone; he asked giving him a car allowance; why, can he work remote; and he asked the Board to please tell him that he can work remote, because that would be frigging great. He pointed out he will not even have to show up; sick leave time, severance, that is three months of severance, the Board did that with

Mr. Abbate; he can just say thanks for the raise and bye, and the Board will not see him for three frigging months and pay him at the new rate; the County is also prorating that back it looks like; this one piece of paper on the Agenda says the Board is not, and the contract says it is; it is prorating it back to the day that it says he is it, so now he is owed back pay as well, holy crap; that budget he brought, dude, he is not cutting it, he is not impressing him one bit; and he hopes he stays out of the garbage contract negotiation, because that is the whole reason he got involved with this as that was a disaster. He remarked the Board should be ashamed, and Commissioner Delaney is the only one who can stand there with a little pride.

Sarah Hodge stated she wanted to say that now is not the time to spend extra money in this County; there are a lot of people who are not going to be able to afford their taxes this year, and she knows several; this budget needs to be looked at thoroughly to see what the County could not afford to pay firefighters; when it lost 108 or more firefighters, because they were not getting a living wage, and yet the County can afford this excess right now; she supports Commissioner Delaney and what she says; she is sorry, but the Board has got to understand where the budget is and where the people are now; and that is more important than giving an excessive raise right now.

Commissioner Delaney advised like she said before, she is not saying with more responsibility, he does not obviously deserve a different pay rate; she believes, especially compared to some of the other applicants the County had, that there are some experience holes; while she understands and hears the other Commissioners when he or she says that he has been here for 30-some years and so on, but there is a difference between being in the room and running the thing and being responsible for the thing, and that experience he does not have; part of the reason she is here is because her constituents did not like the way it was, they do not like the way it is being done; and she reiterated that is why she is here. She explained a lot of them are extremely troubled that the Board hired somebody, and she took a lot of heat for this; her constituents were pissed that she not only voted for it, but made the motion, so she has to own that; at the time she thought she was doing the best thing she could do, not only for this County, but for the Board; what she did say that night is that she promised to hold his feet to the fire; she feels like this is what she has to do to protect the taxpayers; and when she first got into office, the County, it spent far too much on her office renovation. She pointed out one does not know what one does not know; living through that experience, she has changed her behavior and the way she does things; she is not just going to trust that everything is hunky dory; even after all of the trouble that was brought forward about the renovations in her office, the County, which this was under Mr. Liesenfelt, the County decided to use her same floors in the renovations of the building she is sitting in today, and the other government complexes; and to her surprise, when she asked for the invoices, because one day she walked in for a Commission meeting, and she was like, wow, those are her floors. She noted when she was looking at two of the invoices, which are not all of them, they say that there is a rubber base to the flooring around the County buildings, and that is just not the case; when looking around, and wood, the exact same that is in her office, so rather than taking a step back and saying Facilities should relook at this, this got a lot of heat; she did not realize it was so expensive, and so on and so forth; they should put it out there to see if something more reasonable can be found; that did not happen; there are just two invoices for one floor in each of the buildings, one for \$29,000 and one for \$45,000; and the invoices are wrong, as it says there is a rubber base along the floors, which is just not what is in place, there is a beautiful wood trim. She stated that is what she is talking about when she is saying the experience, it is just not there; while she understands the average is \$280,000 who has extensive experience, which the County had applicants who had that experience, and it bypassed them; now she is advocating for a fair wage, not a bloated range, which the Board is going to make Mr. Liesenfelt a millionaire if this passes today; she just does not feel that is right; she does not believe that is right that the Board is not going to have yearly evaluations; many other places have these evaluations; the

superintendent right across the street has yearly evaluations; when Attorney Richardson was in West Melbourne, he had evaluations every year; and she asked if that hurt his morale.

Attorney Richardson replied not at all, those resulted in significant annual salary increases based on the evaluation.

Commissioner Delaney pointed out most cities, Cocoa Beach, West Melbourne, Titusville, Palm Bay, Melbourne, and Volusia County all have annual evaluations; she does not think it is an unreasonable ask to have that opportunity for not only the Board, but his or her constituents to have input on how the County is being run; while she understands he is an at-will employee, it takes an act of God practically to fire a County Manager, to be honest about that; not only that, but he is getting the legal limit, 60 weeks compensation, if he gets fired or decides to quit; she asked what the dollar amount this package is worth; the 65 percent of the average cost to own and operate a new vehicle 15,000 a year, as published by AAA, and shall be payable in monthly installments, what is the dollar amount to that; and she asked if it is a Maserati, or a Hyundai. She went on to say in Section 9, it talks about the County agreeing to pay registration fees and customary travel and meal expenses for the employee's travel to the Florida County and City Management Association's annual conference; this Board voted to be out of the Florida Association of Counties, but it is going to pay for the County Manager to go to this; then it says attendance at any other seminar, conference, and committee meetings as deems appropriate and approved by the Commission's actions; and she asked who knows what that will cost. She noted she feels like it is doing a disservice to the constituents, who, by the way, the Board is here to serve, not the County government; she reiterated it is doing them a disservice; she personally feels very frustrated because she feels like this negotiation was taken out of the Board's hands, and it was made by two of them; she repeated she does not think that is right, her constituents are pissed; when she agreed, in the heat of the moment, she wishes she would have thought about it a little bit more; but in the heat of the moment, she was just frustrated, she agreed to that. She advised she does not think she was treated as an equal member of this Board; her constituents feel that way as well; other people's constituents feels that way because they have reached out to her; she knows the County employees feel this way, because they have hit compression rates; a 19-year employee contacted her and said that they are getting paid the same amount as a new hire in their current role; but of course, she is going to be met with silence again.

Commissioner Goodson made a motion to approve the County Manager's agreement; and Commissioner Adkinson stated she seconded it.

Commissioner Altman explained the salary the Board is paying the County Manager is probably close to what plumber would be paid to work at one's home, an air conditioning contractor, or maybe a mechanic to work on his or her car, and they deserve those salaries, very important duties; he thinks the County Manager deserves the salary as well, an extremely important job, so there is no question whatsoever in his mind that his pay is well within the margin of a person that has got the job and the responsibilities, burdens, and the duties that are comparable to jobs in the private sector; one thing a person has to do in this job is allow one to be pummeled in the public with personal attacks, vicious personal attacks; that is not easy; and he thanks God the County has people who are willing to work with the public to stand up and receive such abuse. He stated people hear all of the time how hard it is to get people to work in the public sector; it is not easy to experience that or to watch it; it is undignified; nevertheless, that is what the Board deals with; looking at the region up and down the east coast of Florida, some of these are bigger counties, but they have similar challenges, coastal, environmental, and urban; Palm Beach is paying their County Administrator \$425,000, Broward \$461,000, Miami-Dade \$487,000, Duval \$330,000, and even Volusia County, a small county, at \$250,000; this is very much a fair salary for a job that is so important; he just had to say that, and he thinks the

County has somebody who has put together an amazing team; and he is very excited about moving forward and addressing the challenges the County has to address. He advised he supports the motion.

Commissioner Delaney stated she does not know if any of that was directed towards her or her comments, but her job here is not to make people feel good, her job is to be the voice for her constituents; she finds it undignified that the Board is asking the public to bear this burden; she finds it undignified that the Board agreed to a process that it abandoned; she is truly not trying not to be a team player here; her thing is that she has a lot of people she has to answer to who sent her here with a mandate; she does not know if the other Commissioners feel like she does, but it is very heavy on her shoulders; she would not be able to look at her constituency in the face and say to them, yep, she feels great that the County is giving him \$100,000; her question is why the Board feels the need, and she is hoping that some of the Commissioners answer this, why does it feel to not only give him an \$88,000 promotion, but also then two weeks later give an almost \$12,000 COLA raise; was the \$88,000 not enough; and is the County in such a bad place where it is suffering with an \$88,000 promotions that it needs the extra \$12,000. She stated she cannot imagine that is true, because there are families that are making it work here for \$50,000, so walking away with almost a \$300,000 salary, \$297,000, at the end of the day in two weeks, and that is not even counting the perks; that is not counting the 20 week's severance, not counting the car allowance, and not counting any other perks she may or may not know about; she asked why were the Commissioners not given a total of what this package costs; health insurance is one of the biggest things in the County that it is struggling with; this has nothing to do with her support or lack of support of the County Manager; he is the County Manager and she will support him because she wants him to do the best job for the County; and she thinks that he will. She went on by saying she thinks he will do a good job, it is nothing about that; she reiterated again what she is frustrated with is why somebody would need a \$100,000 promotion; just to make it clear for everybody, she does not believe the County's top people should be getting a four percent COLA raise, especially the County Attorney and County Manager; at their rate of pay, really, the Board really has to up their pay \$10,000 a year, every year, for the rest of the time they are working for the Board; that does not sound fiscally conservative to her; and she asked if they were to leave the County and the Board were to hire somebody new, it just gives that person what their salary was regardless of their experience, and it just keeps building these salaries till the end of time. She noted it is ludicrous, it is ludicrous.

Chairman Feltner called for a vote on the motion. The Board considered, approved, and accepted the terms of the County Manager's Agreement.

Result: Approved

Mover: Tom Goodson

Secunder: Kim Adkinson

Ayes: Goodson, Adkinson, Feltner, and Altman

Nay: Delaney

I.4. Authorization of Settlement Agreements for Brevard County Shore Protection Project (Mid Reach Segment Re-Nourishment Easements BRP-133, BRP-172, and BRP-173)

Morris Richardson, County Attorney, advised this Item relates to the Mid Reach Re-Nourishment Project and litigation that the County actually settled with one of the four properties, three property owners involved; the County previously settled with one of the property owners at a percentage and directed him if the County could negotiate the same terms with the other property owners that the Board would consider settlement with those property

owners as well; after some time, both of the other property owners, representing three of the properties, came in at the same percentage for proposed settlement of that litigation; the Agenda Report outlines the cost, including attorney's fees; the local share of that is going to be about 25 percent payable from the Beach Fund in Tourism; and the rest is eligible for Federal and State cost share.

The Board approved the settlement of Brevard County Circuit Court Case No. 05-2023-CA-015474-XXXX-XX, settling the case as to the remaining defendants, Hubbard Investments, Inc. and Daniel Hasratian and Karine Melkounian; authorized the Chairman to execute the Hubbard Settlement Agreement and any other documents necessary to finalize and effectuate the settlement; and authorized the Chairman to execute the Hasratian and Melkounian Settlement Agreement and any other documents necessary to finalize and effectuate the settlement, subject to County Attorney approval as to form.

Result: Approved

Mover: Katie Delaney

Second: Kim Adkinson

Ayes: Delaney, Goodson, Adkinson, and Altman

Nay: Feltner

J.1. Approval, Re: Tourist Development Office (TDO) Proposed FY 2025-2026 Marketing & Media Plan, Approval for the TDO Director to Make Vendor Selections, Negotiate and Execute Agreements with Media and Advertising Vendors

Peter Cranis, Tourism Development Office Director, stated this is bringing the 2025-2026 Fiscal Year Marketing Plan to the Board; it is just a touch over \$13 million, with \$1.4 million contingency for emergencies; this was reviewed by the Marketing Committee and the Tourist Development Council (TDC), and approved unanimously; and it is coming to the Board for approval.

The Board approved the proposed FY 2025-2026 Marketing and Media Plan for the Tourism Development Office (TDO) in the total amount of \$13,000,500, including the selection of the media vendors listed in the 2025-2026 Marketing Plan presentation; approved the TDO Director to negotiate and execute contracts, contract amendments, and any necessary contracts for selected marketing, media, and advertising firms within the Board-approved FY 2025-2026 Marketing and Media Plan, upon review and approval by the County Attorney's Office, Risk Management, and Purchasing Services in accordance with Administrative Order AO-29, "Contract and Grant Administration," up to and exceeding \$200,000, the total amount not to exceed \$13,000,500 without additional Board approval; approved the ability for the TDO to receive and accept revenue from cooperative advertising partners and grants from organizations (such as the Florida Sports Foundations, as well as other various cooperative partners); and authorized the TDO Director to be able to access Disaster Funds (Fund 1444) in the event of State or local emergency declaration, natural or manmade disaster for the purposes of advertising/marketing/promotional costs of up and exceeding \$200,000, the total amount not to exceed \$1,419,250.

Result: Approved

Mover: Thad Altman

Second: Kim Adkinson

Ayes: Goodson, Adkinson, Feltner, and Altman

Nay: Delaney

J.3. Brevard County 2026 Legislative Program

Jim Liesenfelt, County Manager, stated this is the proposed legislative program for 2026 that staff compiled for the Board; the main subjects are stormwater, water plants, Indian River Lagoon-related; there are actually some language in there as there have been a number of issues with the right-of-way with contractors; the Board remembers the crane from a couple of weeks ago, items like that, there is language in there asking for the Board to take the legislature; and staff also has two different languages for Senate Bill (SB) 180, regarding with the bill and with the area of critical concern. He noted if the Board would like it can give different priorities, add or delete any of the priorities; the Legislative Delegation meeting is September 30; and staff asks the Board to approve what it would like to approve, and identify somebody who would like to speak at the Delegation meeting.

Commissioner Delaney stated she was wondering about the funding for the Port St. John Wastewater Treatment Plant if that could be included; and she sees the South Brevard Water and Wastewater Treatment and the Mims Water Treatment Plant expansion.

Mr. Liesenfelt advised unless Eddie Fontanin, Utility Services Director, tells him no, he does not see why not.

Mr. Fontanin stated the reason why they did not include it is because when asking for funding, there has to be a game plan of how to implement it; right now they are looking at a potential site; but because they do not have a site, the issue becomes when putting verbiage or put a request for grants or funding, it is almost contractual, so until they know it is certain they have the site in hand, they are really not at a point of feeling comfortable asking for funding until then.

Commissioner Delaney asked if the wastewater treatment plant is at 90-something percent capacity in Port St. John.

Mr. Fontanin replied it fluctuates, it is actually dropping slightly because they have been doing an inflow and infiltration reduction program, so he cannot tell her today; some of it is seasonal, some of it is with regard to who is living when, and then some of it is related to the storm, the rainy season; and it has gone into the low 90s but it has also dropped into the low 80s.

Commissioner Delaney stated since she was elected, the County has been looking for this site; and she asked if there is something more that can be done to get this more shovel-ready.

Mr. Fontanin responded staff is actively working; the site that they are looking at is a piece of property on the Titusville Airport; they have met with the leadership of the Titusville Airport, they are all onboard; what staff is doing is they have an active task order with an engineering consultant that has a background in wastewater and in aviation; the reason being is there is a Federal law provision that specifically says how far a wastewater plant can be from the edge of the runway, so the County has to go through its due diligence to submit that to the Federal Aviation Administration (FAA) to get a waiver; and if a waiver is received, then the County will be in a position where a land agreement can be talked about with Titusville Airport, at which point it would be in a position to say now it has a plan and it would be actively seeking sources of funding.

Commissioner Delaney asked if this is something she can hope to see on next year's legislative requests.

Mr. Fontanin replied without having schedules in front of him, and pending FAA approval, he does not want to commit right now.

Chairman Feltner commented the session after this one when they are in the odd year is later, so that buys a couple of months; in doing paperwork with the Legislature for member appropriations, that is the likely path, the County does have to give them quite a bit of information; without the site, that would probably be the first thing to hang the County up; and it is certainly a conversation for Commissioner Delaney to have with her member Representative Tramont.

Commissioner Delaney noted she thinks it would be Sirois in that area.

Chairman Feltner stated for Port St. John that is correct, but he has one session left.

Commissioner Delaney stated whoever the County's next State Representative will be; the second thing she wanted to bring forward, this got really close this past year, it got all the way to appropriations, but allowing for public safety to be an allowable expense for the Tourist Development Tax (TDT) money, the tourism dollars; but she does not know if the Board would support adding that to the legislative asks.

Chairman Feltner mentioned he is not opposed to that; he thinks based on the discussion that happened in the last session with TDT, sometimes it happens where an idea is floated and then they cannot get it over the hump; but it comes out pretty early, so he would not fight Commissioner Delaney on that one; and he thinks they are going to take it up.

Commissioner Delaney mentioned she did have one clarification question about Senate Bill (SB) 180, stuff in the Board's packet; and she asked if this is only into relation to the area of critical State concern, or is it a repeal across the board.

Chairman Feltner stated he thinks there will be a lot of discussion in the Legislature on that particular issue; and many municipalities, whether they join the suit or not, are probably going to be talking to their members.

Billy Prasad, Planning and Development Director, advised the simple answer to Commissioner Delaney's question is it reaches far beyond just the area of critical State concern; and Sections 18 and 28, they are suggesting that be repealed in its entirety.

Commissioner Adkinson provided the Board with copies of her notes; she stated short-term rentals affect everyone everywhere; she is proposing that the Board make as part of its legislative discussion a request; she will need staff's help to sort of flesh this out and the right way to say it; but she would like to have some of the Board's control back locally on short-term rentals.

Chairman Feltner asked if he could help Commissioner Adkinson just a little bit; he stated if she wants to put one line in here that says, 'End the State's preemption on short-term rentals', it will be clear; and he asked if she wants to do that.

Commissioner Adkinson replied affirmatively.

Chairman Feltner noted he does not think she will have to be wordy with it.

Commissioner Adkinson pointed out she likes brief.

Commissioner Delaney interjected by saying she has a question about that; where she believes in short-term rentals for the property owner who might want to rent out their room, in their house, or a military family who does not want to sell their house, they want to come back to

their house, but they want to do this instead of renting it, and there are many other examples; the one thing she is not for is major corporations coming in and buying whole neighborhoods of houses and making them short-term rentals; and she wonders if there is a middle there.

Chairman Feltner stated just saying that the Board wants to end, the State's preemption on short-term rentals would simply mean that local government would get to regulate it; that is all that he is saying that the State says no, the County will regulate it; for those municipalities who did not have an ordinance prior to that legislation, now they do not get to do anything; he feels for all of the municipal governments in Brevard who do not have the ability to regulate these things, so to Commissioner Delaney's point, if it were to come back where the State does not preempt on this; jokingly he said the Cunningham's did it with Arthur Fonzarelli; and he could only get into so much trouble because they were always there. He noted those things are a lot different than the absentee landlord that one never, ever sees; they live in another State; and maybe the only thing one see regularly over there at the short-term rental across the street from ones house is Molly Maid who goes in there and cleans it up; that is very troubling to him; he is not trying to be difficult, but he thinks the Board should put it in very simple terms that it would like to see the State's preemption on short-term rentals go away; and he thinks that would be an easy line.

Commissioner Adkinson remarked local government making the decisions.

Chair Feltner asked it that is amendable to Commissioners Adkinson and Delaney.

Commissioner Adkinson replied certainly to her.

Commissioner Delaney responded sure.

The Board discussed the 2026 Legislative program; and approved, as amended, by including for public safety to be an allowable expense for the Tourist Development Tax (TDT), and the preemption of the short-term rentals.

Result: Approved

Mover: Katie Delaney

Second: Kim Adkinson

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

The Board reached consensus to designate Chairman Feltner to present the Board's Legislative priorities to the Legislative Delegation meeting on Tuesday, September 30, 2025, with Commissioner Adkinson as backup if Chairman Feltner is not able to attend.

J.4. Legislative Intent and Permission to Advertise Ordinances Levying the Second Local Option Five Cents Gas Tax and the Ninth Cent Gas Tax to Increase County Revenue for Transportation Expenditures; Scheduling Special Meeting

Commissioner Delaney stated she just wanted to bring this up because this is a time-sensitive topic; each Commissioner received the presentation of Marc Bernath, Public Works Director, regarding the County's transportation needs; through the balancing of the budget this year, the Board had to removed quite a bit of projects and some of the reconstruction of the roads; she wanted to bring this forward because it is a possible option to help the County bring in more revenue that is not totally on the backs of the residents here; but the tourists would have an opportunity to participate in funding the County's transportation that they use, so the Board has options; and the Board could do nothing, it could do one or the other, or it could do both. She went on to say it takes a supermajority for it to simply pass, a simple majority for it to go to the

voters for a referendum, so she committed if another Commissioner did not bring it up, she would bring it up.

Rick Heffelfinger commented he hopes the Board is going to tell him that if this is done it is going to be able to reduce the General Fund and unburden taxpayers on their real estate taxes; it can be put on those people that are coming here; he loves how they are being invited to participate; he encourages them to participate; he is retired, so he barely drives; it is not going to hurt him one bit; but he would really love to see some of that roadwork getting paid for by the people who are using that road, so he strongly recommends this out of the box thinking. He asked if Sandra Sullivan talked about moving stuff below, and asked is this below the line stuff; and he asked if that is what it is called, getting it off of there.

Chairman Feltner advised he would not call this below the line, as that is typically referred to as assessments; and that is what is meant on the tax bill as it goes below the line.

Mr. Heffelfinger explained he likes that idea of finding another source; he realizes it is still a little bit, unless the Board is going to waive it when he fills his gas can for his lawnmower; he asked if the Board is going to waive that; he advised no, it is not; and Chairman Feltner needs to burn that good fuel, too.

Chairman Feltner asked if he burns the good fuel.

Mr. Heffelfinger responded he has those classic cars.

Chairman Feltner replied he does put ethanol-free, alcohol-free gas, in his cars.

Mr. Heffelfinger stated he told him; he likes this idea; he does not know what it takes to get it to move; he asked if they are going to have to pay other taxes; he asked if they max out a certain amount of taxes; and he mentioned he would love to see Save Our Indian River Lagoon (SOIRL) go away.

Chairman Feltner explained one of the things one needs to keep in mind here, and he is not picking on anybody, but this equation was a lot easier when the people who owned the gas pump were the tax collectors of this tax; that is the situation; but the world is changing; and now people are driving electric cars, and they do not pay this, so in the long, long-term, it is not sustainable. He noted the Commissioners have been to Transportation Planning Organization (TPO) and heard the same presentation by Florida Department of Transportation (FDOT), and even Federal transportation folks came and said as much that it will be different in the future; not for nothing, and he is not picking on anybody, but his little car that he drives every day weighs half of what the TESLA Sport Utility Vehicle (SUV) weighs; if one considers that both are just going down the road and driving down the road, so one is a ton and a half and the other is three tons; and that affects the road surface, so it is not a perfect thing.

Commissioner Delaney advised maybe that is something the Board can add to its Legislative Delegation request is getting the County's electric vehicles contributing to the County's road costs.

Chairman Feltner commented he thinks the County is not alone in this, and he thinks it is just much bigger than Brevard County; jokingly, he said this week when receiving this Item, is that maybe what ought to be done is to get a Buc-ee's in Brevard County on I-95, because no one will drive through the County without stopping at Buc-ee's, so that would probably be a better way.

Commissioner Altman stated he agrees that it would be nice if the County could use this to give some property tax relief, so he supports that whole-heartedly; when the County passed the original Local Option Gas Tax (LOGT), that is the great thing Brevard County did; he commends the Commissioner for bringing this up, it is courageous and visionary; the County does need to generate revenue for its transportation programs and create a revenue stream that gives relief to Brevard County property owners, taxpayers, and capture some of the revenue that is being spent by people who are using the County's roads; he thinks it has the ability to generate some revenue for provided roadway improvements that could help the quality of life here; it can relinquish some of the inequities that are not being paid by people from outside, and also provide some needed relief to the property owners; and he is open to anything. He expressed his appreciation for bringing this up because there is a deadline.

Chairman Feltner asked what the deadline is, whether this goes potentially before the voters, or the Board could pass this, which could happen by supermajority vote; and he asked if that is correct.

Morris Richardson, County Attorney, replied it can, but it requires an ordinance, and the ordinance has to be advertised with at least a 10-day notice; and he thinks the deadline is probably October 1; it has to be adopted by October 1 in order to take effect January 1 of the following year; and if the Board were to adopt anything after October 1, it would be not the immediate year, but the following year.

Commissioner Delaney stated the second part of this would be to ask for a special meeting September 30 at 9:00 a.m. where the Board would vote on the ordinance, so it would be able to get that in front of the October 1 deadline so the Board could realize these dollars in January.

Commissioner Adkinson advised she is not completely opposed to this; she does not think it is going to solve all of the County's problems budget-wise by any means, but she would personally feel more comfortable hearing what the taxpayers have to say rather than the Board deciding on its own; and that is her two cents.

Commissioner Altman asked if Commissioner Adkinson prefers the referendum; he noted he is not opposed to that; if the County did give some property relief to somehow factor that into the referendum, if it can, maybe through a Multiple Services Taxing Unit (MSTU); and the County has interlocal agreement requirements in some of those things.

Attorney Richardson stated regarding the referendum, it has to be a referendum scheduled at a general election, so the referendum could not be held until November 2026, and therefore, any resultant increase could not take place until January 1, 2028, because that would be after the October 1 date when the referendum would occur; Commissioner Altman is absolutely correct with regard to the second LOGT, as those five pennies, are subject to the share with municipalities; and only the ninth cent is exclusively County and there is no share for that one, so if the Board were to enact that one, no share with municipalities; but the second LOGT, one through five cents, have a municipal share.

Chairman Feltner stated municipal share, to his recollection, is not 50/50, it is kind of a 48/52 kind of situation, roughly something like that.

Jill Hayes, Interim Assistant County Manager, explained it is based on the transportation expenditures, the average over the past five years; staff did look at that, so it would be around 50 percent, but it could fluctuate.

Chairman Feltner commented it was pretty much his recollection from the last time the Board had that up; he asked the Board to say something else about the referendum, then he will stop talking, just to point something out; if it is the desire of the Board to put something like this before the voters, again, it has to go in '26, not right now, as late as next summer, realistically, end of July, that decision can be made; if the Board is thinking referendum, it is not something it has to decide today, so time can be taken to gather the facts, understand what it is the Board is doing, what it is going to replace, and all of those kinds of things.

Commissioner Delaney asked, she does not have that number off of the top of her head, the amount of dollars the County had to reduce for the reconstruction of the roads, like the repaving of the roads, and was it close to \$3 million.

Jim Liesenfelt, County Manager, advised the amount is staying the same; and because of inflation and cost increase, the mileage is going down to 40, so to restore it back to 50 miles a year, it would be about \$3.8 million.

Commissioner Delaney mentioned she was wondering what the Board feels about possibly doing the ninth cent, because that would be the lowest impact and that the County could get some immediate relief; it could put the local one to five cents to referendum eventually if that is the will of the Board at that time; that way it can keep the road program going or at least putting more dollars to it; that one does not have to be shared with the rest of the County; and at least the majority of that hole could be filled.

Chairman Feltner noted he cannot do it today, but he will tell the Commissioners he has talked legislators and Florida Department of Transportation (FDOT) regularly to beat the drum for road funding, do not take away road funding, and do not sweep all of the funds from FDOT; last year they wanted to do doc stamps to take that revenue away from them, so he would say this coming session, he would rather work real hard towards the County's road projects in Brevard County; and that is where he is going to put his efforts.

Commissioner Delaney stated the FDOT presentation that many saw is they are taking hundreds of millions of dollars from Brevard in State funding, so the County is having a huge, massive hole through FDOT; not that she is not with Chairman Feltner, she will be beating the drum with him; but she does not feel as comfortable relying on that.

Chairman Feltner remarked it has always been with road funding, the Board sits here with two legislators that can speak to it better than he can; when he worked up there, one was always fighting for a ranking, so he does not hold it against every other county and municipality who is going up there and trying to fight to get their share back; the Board should just simply all work on that; he is just very mindful of the calendar and when to make some of these asks, who is in a good position, and where in the legislature to try to get that done; and he is just committing to the Board that he is going to be working towards that.

Commissioner Altman asked if the ninth cent requires three or four votes.

Commissioner Delaney replied four.

Attorney Richardson advised a supermajority.

Commissioner Altman noted he thinks he heard two people against that; and he asked if he heard that right.

Commissioner Goodson stated he would definitely want it to go to referendum for the taxpayers to decide, that would be his choice.

Chairman Feltner commented realistically if the Board is thinking referendum, this issue is about 10 months early; and he thinks do all of the necessary work and get it in the proper posture next summer.

The Board discussed legislative intent and permission to advertise ordinances levying the second local option five cents gas tax and the ninth cent gas tax to increase County revenue for transportation expenditures, and to schedule a special meeting at 9:00 a.m. on Tuesday, September 30, 2025, to hold a public hearing, but took no action.

K. PUBLIC COMMENTS

Pam Avery stated last week reminded the Board that standing up for the truth is not easy; Charlie believes that truth is not something one accepts blindly, it is something one examines, challenges, and lives; that kind of courage is exactly what is needed here today and moving forward; her ask is she is calling for this Board to formally admonish Commissioner Delaney, put it on the record, hold her accountable for her words, her actions, and her misuse of the public's trust; her record, so far, has not been so great; she ran on killing the North Brevard Economic Development Zone (NBEDZ), her costly office renovations, and renovating Tom Statham Park again; and that right there is already too much loss in taxpayer dollars in a very short period of time. She went on to say she also has a Titusville City Council Member on her staff, another staffer sitting on a citizen's advisory board, and both of those are, at the least, a conflict of interest and may even render an ethics complaint; she stands with allies that attack the very people she claims to represent; she should know, she has been a victim; her lack of knowledge of how County government truly works shows at every meeting, and insulting Jim Liesenfelt, County Manager, and his 35-year career from intern to County Manager by claiming his lack of experience; and she asked what experience does she have as Commissioner or any job. She asked the Board to ask the County Manager and County Attorney to investigate her actions; she mentioned Commissioner Delaney's rouge attitude is clear, and it is causing more harm than it will ever cause good for District 1 and the rest of the County; posting lies that paint this Board and the staff in a negative light is reckless; it may not be perfect, but all must work together, not against each other; and she needs to start building bridges instead of burning them down, if she ever truly wants to be effective. She commented it is this Board's responsibility to say enough is enough; if it does nothing, Commissioner Delaney's deceptive information will outweigh the truth, and the people will lose more faith in this Board; it is time to restore trust so they can get County business done together; to the public, education is key to understating local government; take a class, come to a meeting, do their own research, and when scrolling through social media to ask themselves if something is true; and if one takes the time to understand what is really happening instead of believing flashy headlines, choices can be made based on not false narrative. She advised she is far from knowing it all, but she did her research for months before she stood here at this podium; she is putting herself out there to speak the truth, because the truth matters too much to stay silent; division gets them nowhere; finger-pointing solves nothing; it is time for truth, teamwork, and for progress in Brevard County; that starts with the people who one elects, holding each other accountable; and the Board is only as good as its weakest link.

Commissioner Delaney pointed out nothing that she has put on her Facebook page has been false, so she is curious about that.

L.1. Reports, Re: Jim Liesenfelt, County Manager

Jim Liesenfelt, County Manager, stated the Department of Commerce, he still wants to say DCA, rejected the Environmental Assessment Report (EAR); staff does not have anything to add to it; Billy Prasad, Planning and Development Director, put together a pretty comprehensive email to the Board Members yesterday; and staff will be working on the issue.

L.5. Reports, Re: Kim Adkinson, Commissioner District 3

Commissioner Adkinson stated Senate Bill (SB) 180, she would just, because it is affecting the County and the area of State of Critical Concern, the Board is going to have to, as a group, talk to its legislature; and she believes when they all voted for this they maybe did not understand the effects it is going to have to Brevard County, so all of the Commissioners need to know that Brevard is being affected. She went on by saying she is sure all of the Commissioner's thoughts and prayers are with the firefighter who is still in the hospital from last night's fire in Indialantic; she is told that he is recovering; but he has been in there overnight.

L.7. Reports, Re: Rob Feltner, Commissioner District 4, Chairman

Chairman Feltner stated today's employee recruitment spotlight video features Stefan Reed and Alan Marcum who both work for the County's Solid Waste Management Department. He provided the video to the Board. He stated the Board appreciates Don Walker, Rachel Horst, and all of the interns with SCGTV who worked for the County this summer.

Upon consensus of the Board, the meeting adjourned at 11:53 a.m.

ATTEST:

RACHEL M. SADOFF, CLERK

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

Brevard County Board of County Commissioners

2725 Judge Fran Jamieson Way
Viera, FL 32940



Minutes

Tuesday, October 14, 2025

5:00 PM

Regular

Commission Chambers

A. CALL TO ORDER 5:01 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 Altman led the assembly in the Pledge of Allegiance.

D. MINUTES FOR APPROVAL

The Board approved the May 20, 2025, Regular meeting minutes.

Result: Approved

Mover: Tom Goodson

Seconder: Katie Delaney

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

E.1. Resolution, Re: Charlie Kirk Remembrance Day

Commissioner Adkinson stated she is sure she did not agree 100 percent with everything that Charlie Kirk said and believed; she is also sure that she is committed to recognizing his determination to encourage respectful conversation; and if anyone from Turning Point USA is in the audience, please come to the podium. She went on to read aloud, and the Board adopted Resolution No. 25-126, recognizing October 14, as Charlie Kirk Remembrance Day.

A member of Turning Point USA expressed her appreciation for the Resolution honoring Mr. Kirk; she noted his death changed her life in many ways; she turned herself around because of his dedication to truth and speaking about his beliefs; and she is honored that she gets to continue on his mission, given by God.

Result: Adopted

Mover: Kim Adkinson

Seconder: Katie Delaney

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

F.1. Board Consideration, Re: New Appointments to the Affordable Housing Advisory Committee

The Board appointed Amanda Gant to serve on the Affordable Housing Advisory Council with said term to expire June 30, 2027.

Result: Approved

Mover: Katie Delaney

Seconder: Thad Altman

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

F.2. Approval, Re: Fiscal Year 2025-2026 Annual Agreement and Associated Health Department Fee Resolution Between the Brevard County Board of County

Commissioners and the Brevard County Health Department

The Board approved the drafted Annual Agreement with the State of Florida, Department of Health for the operation of the Brevard County Health Department for Fiscal Year 2025-2026; executed and adopted Resolution No. 25-127, establishing and revising the Fiscal Year 2025-2026 fees and charges for the Brevard County Health Department and Environmental Services; approved the County Manager to execute the Fiscal Year 2025-2026 Annual Agreement, upon approval from the County Attorney's Office and Risk Management; approved the County Manager to execute any future amendments or modifications to the Fiscal Year 2025-2026 Annual Agreement, upon approval of the County Attorney's Office and Risk Management; and authorized the County Manager to execute any necessary budget amendments.

Result: Approved

Mover: Katie Delaney

Second: Thad Altman

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

F.3. Approval, Re: Changes to Merit System Policy XII (Disciplinary Actions Policy) and BCC-05 (Zero Tolerance of Workplace Violence)

The Board approved the changes to the Merit System Policy XII (Disciplinary Actions Policy); and approved Policy BCC-05, (Zero Tolerance of Workplace Violence) to reflect a change in the law regarding weapons/firearms.

Result: Approved

Mover: Katie Delaney

Second: Thad Altman

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

F.4. Appointment(s) / Reappointment(s)

The Board appointed/reappointed **Latonya Hubbard** and **Sharon Spikes** to the Central Brevard Parks and Recreation Advisory Board with said terms to expire December 31, 2026; appointed **Kristin Lortie** to the Employee Benefits Insurance Advisory Committee, with said term to expire December 31, 2026; reappointed **Brant Hoffman** to the Melbourne-Tillman Water Control District, with said term to expire September 30, 2028; and appointed **Rebecca Rockwell** and **Lorne Stinnett** to the Personnel Council, with said terms to expire December 31, 2026.

Result: Approved

Mover: Katie Delaney

Second: Thad Altman

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

F.5. Bill Folder

The Board acknowledged receipt of the Bill Folder.

Result: Approved

Mover: Katie Delaney

Second: Thad Altman

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

F.6. Requisition of Fiscal Year 2026 Budget - Brevard County Sheriff's Office

The Board approved the requisition of one-twelfth of the Fiscal Year 2026 budgeted funds; and approved one-sixth of the budget in January 2026, and equipment (capital) budget.

Result: Approved

Mover: Katie Delaney

Second: Thad Altman

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

F.7. Requisition of Fiscal Year 2026 Budget - Supervisor of Elections

The Board approved the requisition of 25 percent of the Supervisor of Elections' Fiscal Year 2026 budgeted funds; and approved 6.82 percent of the total budget each month thereafter.

Result: Approved

Mover: Katie Delaney

Second: Thad Altman

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

G. PUBLIC COMMENTS

Reverend Johnnie B. Dennis stated first he wants to give kudos to Commissioner Katie Delaney for honesty, swift action, her professionalism, and being a servant for all the people; and with her quick thinking and action, West Cocoa did not flood during the rain, just the streets. He went on to say he is there to speak on House Bill (HB) 1365, the homeless crisis; just over a year ago, the Governor passed an unjust law making being poor and homeless a crime, which also makes poor human beings a commodity that can be bought, sold, and placed into jails to make a profit, he calls it modern slavery; these people work in the Sheriff's Office and the jail for free; once released, Sheriff Ivey does not even give them a bus fare; records can show that he stood right here just over a year ago with suggestions on building a 24-hour homeless shelter and set up tent cities owned and operated by the County; there is a law that instructed the County to do so called HB 1365; the voters and taxpayers are sick and tired of a County government that caters to special interests and big business, having no mercy, no empathy for poor people; and elected officials should serve all the people like Commissioner Delaney does, she is seen all over the place working. He went on to ask how long will the Board disobey HB 1365; how long will the Board cater to special interests and big business; how long will it violate State law by ignoring it; how long will the voters and taxpayers all the Board Members to stay in office; and he noted the church goes into the woods to homeless camps, and their number one question is why are they there. He stated the number one answer is there is no affordable housing; 65 percent of those people in shelters have good jobs, but no affordable housing; help the poor and the homeless get back on their feet; this Board has got to start obeying HB 1365 or State law or he or she will be a one-term politician; if anyone does not understand it, he will read it out to them; the bill authorized counties and municipalities to designate public property for public camping or sleeping by a majority vote, such designated properties must be certified by the Department of Children and Families that the local government and properties meet certain requirements; and it may not be used continually for one year except for properties in fiscal constraint counties that make certain finance must meet specific minimum standards and procedures. He noted the County leases to the Brevard County Sheriff 54 acres for a 10-year lease at \$1; if it were to put a fence around the gun range and take 25 acres, it could take 10 acres, and have a tent city under the County's name; those people that are in there put them in jail where they belong; and the other 15 acres

can be a homeless shelter, County-owned and operated.

Theresa Clifton, Executive Director of Brevard Humane Society, stated she thought she would share with Brevard County what a true grassroots organization non-profit looks like; the Brevard Humane Society was created in 1952 by a group of concerned citizens, about the homeless animals in the community; a lot of people know that story and a lot of people do not; what people do not know is that the building on Cox Road was built in 1962, one can do the math to know how old it is, but it no longer serves its purpose; five and one-half years ago, she set out to raise the money, as a true grassroots, if the community supports them, they will find a way to get things done; she came to the Board a few months ago when there was an issue with the North Animal Care Center, and this is the Humane Society's answer, as she displayed a photo; and she explained this is a rendition of what they are doing their ground breaking on, after raising \$3 million. She went on to say Lloyd Construction is now going to be building this to make their facility more inhabitable, so what they had in 1962 will live on for another 100 years, hopefully helping homeless animals in the community; this is going to hopefully be done in six months to one year; Lloyd Construction is guessing, but it never knows what it will come across; they will tear down the front of the building and rebuilding it so the animals will have a place to stay; they still reduce the numbers of homeless animals in the community by spaying and neutering and adoptions and fostering; this will be another part to the answer; it is not costing the taxpayers a dime; the people in the community who support the animals are putting their heart, soul, and money into it for the animals and for the Humane Society to be able to do this; that is how they operate; and she wanted brag a little because if people do not brag about themselves, no one else will. She added this is the community at work, something they should all be very proud of; and the groundbreaking is next Friday, October 24, at 10:00 a.m.; the community is invited to attend; they are very proud; this will hold more animals and they will be able to help more animals in the community; they are a solid foundation that will continue to do the work it does without having to have taxpayer dollars pay for it; and they are all very excited for it.

Pam Avery stated she has one thing to say and that is to ask the County Commission to give clear direction today to the County Manager and County Attorney's Office to investigate and document the District 1 Commissioner's actions and possible Charter violations since taking office, so she may be admonished by this Commission for her conduct. She noted she is just waiting for a motion.

Chairman Feltner advised he does not think the Board does motions on public comments; and he asked if that is it for tonight.

Ms. Avery noted that is it.

Jesse Wright stated he would like to thank the Board for the approval of the first tranche of the \$2.4 million for his project; if it was not for the Board's approval, he obviously would not be getting that; he has passed out a pamphlet with some talking points; unfortunately, the project is on halt right now, he cannot move forward; what has happened is that the 22 acre property at 3550 South Washington Avenue was a continuous lot which was separated into multiple parcels; because of that, getting financing these days is extremely difficult, contamination and issues are the main issues right now that the lenders have; he was in front of the Board August 8 and Chairman Feltner asked him to meet with Commissioner Delaney which he has done; and he is now asking what is the next step, this is under the Board's jurisdiction, and he is not getting much help from the City of Titusville. He went on to say it has been approved through the Tourist Development Council (TDC) unanimously that the City get involved, but it has not, unfortunately; he has no choice, turn to page three, to move forward on creating a petition for all the neighbors and the residents to disclose that there is contamination on the ground and get them involved; once that is done, then he will have to turn to the environmental attorney to

decide which entity to sue; he has sent multiple emails to Amanda Elmore, Natural Resources Management Deputy Director and he is really hoping that something is going to happen with Board approval; otherwise, this project is going to be sitting there for a long time to come. He noted this is a \$240 million project that definitely helps the city and the County; it will bring close to 1,000 jobs, \$26.8 million would be added to the North Brevard County GDP; these are the facts, he did not make it up; it has already been done in terms of a feasibility study; and that is why he is in attendance. He commented two months has passed and he is kind of used to this thing going on, it has been nearly 40 years; Mr. Liesenfelt has been great receiving and responding to his emails; the last thing he has heard and he saw from the Shell station on Cumberland and Country Club is that their environmental report indicated that the contamination and the water table is going to the northeast; maybe that is where Santa Claus is, but he does not think anything goes northeast.

Vern Blanchette stated he did not understand the structure of how this was done, he thought he would get to speak before the Resolution on Charlie Kirk, but that was taken care of; what he wants to say is thanks for recognizing him with a day, which is appropriate for a Christian Martyr like him, who laid his life on the line and it was taken from him; he had never heard of Charlie Kirk in any detail before he was assassinated; he started watching him afterward to see what the controversy was that got him killed; and it was simply that he was dealing outright in public on political and religious issues with college students; and it opened his eyes as he watched a number of these on YouTube, searched Charlie Kirk debates students or something like that. He mentioned it is fascinating to see the immense depth and width of his knowledge on all kinds of subjects that he had on instant recall that can be pulled up to answer a challenge; if people dig in there, he or she may have heard that college professors quite often are on the left side of politics and they impute that to their students; if one carefully selects the search criteria in YouTube, one can watch Charlie Kirk debate professors, and it is amazing; Charlie Kirk was sharper than professors, even in their own subject areas; people should watch that and he would encourage the Board to put that in and watch some of those interactions; and it was a loss to America to lose Charlie Kirk, he was that much of a brilliant mind. He added anyone who does that their eyes will be opened; and he thanked the Board for passing the Resolution.

H.1. Petition to Vacate, Re: A portion of a Plat - Plat of "Harbor Colony" Plat Book 19, Page 16 - Merritt Island - DPS Development LLC - District 2

Chairman Feltner called for a public hearing on a petition to vacate a portion of a plat, Plat of Harbor Colony, Plat Book 19, Page 16, located in Merritt Island as requested by DPS Development LLC, located in District 2.

Marc Bernath, Public Works Director, stated this is a petition to vacate a portion of a plat known as Harbor Colony; it is located east of Newfound Harbor Drive, located in District 2; it is so that a property can be developed as two single-family homes; as part of the vacate request or subsequent to the vacate request, they are looking to have two easements be approved, one to cover utilities and drainage Via Roma and Via Lugano rights-of-way and the other is a drainage, north /south flowage that goes through several lots, as part of Pelican Creek. David Burgio stated he lives on Via Roma which is an eye-shot west of this development; he has always seen this on the plot plan; Via Roma was designed to go all the way across, east to South Banana, and he was wondering why all these lots were left undone; when he did notice, his question is about the right-of-way; Via Roma was supposed to be extended eastward to South Banana; it is a 50-foot easement and he did not understand how someone could absorb that right-of-way; and he is just now hearing about the drainage because it is very sensitive, the watershed there because he does not want more water coming his way.

Chairman Feltner stated he understands, and he thinks that is what they are trying to take care

of; and maybe Mr. Bernath can speak to that.

Mr. Burgio noted it is a little vague; he knows there are 12 lots there; and looking at the two lots on South Banana, the numbers would be 818 and 1.

Chairman Feltner advised him that the Board is not rezoning this evening, it is just a petition to vacate...

Mr. Burgio interjected by asking if somebody is going to answer some of the questions that might come up.

Chairman Feltner noted if he is finished, the Board will let Mr. Bernath clarify some things.

Mr. Bernath stated the petitioner owns lots three through seven and lot 20 through 24, which is in the Agenda packet; what Mr. Burgio was asking about Via Roma is a 50-foot public right-of-way; the County has no intention to actually connect Newfound Harbor Drive and South Banana River Drive; as part of the partial vacate, the County is vacating Via Roma; but it is getting back a drainage and utility access easement so this way the existing utilities can remain and the County can get in there for drainage.

There being no further comments or objections, the Board conducted a public hearing, and executed and adopted Resolution No. 2025-128, vacating a portion of a plat, Plat Harbor Colony, Merritt Island, Florida, lying in Section 7, Township 25 South, Range 37 East as petitioned by DPS Development, LLC.

Result: Adopted

Mover: Tom Goodson

Second: Katie Delaney

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

I.1. Staff Report, Re: Declaration by Florida Commerce of the Brevard Barrier Island Area Element and EAR-Based Amendments to the Brevard County Comprehensive Plan as Null and Void

Billy Prasad, Planning and Development Director, stated this relates to letters that Brevard County had received from Florida Commerce declaring two actions that this Board has taken to be null and void ab initio, that is null and void from the beginning; these two actions are the adoption of the EAR-based Comprehensive Plan amendments and adoption of the new Brevard Barrier Island Element to the Comprehensive Plan; Florida Commerce determined that these amendments were null and void ab initio because it determined they were in conflict with Section 28 of Chapter 2025 190 Laws of Florida, better known as Senate Bill (SB) 180; this section of law restricts any jurisdiction within the disaster declaration areas of hurricanes Debbie, Helene, or Milton from proposing or adopting more restrictive or burdensome Comprehensive Plan amendments, land development regulations, or procedures concerning review, approval, or issuance of a site plan development permit, or development order prior to October 1, 2027; there is what he hopes, a fairly comprehensive report on the situation, attached to the Agenda Item; and there are a couple action items to discuss, but before getting into that he would like the Board's permission to go through a short presentation that he hopes will illustrate the timeline up to this point.

Chairman Feltner directed Mr. Prasad to continue.

Mr. Prasad stated on November 23, 2023, the first step in the EAR-based amendments took place and was a letter that staff sent to Florida Commerce which simply stated that staff had

identified that changes need to be made to the Comprehensive Plan due to changes in State law; within in a year of that, staff had to transmit the EAR-based amendments, and it turns out the Brevard Barrier Island Area (BBIA) amendments, which he will get into more later; on November 7, 2024, staff did just that; in January of 2025, Florida Commerce issued their Objections, Recommendations, and Comments (ORC) Report on both of those amendments; that is now very typical and is what one can expect to see in this process, and as part of that ORC Report; and for example, one of the things that Commerce suggested was that the County evaluate changing 'shoulds' to 'shalls' in the Brevard Barrier Island element, in other words, tighten it up a little bit, and one could argue, make it a little more restrictive. He went on to say meanwhile on or around May 1, 2025, Section 28 was added to SB 180 in the Florida Legislature; SB 180 prohibits local governments, such as Brevard County, from adopting more burdensome or restrictive amendments; on June 26, 2025, SB 180 was signed into law by Governor Ron DeSantis; on July 1, 2025, SB 180 took effect, however, that effect of Section 28 was retroactive to August 1, 2024, therefore, going back to the County timeline above it, that fits in before the transmittal; and even though this was not even thought of at the time the Board transmitted the EAR and BBIA amendments, it goes back to that date. He stated meanwhile on July 17, 2025, the Board adopts the package; turns out that did not mean much because as he said, it is retroactive back to August 1 and fits in right there; effectively, under Commerce's interpretation, that poisoned everything that happened from there on; everything from that transmittal forward is null and void as if had never happened; going back to what he had first said, on November 23, 2023, the Board had one year to make the transmittal; under Commerce's view it is as if that never happened; and that is why, as of today, they consider Brevard County out of compliance with the process. He continued by saying the County is not alone in receiving these null and void letters, so far seven jurisdictions have received such letters based on Comprehensive Plan Amendments and dozens of jurisdictions are having to roll back regulations and policies based on SB 180; putting aside the retroactive nature of SB 180, even if the County was just starting the EAR process now, it is based with a fundamental problem coming into compliance; one of the key statutory changes that has occurred within the past seven years that requires the County to update the Comprehensive Plan, is the Brevard Barrier Island Protection Plan, which institutes an Area of Critical State Concern (ACSC) in the South Beaches area; and under Florida Statute, these unique designations are implemented in places where "an area containing or having significant impact on environmental or natural resources of regional or statewide importance, the controlled private or public development of which would cause substantial deterioration of such resources", and the Brevard Barrier Island Protection Act itself, or in particular, mandates that the County do such things as institute regulations to facilitate prohibiting new shoreline hardening structures and reducing nitrogen contribution into the Indian River Lagoon (IRL), among other things; and in other words, the County would appear to be required to adopt more restricted Comprehensive Plan Policies and land development regulations in the ACSC, yet Florida Commerce has insisted on applying SB 180's prohibition against more restrictive regulations to the amendments. He went on to say clearly this is a quandary and staff is seeking direction from the Board on how to proceed; as a preliminary matter, first staff is requesting that the Board authorize the County Manager to execute any contracts and budget documents necessary to continue to utilize Bonnie C. Landry and Associates for planning services, as this group assists with technical aspects of development of these amendments, provides guidance to staff of procedural matters, and staff has been generally happy with the services provided to date; second, staff is asking the Board to consider the options outlined in the Agenda Report regarding preparing new amendments to the Brevard County Comprehensive Plan; he will note at this point, the Planning and Zoning Board, on their own volition yesterday, made a recommendation that this Board either join a law suit with other local governments challenging SB 180 or write a letter to the legislature requesting that the law be amended; staff has identified three options for moving forward with these amendments; first, prepare modifications to the EAR-based amendments but delay transmittal of both the EAR-based amendments and the BBIA element amendment until legislative amendments to Section 28 of SB 180 or until the expiration of Section 28, which is

October 1, 2027; in other words, wait and see what the legislature is going to do and act accordingly and prepare as much as possible in the meantime; option 2 is modification of the previously transmitted EAR-based and BBIA element amendments in a manner to minimize proposed amendments to existing policies in order to meet the requirements of Section 28 of SB 180; in other words, do what has to be done to get it through Florida Commerce's review under SB 180; and then, of course, option 3 is any other direction as directed by the Board.

Commissioner Adkinson asked if Mr. Prasad can tell her, by waiting and delaying the transmittal, what the most negative consequence for the County would be.

Mr. Prasad explained the only consequence that he is sure the County is facing and probably the only consequence for the time being, is that staff cannot process publicly-initiated Comprehensive Plan Amendments that is distinguished from privately initiated amendments that are typically seen in Zoning Agendas, those the Board is in fact, required to process regardless of being out of compliance; and this would be, for example, if a public agency, Board of County Commissioners needs a land use change, it could also be if any of the Board desires to initiate some text change amendments, it would prohibit staff from moving forward with things like that in the meantime.

Commissioner Adkinson asked with the regards to the BBIA, what would be the most negative consequence of delaying.

Mr. Prasad stated any of the new policies that were proposed would not be implemented and it would delay the bigger...the most impactful thing on that process was going to be moving to the next stage which is implementation of the land development regulations, which cannot be done until SB180 is figured out anyway; he thinks it is important to note that existing regulations that are already in place will remain in place and will continue to be enforced; and for example, Policy 7.1 of the Coastal Management Element, which prohibits increases in residential density in the area, will remain in force.

Commissioner Altman asked in relation to the lawsuits that have been filed, what are some of the issues that are being challenged, he assumes expo factor would be one of them; and he asked if he is correct.

Mr. Prasad stated he has seen numerous basis of challenges so far; he has seen things about the natural resources clause, and procedural matters.

Morris Richardson, County Attorney, stated the retroactive application is one of the basis for challenges.

Commissioner Goodson asked Mr. Prasad which one he would prefer the Board to choose because he is much more knowledgeable than the Board members.

Mr. Prasad advised option 1, he thinks is the approach that would allow the County to keep in line with what was intended by a number of laws, not just the BBIA Protection Act, there are a number of laws, he thinks if the Board is looking to come into the best possible compliance; there has been plenty of movement in legislature already, although nothing has been officially filed; even the sponsor of SB 180 has said that he thinks there is going to need to be changes in the next session on Section 28; there is good reason to believe there will be legislative fixes; and he thinks there is a basis for saying wait and see before jumping the gun and making drastic changes.

Commissioner Altman inquired, if the County does not engage in lawsuit, other counties have and they rule in favor of those counties, he would assume those rulings would apply to Brevard

County as well.

Attorney Richardson replied yes. He mentioned to be clear, there are counts in some of the litigations that are out there that would be specific to that jurisdiction and something that they specifically adopted, but generally, in order for the courts to find in favor of the jurisdictions that have sued in one of those cases, the holding would be effective to the County as well; and in other words Brevard County could ride along without being a party to the suit, but would still benefit from the outcome of the litigation.

Commissioner Altman stated he wonders if Brevard's involvement in those cases would be helpful, especially since it is responding to a State law that was passed; and if it would be helpful in the bigger scheme of things, he would support engaging in those actions.

Attorney Richardson commented generally speaking, he thinks the only reason it would be helpful in the larger efforts would be if the County were to contribute significant resources in the form of either monetary support for litigation or attorney time and resources; if the Board is prepared to do that, it could potentially be helpful; his office right now would be strained to provide much in the way of meaningful support internally; but that is really the only way to be useful to the ongoing effort if they were able to contribute meaningfully in that way. He added this County does have an issue that is unique in the form of inconsistency with the BBIA Protection Act that could be raised separately at some point.

Commissioner Goodson stated if one knows anything about Tallahassee, they will send out all kind of crap that has to be changed again or multiple times until they get it right; and he asked if Mr. Prasad thinks this one will be different than the last one.

Mr. Prasad stated he knows there is a large upswelling of requests that this be fixed, not just from Brevard but from across the State; he does not know what the impact of that will be on the legislature; and he knows that Speaker Steve Crisafulli is aware of it and that he is going to be seeking to provide some assistance as well.

Attorney Richardson noted there are two sections of the bill; they have talked about 28 with the retroactive application, but there's also a section 18 that is forward looking so if another storm passes through and Brevard County is within 100 miles of its path, the County would be prohibited for a year after that event from enacting regulations that are deemed to be more restrictive or burdensome; that section carved out an exception for ACSC like the BBIA; looking at the legislation it is hard for him to make sense of it in any way, but to think it was an oversight that the same exception was not included in Section 28, which is the section with retroactive applicability; he thinks it would be best if 18 and 28 were repealed in their entirety, but that said, he suspects without having any crystal ball or great insight into the legislature, and what it will do, if he had to bet, he thinks there may be a correction to fix that portion, at least so that an exception is carved out for the BBIA statute and the County's ability to do that; and given that the legislature may be taking that up, he thinks it may be prudent to take a wait and see approach to some extent before the County were to litigate against the State on that particular issue, because it is sometimes said that the only thing worse than suing the State is suing the State and winning. He added sometimes just litigating with them may sour the waters, since he thinks there may be a movement to take up a glitch bill or something to fix what appears to be an oversight there; and he is not urging the Board at this time to sue over the BBIA issue that is more unique to Brevard County.

Commissioner Adkinson stated hers is a procedural question; and she asked when a motion is finally made, does the Board have to make two, one about the County's participation in lawsuit and then one about which option of transmittal it chooses.

Attorney Richardson replied the Board is not required to make any motion at all about participation in a lawsuit that was a recommendation by the Planning and Zoning Board of their own volition; they raised that issue, it was not a staff request; he thinks the only thing before the Board tonight is a request from staff for direction, there are the options given, including the third option, any other direction; but that is what staff is expecting from the Board tonight; it, of course, could make any motion it likes in consideration about the ongoing litigation; and there is no additional requirement for that. He remarked and with the contract, the County Manager is right, regarding the request for the ability to continue on with the contracted consultant.

Commissioner Delaney commented it would be fair to say that adding some potential muscle to this lawsuit would be, her colleague right here that helped sponsor this area of critical State concern, as a State Representative, and one would think that would bring a little bit more ump to the lawsuit; and she asked if that would be fair to say.

Attorney Richardson responded no, that is not something a court would consider; politically, yes, he thinks with the legislature, absolutely; but not with the courts.

Commissioner Delaney asked if it is possible that it might encourage others to participate as well; she thinks between the Live Local Act and then going forward with SB 180, it is getting more severe the encroachment on the County's Home Rule; it would be helpful if more cities and counties would join this lawsuit to tell the State; and there is a State Constitution that protects the County.

Commissioner Altman advised he thinks that is a very good point, and he has thought at length about it; he has been up there though when the State has been sued by local government; Attorney Richardson was correct, when the County files a lawsuit against them, it changes the whole way the County can interact with them, and the County is deemed as the enemy; if there is a chance that this thing could be amended in the legislative process, the County would probably have more of an opportunity to engage and have a voice if Brevard is not under a lawsuit, so he understands where he is coming from; and he would hope that if the County does not engage in lawsuit, maybe the Board can include this in its legislative packet so its lobbyists can really advocate for fixing the problem.

Chairman Feltner stated he thinks there are two things Commissioner Altman brought up, so he would like to ask a question; and he inquired what the chance is that this lawsuit is going to be decided prior to session ending the first week of March.

Attorney Richardson stated he would not say zero because he thinks in at least one of the cases there is a request for preliminary injunctive relief against the enforcement of the bill, so that is something that could potentially be put in place by a court on the front end; but he thinks the likelihood is pretty low that this is decided prior to legislative session.

Chairman Feltner noted there is probably just an order of operations here, let the legislature take this up, and if it does not work, then lawsuits will continue.

Attorney Richardson advised he thinks so, and if the Board recommended Option 1, which is prepare the modification to the EAR-based amendments, but delay transmittal, the Board would not be foreclosing the ability to sue at some point should there not be any legislative relief if it is determined by the Board that that is desirable to do so, so there is no compelling imperative right now to jump into the lawsuit; and the Board is not losing any right or waiving any ability to seek that relief should the legislature not come through.

Chairman Feltner stated sitting here are two former members, and he worked up there, too, is it fair to say that this is better to fix it in Statute than it is to have some State judgment; he thinks

the legislature has the incentive to take this up; and he asked if that was fair.

Commissioner Altman replied he hopes so, he would think so; and he would think the Board's voice would be a little different, because once the legal action is pulled, it changes the whole thing.

Chairman Feltner stated not for nothing, he thinks before going that far, the Board should consult with the folks working for the Board in Tallahassee to see what they think of that.

Commissioner Delaney stated if the Board gets through session, the legislature fixes the issue with the area of State of critical concern, the County is able to get the BBIA in its Comp Plan, but they do not do anything else; she had a lot of major concerns with a lot of things in the County's Comp Plan; she only brought the Flood Plain issue up because she just felt like that was the most important at that time; but there were things in there about potable water and different things in the conservation element; and she asked if the Board is still not allowed to go back and put different restrictions in place would it be able to then still join a lawsuit at that point.

Attorney Richardson replied yes, absolutely, it would be; take note that Section 28, the retroactive application, does expire eventually on its own terms; of course, there is always the opportunity for another storm to come by and extend that at any time by an additional year, but it expires on its own terms, the only thing unique to Brevard; what is happening is the application to the BBIA, because Brevard is the first area of critical State concern in decades; but if that is resolved by the legislation, then all of the other issues affecting the County's Comp Plan, those are all issue; the pending litigation that has been brought by other jurisdictions that will almost certainly if any of those litigations are successful, the County will be able to benefit from those without even being parties to the suit; but if the Board needs to at some point in the future to bring action, it could do that.

Jim Liesenfelt, County Manager, stated just to follow up on Commissioner Altman's comments, in the legislative packet they highlighted Sections 18 and 28; staff sat down with Speaker Steve Crisafulli to go through all the things and spent quite a bit of time explaining the issues with SB 180; he already knows Speaker Crisafulli understands it because on his own he has had a conversation with one of the representatives to explain the same situation; and he wanted the Board to be aware of that.

Ruth Amato stated she would like to take a moment and read the actual motion that was made by Planning and Zoning last night so the Board can hear it in its entirety and context; and she read, "I move that our Chair draft and send a letter to the Brevard County Board of County Commissioners recommending that they either join the lawsuit challenging SB 180 or draft and send their own letter requesting SB 180 be repealed or amended. This recommendation is based on the State's rejection of our recent Comprehensive Plan, which despite reducing previous restriction, was still deemed too burdensome to development. This action demonstrates how SB 180 effectively strips away our home rule authority and significantly impairs the ability of this board to carry out its responsibilities as intended by the residents of Brevard County."

Mark Shantzis inquired if anyone has called the sponsor of SB 180.

Chairman Feltner advised Mr. Shantzis that his time has started.

Mr. Shantzis stated that is a big question; this is an absolute mistake by legislature; it got done the last few hours during the session, it was thrown in; if anyone knew about it someone would have said by the way, stick it into Section 28, he stuck it in Section 18; the ACSC BBIA is on

autopilot and stands alone; if the Board engages into a suit having anything to do with that, with the bigger picture, the Board is throwing the baby out with the bathwater, regardless of what happens; he wants to differ with Attorney Richardson, it is not close to zero, it is zero; a judge is not going to rule on it before he or she hears what the State does; if they do it could get overturned; and they are not going to take the risk of it getting overturned. He continued by saying, they have been through this; Barrier Island Preservation Protection Association (BIPPA) has been doing this for 35 years; they have been involved with unconstitutional issues in suits; they have defended and litigated; they have been through all of these and found that a judge will almost definitely not declare it unconstitutional until he or she sees what happens; secondly, he must say that the County should file something immediately with the State, even if it is taking out all 40, 41, or 45 of the items they said were too restrictive; the County has then complied with the State; there were all kinds of references in all kinds of legislation that say there is 60 days for this and 90 days for that, 120 for that, and the County could be violating them by not refiling once the State says the County has these problems; at the very worst, the County should refile exactly what was filed, taking out every single thing that the State says is more burdensome; and after the dust settles, refile all the changes that the County wanted to change in another amendment. He noted he does not see what the problem is with that; he asked Mr. Prasad if that is a problem and noted that he could think about it; he stated this was a mistake that was done and clearly the County should let the legislation take care of the mistake; they are on board for that; he has spoken to people who say yes they are going to take care of it; he was at the delegates meeting where Debbie Mayfield said she was going to take care of it; Tom Wright shook his head yes, so this is going to get taken care of in terms of the BBIA; and the County has to be careful that it is not complying by not refiling as soon as possible once the State goes ahead and comments to the County, as it is required to comment in a certain amount of time. He added, "Let's comment, let's redo it, and let's send it in."

Commissioner Delaney asked Mr. Prasad if anyone has spoken to the representative that Mr. Shantzis has mentioned.

Mr. Prasad advised he has not called Senator DiCeglie.

Commissioner Delaney asked if the Board were to do Option 2, would staff just get rid of the language that staff sent forward last time and put in the existing language.

Mr. Prasad advised it will be a little more complex than that because the letter that had been sent back identified 40-something policies in the EAR, then they had rejected the BBIA outright; it is not clear, therefore, staff would have to go through the technical assistance process with Florida Commerce and essentially submit groups of policies at a time, have them sign off on each one, and have that back and forth; it may be possible in the end; it is truly impossible and that is the bigger issue, how far are they willing to stretch the Brevard Barrier Protection Act for the sake of SB 180; and they seem to be diametrically opposed.

Mr. Shantzis commented that is what Mr. Prasad's letter says, but that is not the indication that he has when he chats with people; the indication he has is that it is a mistake, it is going to be corrected, but it will not be corrected until the end of session, as Chairman Feltner had said, this session is going to go on until July again; the County could be in violation of answering something that the State has already told the County; if they had not said the reason that they want to reject it, ask them the reasons, let them list the reasons, and get on board with discussing this with them; and he reiterated to let them list the reasons, and throw out all those items and refile, but there has to be a discussion going on with the State and the sponsor's office as to how they are going to do this. He mentioned if the County is doing this in its quiet little box it is going to miss what is going on up there; and he will volunteer to interact with them.

Chairman Feltner advised the Board is going to move into discussion.

Commissioner Altman stated he does have a question; and just so he understands, he inquired how Mr. Shantzis' recommendation relates to options 1, 2, or 3.

Mr. Shantzis noted it is option 2, which would be to refile as soon as possible given that the County calls up the office up there and ask them specifically what it is that the County should refile; if the County is not told specifically what it should refile, it should go ahead and take a bunch of stuff out and refile it anyway, let them reject it again and ask again what it is; go through the process of interaction so the County is in compliance; the County does not want to be out of compliance by missing it by one day; the County has been through some of that in the past; and it is not a happy place.

Attorney Richardson stated just to respond to Commissioner Altman's question, the County has had that conversation with Florida Commerce; he thinks it is in Mr. Prasad's report; the County received a list of the proposed amendments which Florida Commerce felt were more burdensome or restrictive at least from the typical EAR proposal; Mr. Prasad was correct in saying that with regard to the BBIA, they had just outright rejected that, therefore there is no one reason that was pointed to, just in its totality it is seen as more restrictive and burdensome; and in his view, he does not think that the County can comply with the Brevard Carrier Island Protection Act and not be more restrictive and burdensome. He went on to say he does not know how the County ever could transmit anything that meets both the spirit of that legislation, but also complies with SB 180 that the Commerce can accept; they are going to have those conversations with Commerce; staff already had the conversation initially though with Stansbury and Commerce about the direction and path to proceed; he does not want to give the impression that staff has not made the outreach and has not had that communication; and Mr. Prasad has led that conversation and he has been a part of it with Commerce.

Commissioner Adkinson stated she knows that Mr. Prasad has been in communication because she has been in communication with him about this; she is not a fan of pushing something mediocre through, especially when she knows the legislators realize that they have made a mistake; there are people who are prepared to lead the charge to fix this; she feels like this Board should give them the opportunity to fix it and let staff send the thing in its entirety as it is intended to be so it can protect the BBIA and the rest as it should; and she reiterated she does not want to send something that is just watered down.

Commissioner Delaney asked if the County did wait, would it provide an opportunity to possibly look at some of the other elements and possibly make other changes as well. She commented she knows that is not what Mr. Prasad wants to hear.

Mr. Prasad replied assuming whatever fix happens does not change the status the County is in today, that chart he shows where everything disappeared, this staff is back at the transmittal stage; therefore the answer is yes; when the Board last heard this, staff could not make substantial changes because it was post transmittal and before adoption; and that situation would change to pre-transmittal.

Commissioner Delaney stated with that being said, she would be in favor of waiting and bring this up at another time once there is more information on what is going on; she would love the opportunity to talk as a Board in a workshop or special meeting where it could go through the elements and dive into it a little more, putting this Board's stamp on it with more refreshed public input and that kind of thing because there were a lot of things that made her uncomfortable; and the flood plane was the biggest for her. She continued by saying the potable water issue she knows in her district is a huge issue; there are a whole lot of other things too; but she would really love the opportunity to reopen this conversation to send forward the best thing staff can.

Chairman Feltner asked if the County were to send it up, he is playing devil's advocate, and legislature makes some substantial changes would the County have to come back and amend it again, or could it possibly be rejected again.

Mr. Prasad stated if staff were to follow option 2 and then they fix it, then the next time the County does an EAR, they will probably identify that it has to be more restrictive in the BBIA as well as other changes in State law.

Attorney Richardson commented in the interim the Board could process an amendment, if the Board did option 2 and they did a legislative fix, the Board would not have to wait until the next year-based amendment cycle; and it could transmit another amendment to implement the BBIA.

Mr. Prasad agreed; and added once the County is in compliance.

Attorney Richardson noted right now it cannot; that is the risk of option 1, if something comes along between now and whenever, the County is able to transmit fixes that would require the Board to process a government public initiated Comprehensive Plan Amendment; but staff cannot do that right now because it is not under a deadline where it is in danger of being out of compliance; the County is out of compliance because of the strange retroactive effect of this; and they are saying the County did not transmit within the year as required, even though staff did transmit, by operation of this law, it never happened.

Commissioner Delaney asked for an example of that and what it would look like realistically; she noted she cannot imagine a life and death situation, she is thinking more of staff not being able to proceed with building of some kind; and she asked if that is what the County is looking at.

Mr. Prasad replied affirmatively. He continued by saying there has been a couple conversations of a small area study, but if the County did that it would not be able to adopt any of the changes that come out of that study; and he does not know of any immediate reason why being out of compliance would cause significant impact on the Board.

Chairman Feltner stated it is his opinion that staff should wait, get it in the proper posture, and not potentially have a conflict with the State when there is the potential that the State is going to fix it.

Commissioner Delaney advised she will make that motion for option 1.

The Board acknowledged receipt of the report; approved Option 1, to prepare modifications to the EAR-based amendments, but delay transmittal of both EAR-based amendments and Brevard Barrier Island Area (BBIA) Element amendment until Legislative amendments to Section 28 of State Bill 180, or until the expiration of Section 28 (October 1, 2027); authorized the County Manager, or his designee, to execute any necessary contract amendments or other documents necessary to continue utilizing Bonnie C. Landry and Associates as the planning consultant to develop, adopt, and implement amendments to the comprehensive plan, in relation to EAR-based amendments and implementation of the Brevard Barrier Island Protection Act; authorized the County Manager to execute all necessary budget amendments; and authorized for staff to bring the Item back to the Board, if it reaches an amount of \$100,000.

Result: Approved

Mover: Katie Delaney

Second: Kim Adkinson

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

Chairman Feltner advised the Board to discuss the consultant.

Commissioner Adkinson stated her thoughts on the lawsuit is that the County should not participate; and if the consultant works well with Mr. Prasad, and he thinks it is the right way forward, then she thinks that is what the Board should do.

Chairman Feltner asked if anyone wants to make a motion to continue with the consultant...

Mr. Liesenfelt interjected by stating the motion would be to authorize the County Manager, or his designee, to execute any necessary contract amendments or other documents necessary to continue to utilize Bonnie C. Landry and Associates as the planning consultant to develop, adopt, and implement amendments to the Comprehensive Plan in relation to the EAR-based amendments and implementation of the Brevard Barrier Island Protection Act; and authorize the County Manager to execute all necessary budget amendments.

Commissioner Delaney inquired if that would have to come before the Board again if that was above the threshold that the County Manager is allowed to spend without Board approval.

Mr. Liesenfelt advised this motion would allow staff to continue on without bringing it back before the Board.

Commissioner Delaney asked so if it is a million dollars...

Mr. Liesenfelt commented he is not going to spend a million dollars on it.

Commissioner Delaney asked if the Board can place a dollar amount on it.

Chairman Feltner inquired what the County has paid to this point.

Mr. Liesenfelt advised approximately \$200,000.

Chairman Feltner asked if Commissioner Delaney wants the next \$200,000.

Commissioner Delaney asked Mr. Prasad what would be appropriate and if he has an idea of an amount.

Mr. Prasad stated it depends on what the fix is and how drawn out this becomes; he does not think that everything that has been done so far is going to go to waste; he does not think it is going to reach the same level, but he cannot guarantee that; and certainly, he can come back to the Board if it reaches anything close to that.

Mr. Liesenfelt noted if the Board has a level, staff will bring it back.

Chairman Feltner asked if she wants to half that to make her feel better.

Commissioner Delaney responded affirmatively.

Chairman Feltner stated he would feel better with that, too. He asked the Commissioner if that is the motion up to \$100,000 and above that staff will bring it back to the Board.

Commissioner Delaney responded affirmatively.

The Board authorized the County Manager, or his designee, to execute any necessary contract amendments or other documents necessary to continue utilizing Bonnie C. Landry and Associates as the planning consultant to develop, adopt, and implement amendments to the comprehensive plan, in relation to EAR-based amendments and implementation of the Brevard Barrier Island Protection Act; authorized the County Manager to execute all necessary budget amendments; and authorized for staff to bring the Item back to the Board, if it reaches an amount over \$100,000.

Result: Approved

Mover: Katie Delaney

Second: Kim Adkinson

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

J.1. Approval, Re: County Commission District Office Awards, FY 2025-2026 Marketing Support Program

Peter Cranis, Tourism Development Office Director, stated this Item is the remainder of the marketing support program grants coming back and the criteria defined \$20,000 per Commission District to award to events that did not meet the criteria in the original program; he does not have all of the details for each Commission office so it may be best if each Commissioner could speak to that; and other than that, he is happy to answer any questions.

Commissioner Goodson stated he would like to give \$5,000 to the Wizard of Oz Museum, \$5,000 to the Space Coast Art Festival, \$5,000 to the 38th Annual Veterans Reunion Memorial Wall, and \$5,000 to the Space Coast Birding and Wildlife Festival.

Commissioner Delaney stated she apologizes for not bringing forward her events; she is waiting to hear back from one potential event and she does not want them to miss out; and if it is alright with the Board, she will bring it back next Board meeting.

Chairman Feltner advised he does not see why she could not do that, and asked Mr. Cranis if she could do that.

Mr. Cranis replied it is his pleasure.

Chairman Feltner advised he had \$2,500 to give back to cultural but he wanted that to go to the All Veterans Reunion at Wickham Park for the moving wall.

Commissioner Altman stated his items are the same as last year, \$10,000 to Green Gables and \$10,000 to Field Manor.

Chairman Feltner stated he and Mr. Cranis talked extensively, and in the last calendar year the Board made an appropriation from the cultural grants for the moving wall in Wickham Park and it was a Godsend for them because the older gentlemen that ran that are cycling out and the newer Desert Storm guys are the young guys; they were faced with coming up with \$9,500 for the Park, so that went a long way; and what they are doing, if the Board could get there for the other \$5,000 tonight, he thinks that would be very helpful.

Commissioner Delaney advised she will put in \$5,000 towards that.

Chairman Feltner commented that is wonderful and he appreciates it. He asked Mr. Cranis if he is good on that.

Mr. Cranis clarified it is \$5,000 from District 2 and \$5,000 from District 1.

Chairman Feltner pointed out and the last \$2,500 from District 4.

Mr. Cranis stated so it would be \$12,500.

Chairman Feltner commented that goes a long way.

Commissioner Adkinson stated she is going to be the stick in the mud and simply say her funds are being returned because her understanding is this is money that is supposed to encourage tourists and this Board is currently giving money to entities that did not make the cut; her belief is that the Board either needs to change what its requirements are or, as in her case, choose not to give money in this way. She added not that she does not think that all of these are great entities, they are and she loves that they are in the community; but she thinks that what this Board needs to do is change the requirements.

Chairman Feltner commented the Board may revisit that in the future, but for the time being, it is moving forward with this.

The Board approved County Commission District Award allocations for the FY 2025-2026 MSP as follows:

- District 1 – All Veterans Reunion at Wickham Park - \$5,000;
- District 2 – Wizard of Oz Museum - \$5,000, Space Coast Art Festival - \$5,000, All Veterans Reunion at Wickham Park - \$5,000, Space Coast Birding and Wildlife Festival - \$5,000;
- District 3 – Opted to return funds to Fund 1446 - \$20,000;
- District 4 – Native Rhythm Festival - \$5,000, Melbourne Art Festival - \$12,500, All Veteran Reunion at Wickham Park - \$2,500; and
- District 5 – Green Gables - \$10,000, Field Manor Foundation - \$10,000; and

further, based on the facts specified, by approving this Agenda Item, the Board made Legislative finding that Tourist Development Tax funds are authorized for grants, pursuant to Section 125.0104(5)(a)3., Florida Statutes, and Section 102-119(3)a., (5)a., and (6)a. of the Brevard County Code of Ordinances; each of the tourist-oriented events have as one of its main purposes the attraction of tourists, and the entity and the Space Coast Office of Tourism both intend to ensure marketing and promotion of these events to tourists; authorized the Tourist development Office Director to negotiate and sign all necessary agreements and related documents, upon County Attorney's Office, Risk Management, and Central Services approval; and authorized the County Manager to execute all necessary budget amendments.

Result: Approved

Mover: Tom Goodson

Second: Katie Delaney

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

K. PUBLIC COMMENTS

Commissioner Delaney stated she has a point of order question; she mentioned there have been some concerns about the Board taking a vote on the resolution without doing public comment; and she asked that the County Attorney let everyone know about that procedure.

Morris Richardson, County Attorney, stated in the County's presentations, reports, and resolutions section there is no public comment for those items on that portion of the Agenda; those are not considered true action Items of the nature where the Board is statutorily required to have public comment prior to the Board taking action; they are ministerial in nature;

therefore, the Board rules do not allow for public comment on those actions; and people can talk about them in public comment in later portions of the meeting.

Commissioner Delaney expressed her appreciation to Attorney Richardson and stated she just wanted that put out there for the public.

Annette Armstrong-Rutkowski stated she has some handouts; she has lived in unincorporated Brevard County since 1976; during this time, she has been active in the home building construction industry; she is a daughter of a builder developer, a mortgage professional, and 23-year small business owner, including a valued preferred contractor for Brevard County, as well as other local municipalities; she has served on boards and served as advisement projects for special interests such as local preference within Brevard County government purchasing and city councils; she is telling all of this to create a back story and share the passion she has for this community; she chooses to live here and chooses to be active in positive growth and advancement; and she chooses to make Brevard beautiful. She continued to say she currently lives in District 3, specifically Archie Carr the south barrier island sanctuary; unfortunately, she is coming before this Board to bring awareness to an urgent concern that she feels is being very misled in Brevard County; and a department that is being ran by interim leadership and with officers that interpreted their job description to fit their personal beliefs and not that of tax paying citizens, Code Enforcement of Brevard County. She went on to say over the course of two years she has been lied to, ridiculed, questioned, passed from one department to another with no clear answers, refusal of ordinance definitions, harassed, ignored, and prosecuted; during the September Special Magistrate meeting that she was ordered to attend, in listening to the many cases before her, it was becoming very unsettling to learn that she was not as alone as she thought, with many others being targeted; it is unsettling to know that surveillance by helicopter Code Enforcement complaint Brevard County officer Ashton Styron is using Brevard County Sheriff's Office (BCSO) helicopters to take aerial photos of different Code Enforcement complaints; this was not her home, however, the same officer, Mr. Styron, with the knowledge of acting Interim Director Denny Long, did orchestrate a Brevard County Natural Resources boat to navigate him to the waterway behind her home to take photos of the seawall he was investigating as being in Code violation; a seawall that was clearly from Brevard County archived Property Appraiser photos been in place since before she purchased; it is extremely concerning that Code Enforcement is going to such measures; and she asked if she could finish.

Chairman Feltner advised he is sorry but there are a lot of cards to get through.

Ms. Armstrong-Rutkowski noted the Board has her paperwork.

Jennifer Sizemore stated she is the Chair of the Democratic Executive Committee and is in attendance to condemn the passing of the Resolution naming today as Charlie Kirk Remembrance Day; it was mentioned earlier that perhaps this Board does not agree with everything Mr. Kirk has said, but a few positive comments do not outweigh the negative, hurtful, divisive things that he said; wrapping hateful rhetoric in Bible verses and passing it off as hard truths or real talk does not make it any less divisive, it does not make it moral, and it certainly does not make it right; he has said that highly-accomplished black women do not have the brain processing power to be taken seriously; and she is a highly-accomplished black woman, do not let the light skin fool people, she is a veteran, a mother, a child advocate, and a servant to the community and can assure people that she is neither an affirmative action pick nor is she lacking in intellect. She continued by saying he also said that the passage of the Civil Rights Act was a huge mistake; she could go on, but she knows her time is limited; comments like these are not just controversial, they are harmful; no, they are not taken out of context because for something to be taken out of context, the intent has to change when the context is added, and in what context are these comments ever appropriate, as they deem and devalue entire

groups of people that the Board, as elected officials, are supposed to fairly represent; and she has to ask are these the kind of comments that the Board Members agree or disagree with, because choosing to honor someone who says such things sends a message to women, to black residents, and to every marginalized group in Brevard County that their voices and experiences do not matter. She added what happened to Charlie Kirk was tragic and people mourn his death and celebrate his life as they choose, but Brevard County citizens deserve leaders who represent all of them, leaders who focus on bringing people together, not passing Resolutions honoring someone whose words divide the community. She commented and let people not forget that today would have been George Floyd's 52 birthday had he not been killed and that should remind people of the importance of justice, equality, and humanity; and values should always guide the decisions made in this chamber.

Kathy O'Neil stated she found out this morning that the Board was taking up this Resolution; she did not expect it to be voted or passed on before the public got a chance to speak, but she is sure the Board already had its mind made up; she can see where the Board would be motivated to honor somebody like that who people feel strongly about the tragic death, as everyone sees it as tragic; that does not wipe out the hateful, divisive rhetoric that he spoke during his time on this earth; many people in this community, and herself included, have been disparaged, denigrated, and talked down to by him; and she does not think the Board's action of elevating him to somebody, or of a place that people should respect, is worthy of Brevard County.

George Frazier stated he is a retired Colonel and the COO of Motivate Enterprises, the Program Director of the success center, and associate pastor of the Faith Life Outreach Christian Cathedral; he thanked the Board for allowing him to talk about a project that he is working on for October 19; he recognizes that Brevard County under this Board's leadership is booming; there are many people in the community, across the spectrum who are working hard and cannot meet the Alice threshold; they are working their butts off; and he is talking about the first responders, Sheriff's deputies, teachers, he is talking about great people who contribute to the fabric of this community, and some of them cannot afford to live here, get life insurance, or just do the basics the life. He noted that is the problem that he is talking about today; he also wants to talk about what he believes is the product and the solution; on October 19, they will be

hosting a Prosperity and Wealth Summit at the Flock; and it is a highlight for Brevard County because they are hosting a 15-city national initiative to bring wealth and prosperity to every zip code in the County and ultimately in the County. He went on to say how they are going to do that is the Prosperity and Wealth Summit Conference is about teaching people and talking to people about how to build their generational wealth, how to be able to afford homes, how to be able to breakdown the barriers associated with small businesses; it is one day that is going to kick off a series of other events, masterminds, where they are going to be able to equip people educationally, but equip them also with tools and the access to be able to overcome those barriers; he thanked the Board for the opportunity to talk about it and he also wants to ask for the Board's support; he knows it has already talked about its awards and funds for 2025; they will be continuing this in 2026; and he is asking this Board to help by sponsoring and being a part of it.

Chairman Feltner asked where this event is taking place.

Mr. Frazier advised it is in Rockledge at 217 Dixie Lane.

Commissioner Altman stated this is wonderful; and he inquired what the funding sources are now.

Mr. Frazier replied right now they are working with the City of Cocoa who is providing some resources, and some other insurance companies and private industry are coming forth to help them out.

Anthony Hatcher stated he wants to back up what Colonel Frazier said; he is also a retired Master Sergeant for the Army; he has been in this community after serving that amount of years in the military; he has also served 29 years as pastor and leader in this community; next year will be 30 years in this community; he has participated in a lot of events in this community; the reason why he is so passionate about this is because one of the most powerful tools that people can use is education; and as the Board knows, one of the most tragic things being faced today is financial illiteracy. He noted the programs that started even from the White House to the Governor's Mansion, all the way to the Board level, people are crying out for help to understand how to advance in life, succeed in life; they are trying to get 500 people in this event, but the people that are being reached cannot afford to pay for this event and that is why they need sponsors to help carry out the event; the people they are trying to change are going to impact this community; they are going to become positive contributors; and when he talked with the Chief of Police in Cocoa he said when people change their life by becoming a positive contribution to the economy it causes crime to go down, families become stronger, and communities become brighter because people feel a sense of accomplishment; and they feel a sense of significance. He mentioned he is not there to preach a sermon, but he is coming to ask the Board to consider supporting this event because it is a positive event for the community and it affects all races from all different walks of life; they have a multi-cultural ministry but they also started several years ago a success center which is a small business incubator that helps businesses get started, it teaches them how to start; that is a free training that is offered through that incubator system; and now they are expanding it to financial literacy to try to help different families rise up and to change their status and become a positive influence in the community.

Chairman Feltner pointed out if they talk to the Board with enough advance notice for next year, whether the County were to sponsor something or provide the venue, or something like that, it could certainly talk about that with more advanced notice.

Mr. Hatcher stated he knows it is the beginning of the fiscal year and they are in the middle of a government shutdown, but they wanted to have this opportunity to at least present the program.

Chairman Feltner noted he thinks that is smart, and he thinks for the future to come with a little more notice of the event.

Commissioner Delaney interjected by saying August would be awesome; and she asked for him to tell the Board where and when the event is going to be.

Mr. Hatcher stated October 19, at 2:00 p.m. at the Faith Life Outreach Christian Cathedral, 217 Dixie Lane, the Old Sears Town Mall, right on that street, sitting between where the blood bank used to be and U-Haul.

Justin Harvey stated he would like to suggest that Brevard County designate January 27, be national Gus Grissom Remembrance Day; Gus Grissom was set to be one of the first three men to set foot on the moon through the Apollo 1 mission launching from Brevard's very own Kennedy Space Center; unfortunately, before that could happen, an electrical fire broke out and killed astronauts Gus Grissom, Roger Chaffee, and Ed White during a training mission inside the capsule; the Grissom family had doubt from the official National Aeronautical Space Administration (NASA) ruling from the very beginning; even before Apollo 1, Grissom received

death threats which his family believed emanated from within the space program; the threats were so serious he was put under Secret Service protection and moved to safe house; according to his wife, Grissom warned her, if there was ever a serious accident to happen with him within the Space Program, it is likely to be him; but why, because Grissom was known to be critical and quite outspoken regarding NASA's ability to put men on the moon; and on January 2, 1967, he gave an impromptu press conference with media and stated they were a decade away from a lunar mission. He continued by saying this embarrassed NASA publicly; he was heavily reprimanded for giving this interview without permission; in another instance he was frustrated by not being able to communicate with someone just one building over and he said, "How are we going to get to the moon if we cannot talk between two buildings?"; most notably he brought a lemon and hung it in the space craft for all the news cameras to see, letting everyone know what he thought about the Apollo Program, again embarrassing NASA; and unfortunately, just five days later on January 27, 1967, Gus Grissom, Roger Chaffee, and Ed White were burned alive on the Launchpad when a fire engulfed the command module during a test flight. He went on to say Gus had told his wife that the Central Intelligence Agency (CIA) was spotted on the Launchpad the day before the fire and they had never been there before; the CIA also came to the Grissom home and seized his personal documents, including a report he had planned to give to his Senator; they raided the home and confiscated the belongings an hour before they had notified the wife of his death; and in recap, Gus Grissom was embarrassing NASA in front of the media, calling the rocket a lemon, receiving death threats, warning that something could happen to him, then the CIA is seen on the Launchpad for the first time ever, and he is dead the following day. He added ladies and gentleman of the jury, it does not take a rocket scientist to see that there is foul play and a cover up going on here; his wife and sons fought tirelessly for years to get the answers surrounding his death, constantly being met with resistance; and to this day, they maintain that the fire was started deliberately. He asked did NASA and the CIA murder three astronauts and cover it up; the public deserves to know the truth; he commented his hope is this day of remembrance will shed light on what really happened to these three men and get their families the justice they deserve; he will also be sending a formal request to the federal government to reopen this investigation; and he hopes the Brevard County Commission will help in that effort.

Donna Glann-Smyth stated she is nervous she has never done this before but she cannot be silent; as a veteran of nine years, her son is also serving, her father served, her father-in-law served in three wars and died young because of Vietnam; she believes in the American principles of fairness, equality, compassion, and humanity; however, she needs some clarification when reading the Resolution for Charlie Kirk; she wanted the Board to clarify what beneficial impacts, what just cause, and which of his conservative principles are admirable because this is not the gist of what she gets when she sees some of the quotes that he made; he wanted, at one point on his show, public televised executions; she is not sure if the Board would like the County to go into the dark or middle ages again, but that was kind of crazy; and then he said the following about Nancy Pelosi's husband's attacker, "Why has he not been bailed out? If some amazing patriot out there in San Francisco or the Bay area wants to really be a midterm hero, somebody should go bail this guy out." She inquired what kind of people does he want executed; does he not want people who hit other people over the head with hammers because they have different political views; and she is thinking those executions might not have been fair, if he ever got his wish. She mentioned she is a scientist and there has never been any evidence that the melanin content of one's skin, the chemical that makes a person tan or gives people different complexions, that the melanin content when it increases it does not affect competence or intelligence, so why would he say things like, "if I see a black pilot I'm going to be like, boy I hope he is qualified"; she asked what airline is going to put a pilot with millions of dollars' worth of airplane, put people's lives at stake, and staff's lives at stake to somebody who does not know how to fly a plane or is not qualified; someone mentioned his quote about black women and that they do not have brain processing power to

be taken seriously, they have to go steal a white person's slot, he was talking about Supreme Court Justice Ketanji Brown Jackson and other people like Michelle Obama; she asked how is this American; how does this make it good; how can this Board praise a guy and give him his own day when lots and lots of other people have been shot and killed in this country; she commented she does not get it and maybe the Board can explain how this is an American ideal, and how saying the worst mistake ever made was passing the Civil Rights Act in the 60's; and she commented this is insane or she is insane, she is not sure which.

Julia Anton stated a lesson her father taught her, skin color does not make anyone special and does not make anyone less; it is neither a reward for being special or a punishment for being less than; it is just what one was born with; the things her Bible taught her, do not bear false witness against thy neighbor, do not take the Lord God's name in vain; what her childhood Sunday School Teacher taught her, being nice to people who look like, think like, or sound like one, is easy, that is not even a measure of who someone is or what someone is, it is how one treats people who are different than themselves that determines one's character; something else Jesus taught her, do unto others as one would have done unto themselves, love the neighbor as one would love themselves; and something America taught her, all are created equal and government is here to serve everyone, the brown ones, the white ones, the old ones, the young ones, the male ones, the female ones, the straight ones, the gay ones, the trans ones, the Christian ones, the Hindu ones, the Jewish ones, the Atheist ones, all of the ones. She continued by saying anything that does not honor that is not deserving and absolutely shameful; the question before this Board tonight regarding Charlie Kirk was not was he or was he not a racist or misogynist pig, the questions was who is this Board and who does it elevate; she asked does it elevate misogyny, racism, and sexism; does it elevate liberty and justice for all; and she pointed out that was the question before this Board and it completely failed the human decency test. She stated Kirk depended heavily on the false claim that being against white supremacy somehow equaled being anti-white; good grief what a bunch of horse hooley; bearing false witness against his neighbors was his thing, it was his habit, his trademark, his way of being, and he harmed people; he encouraged racists and he fed them; and tonight this Board did that too.

Ruth Amato stated she spent her morning at the St. Johns River Water Management District (SJRWMD) board and that is what drove her to come to the meeting tonight; she has been trying to talk with them and her last time there, they actually had their engineers get with Brevard County engineers and discussed the flooding in North Brevard County due to the extreme amount of stormwater that it takes from all of south County and other south counties on the St. Johns River; from that meeting what she learned was there is not a plan, not a model, they had not even thought of North Brevard; in two years there may be a model; today there is data proving this is happening; and what is needed is action from this Board to direct staff to find a solution for the stormwater south so it stops destroying people's land and flooding North Brevard. She asked if the Board knows that since the rains came, North Brevard takes all of the water because it bottlenecks on Lake Harney and every single discharge station south has over and above the State discharge regulation; it has discharged excessively since then, meaning that while the King tide stops the St. Johns River from flowing out, all of that discharge coming from all of those pumps, Tillman, Crane Creek, from the south, and normal stormwater cannot flow out of the St. Johns River because Astor was still flooded two days ago from it, it is going to bottleneck in North Brevard County; and she asked what it is going to do, it takes the entire Board, North Brevard residents, their homes, their values, and their heritage is just as important as Central and South Brevard and right now North Brevard is its dumping ground of stormwater. She noted that people need to come to the table and come up with viable solutions whether it is infrastructure with different drainage to drain out in different places so North Brevard's drainage gets out before South County drainage reaches North Brevard; North Brevard cannot take it all, and it is taking it all; it is costing people their land and their homes; she knows people right now that cannot even get down their driveways, they are coming out on

boats, and that is not going to change any time soon; this is a problem for Brevard County and this Board is for Brevard County; and staff needs the Board's direction to fix these issues.

L.1. Jim Liesenfelt, County Manager, Re: Board Report

Jim Liesenfelt commented go Hoosiers, ranked number three in the Country. He stated in all seriousness, the County has had a bunch of rain in the last week; he wants to point out to the Commissioners, staff, and the audience, there were a number of departments working on Saturday; there was the utilities Department, Emergency Management, Communications, Road and Bridge, who were all out working Saturday with the effects of all the rain; during the week there were Departments that faced a slot of difficulty because of the rain, just getting their jobs done, including the firefighters, law enforcement, Parks and Recreation, bus drivers, Mosquito Control, Facilities, chasing down items, and he is sure he is missing some others; looking at the pictures he wants give a very special thanks to the Road and Bridge crew, there was awash out in Mims and he thinks it is called Bailey Bridge which he assumes is a temporary bridge, they could not find one in time, so the Road and Bridge got together and it took about five hours but they got stranded people back connected to the road system; he could not be more proud to be associated with all of the County employees and the actions that they took over the weekend and through the week; and he thanked them for everything they did this weekend.

L.3. Katie Delaney, Commissioner District 1, Re: Board Report

Commissioner Delaney stated she wants to gives a shout out to Fire Rescue who put on an event for new technology and procedures and things of that nature in regard to Emergency Medical Services (EMS); it was so professionally done, informative, and had some really cool information; she learned a few things which she was happy about; she is sure a lot of people get Cardiopulmonary Resuscitation (CPR) training and things like that so they can help their neighbors; there was some incredible information that was there; it was an all day event and she could only stay for half; but it was still incredible and she wanted to give them a shout out. She mentioned over the weekend, on Saturday they finally had the ribbon cutting for the Valiant Air Command Event Space; it was a very well-attended ribbon cutting; there were many Veteran families, staff, volunteers, community leaders, and it was a great event; they are actually hosting their first event, she believes, this weekend; if anyone wants to have an event space that is going to be beautiful, air conditioned, heated, there is finally a substantial venue in North Brevard; and she wanted to highlight that. She went on to say her district had massive amounts of flooding; the County Manager brought it up, and the Public Works Director called it a blowout not a washout; the water was incredible and she is just so thankful for the Public Works staff for jumping in right away and working overtime; there were people with water in their homes in North Brevard, there was water all over the place, as well as in the south end of the County; the picture on the left is six-mile creek and that area just a couple months ago she was able to park her car there; the ditch over there is what leads out from Mims to the St. Johns and it is probably a good 15 to 20 feet deep in that picture; one of the public commenters had mentioned earlier, this is a thing that is being experienced in North Brevard; she knows throughout the County people are experiencing some flooding; the Eastern Regional Planning Council that she sits on, she was told by the Volusia representatives that they actually have a roundtable between the County officials, the elected officials, the city elected officials, and some of their staff, basically a roundtable so they can coordinate with flooding efforts and stormwater efforts; she does not know if that is something that can be looked into to see how this Board can plan with its neighbors to try to bring forward some common sense planning initiatives, stormwater initiatives; she knows the restrictions in the County are usually a little more severe than in cities, as far as building goes; maybe this Board could have a roundtable with them, explain what is going on and what North Brevard is experiencing because if they are building to a different standard, that results in more flooding for people to deal with, and that is not being a good neighbor; she knows that people cannot be forced to do anything; this would of course,

have to be a collaborative effort; and she just wanted to put it on people's radar because this is something that is not going to go away, it is only going to get worse. She mentioned the County is seeing 100-year storms, three or four in a year, maybe even more sometimes; she has seen three so far since being in office; she reiterated she just wanted to highlight Public Works staff, as soon as it was clear they were out there digging ditches so that some of the water could get flowing again, and filling in this massive blowout which was just incredible; and she was just so thankful for them. She commented the one last thing she wanted to bring up was the Planning and Zoning Board has asked the Board to either join the lawsuit or possibly write a letter; she heard the Board say they are not ready to move on the lawsuit, but she did not know if there was any support for writing a letter and share a heart with the legislature about how it feels in regard to home rule and SB180s effect on that, maybe that could be something this Board could share with them; and she asked the Board if that is something it can do.

Chairman Feltner commented it is his opinion that the Board should meet with its legislators individually and discuss that; he does not know that a letter on this at this time when they are considering the issue is the right way to go; that is his opinion; he talks to legislators all the time and he thinks that is what should be done; he thinks that is most meaningful; he is sitting there with two former members; and maybe they will weigh in on that as well.

Commissioner Adkinson stated she has had a lot of conversation with State Representatives and they are all onboard about fixing it; and she does not want to upset someone by sending a letter when she has already been told that they are working on it.

Commissioner Delaney asked if that is just in regard to the Area of Critical State Concern (ACSC) or is it the home rule issue in general.

Commissioner Adkinson replied it is all of it.

Commissioner Delaney stated she has heard the opposite and that is why she is wondering. Chairman Feltner stated he thinks the Board should wait until it sees a bill.

Commissioner Delaney replied, okay.

Chairman Feltner continued by saying the Board can decide from there wither collectively or individually; he does not necessarily wait for a Commission meeting to pick up a phone and call a legislator; and he thinks the Board can wait until it sees something tangible in the way of a bill.

L.6. Thad Altman, Commissioner District 5, Re: Board Report

Commissioner Altman stated at the last Transportation Planning Organization (TPO) meeting they had received some fantastic news and he thought he would bring it up here before the Board; under the Trump administration and the legislation that has passed, the staff at the TPO, and quoting them, never felt more positive ever than before, that it will very possibly get funding for the new Brightline rail station in Cocoa; he is extremely excited about that; it is a huge game changer for Brevard County and all of East Central Florida; and he hopes that the Board can do whatever is necessary to help make that happen.

Chairman Feltner asked if they mentioned specifically a federal grant that they are applying for.

Commissioner Altman responded affirmatively. He went on to say the amount of money that is in the federal budget to support rail and the Trump administration seems to be very supportive of what it is doing; that is positive news; and he does not have any more information, but he is sure they can get it.

Commissioner Delaney pointed out it is a new grant as well; the other one was sunset; this one is a new one that is coming from the Trump administration; and that is great.

L.7. Rob Feltner, Commissioner District 4, Chairman, Re: Board Report

Chairman Feltner advised the Board will finish up with the latest recruitment and spotlight video produced by Space Coast Government Television featuring Misty Shirah from Planning and Development.

Upon consensus of the Board, the meeting adjourned at 7:08 p.m.

ATTEST:

RACHEL M. SADOFF, CLERK

THAD ALTMAN, CHAIR
BREVARD COUNTY COMMISSIONERS
BREVARD COUNTY, FLORIDA

DRAFT