

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

6:00 PM

The Board of County Commissioners of Brevard County, Florida, met in regular session on April 11, 2017 at 6:13 PM in the Government Center Commission Room, Building C, 2725 Judge Fran Jamieson Way, Viera, Florida.

**CALL TO ORDER**

<b>Attendee Name</b>	<b>Title</b>	<b>Status</b>	<b>Arrived</b>
Rita Pritchett	Vice Chairwoman/Commissioner District 1	Present	
Jim Barfield	Commissioner District 2	Present	
John Tobia	Commissioner District 3	Present	
Curt Smith	Chairman/Commissioner District 4	Present	
Kristine Isnardi	Commissioner District 5	Present	

**INVOCATION**

Pastor Ron Meyr, Faith Viera Lutheran Church, Viera, provided the invocation.

**PLEDGE OF ALLEGIANCE**

Commissioner Tobia led the assembly in the Pledge of Allegiance.

**MINUTES FOR APPROVAL**

The Board approved the February 21, 2017, Special Meeting Minutes and the March 2, 2017, Zoning Meeting Minutes.

<b>RESULT:</b>	<b>ADOPTED [UNANIMOUS]</b>
<b>MOVER:</b>	Jim Barfield, Commissioner District 2
<b>SECONDER:</b>	Rita Pritchett, Vice Chairwoman/Commissioner District 1
<b>AYES:</b>	Pritchett, Barfield, Tobia, Smith, Isnardi

**ITEM I.A., RESOLUTION, RE: RECOGNIZING THE WEEK OF APRIL 9-15, 2017, AS NATIONAL PUBLIC SAFETY TELECOMMUNICATIONS WEEK**

Chairman Smith read aloud, and the Board adopted Resolution No. 17-055, proclaiming April 9-15, 2017, as National Public Safety Telecommunications Week.

Kimberly Prosser, Emergency Management Director, stated this group represents more than 200 men and women who work diligently day and night to keep the residents and visitors safe; they are the calm and professional voice on the other end of that 9-1-1 call; and they may be asking questions a person may not think is important, but they know the answer to that is what guarantees the safety of law enforcement, fire fighters, and the quality of a person's medical response. She went on to say they are the first and most critical contact the citizens have with Emergency Services, and they are pleased to be part of that system.

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<b>RESULT:</b>	<b>ADOPTED [UNANIMOUS]</b>
<b>MOVER:</b>	Curt Smith, Chairman/Commissioner District 4
<b>SECONDER:</b>	Jim Barfield, Commissioner District 2
<b>AYES:</b>	Pritchett, Barfield, Tobia, Smith, Isnardi

**ITEM I.B., RESOLUTION, RE: RECOGNIZING EUGENE C. JOHNSON LODGE FOR 73 YEARS OF SERVING THE COMMUNITY**

Commissioner Isnardi read aloud, and the Board adopted Resolution No. 17-056, recognizing the Eugene C. Johnson Lodge for its 73rd year of servicing the community.

Eugene C. Johnson, speaking on behalf of the Eugene C. Johnson Lodge, stated it is an honor to be present today for this recognition; they have worked, and continue to work, with young people; and it is their desire and objective to bring all of the young people and to give them a direction. He added that two days ago at their recognition in Jacksonville, a young man they brought up from an eight year old, received a four-year scholarship because what they have been doing in mentoring him; and he expressed his appreciation to the Board for the Resolution.

<b>RESULT:</b>	<b>ADOPTED [UNANIMOUS]</b>
<b>MOVER:</b>	Kristine Isnardi, Commissioner District 5
<b>SECONDER:</b>	Jim Barfield, Commissioner District 2
<b>AYES:</b>	Pritchett, Barfield, Tobia, Smith, Isnardi

**ITEM I.C., RESOLUTION, RE: PROCLAIMING THE MONTH OF APRIL 2017 AS WATER CONSERVATION MONTH**

Chairman Smith read aloud, and the Board adopted Resolution No. 17-057, recognizing the Month of April 2017 as Water Conservation Month.

A representative expressed her appreciation to the Board for the recognition of Water Conservation Month; she stated it has been particularly dry this year; and the Governor of the State of Florida has declared a State of Emergency because of the wildfires. She expressed her thanks to the Board for setting a model to its citizens, and she appreciates its partnership in moving forward to conserve water.

<b>RESULT:</b>	<b>ADOPTED [UNANIMOUS]</b>
<b>MOVER:</b>	Curt Smith, Chairman/Commissioner District 4
<b>SECONDER:</b>	Rita Pritchett, Vice Chairwoman/Commissioner District 1
<b>AYES:</b>	Pritchett, Barfield, Tobia, Smith, Isnardi

**ITEM I.D., RESOLUTION, RE: RECOGNIZING THE MERRITT ISLAND NATIONAL WILDLIFE REFUGE COMMUNITY CONSERVATION AND EDUCATION CENTER**

Commissioner Pritchett read aloud, and the Board adopted Resolution No. 17-058, recognizing the Merritt Island National Wildlife Refuge Community Conservation and Education Center.

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Chris Fairey, President of Merritt Island Wildlife Association board, provided a PowerPoint presentation to the Board.

<b>RESULT:</b>	<b>ADOPTED [UNANIMOUS]</b>
<b>MOVER:</b>	Rita Pritchett, Vice Chairwoman/Commissioner District 1
<b>SECONDER:</b>	Jim Barfield, Commissioner District 2
<b>AYES:</b>	Pritchett, Barfield, Tobia, Smith, Isnardi

#### **ITEMS REMOVED FROM CONSENT AGENDA**

Commissioner Isnardi pulled Item II.D.4., Acceptance and Approval, Re: Parks and Recreation Facility Usage Audit Report; Public Works Road Construction Monitoring Assistance Audit Report; Utility Services Construction Monitoring Assistance Audit Report; and UF Extension Services Audit Report, from the Agenda for discussion.

#### **ITEM II.A.1., INDEMNIFICATION AND HOLD HARMLESS AGREEMENT WITH WASTE PRO USA, RE: ACCESS TO COUNTY PROPERTY FOR OYSTER SHELL RECYCLING TO SUPPORT OYSTER RESTORATION IN THE INDIAN RIVER LAGOON (IRL)**

The Board executed Indemnification and Hold Harmless Agreement with Waste Pro USA, for oyster shell recycling.

<b>RESULT:</b>	<b>ADOPTED [UNANIMOUS]</b>
<b>MOVER:</b>	Rita Pritchett, Vice Chairwoman/Commissioner District 1
<b>SECONDER:</b>	Jim Barfield, Commissioner District 2
<b>AYES:</b>	Pritchett, Barfield, Tobia, Smith, Isnardi

#### **ITEM II.A.2., FINAL PLAT APPROVAL, RE: BONAVENTURE ISLE - STEPHANIE B. AND PATRICK J. MCLOUGHLIN**

The Board granted final plat approval and authorized the Chairman to sign the Final Plat for Bonaventure Isle - Stephanie B. and Patrick J. McLoughlin, subject to minor engineering changes as applicable, and developer is responsible for obtaining all other necessary jurisdictional permits.

<b>RESULT:</b>	<b>ADOPTED [UNANIMOUS]</b>
<b>MOVER:</b>	Rita Pritchett, Vice Chairwoman/Commissioner District 1
<b>SECONDER:</b>	Jim Barfield, Commissioner District 2
<b>AYES:</b>	Pritchett, Barfield, Tobia, Smith, Isnardi

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**ITEM II.A.3., RIGHT OF WAY USE AGREEMENT WITH WATERMILL ASSOCIATION, INC., RE: ELECTRICAL LINE AND CONDUIT INSTALLATION WITHIN COUNTY RIGHT-OF-WAY OF WATERMILL DRIVE**

The Board authorized the Chairman to sign the Right-of-Way Use Agreement with Watermill Association Inc., for the installation of electrical line and conduit within the County right-of-way of Watermill Drive in Merritt Island.

<b>RESULT:</b>	<b>ADOPTED [UNANIMOUS]</b>
<b>MOVER:</b>	Rita Pritchett, Vice Chairwoman/Commissioner District 1
<b>SECONDER:</b>	Jim Barfield, Commissioner District 2
<b>AYES:</b>	Pritchett, Barfield, Tobia, Smith, Isnardi

**ITEM II.A.4., RESOLUTION AND RELEASE PERFORMANCE BOND, RE: HERITAGE ISLE, TRACT F - LENNAR HOMES, LLC**

The Board adopted Resolution No. 17-059, releasing the Contract and Surety Performance Bond dated March 29, 2016, for Heritage Isle, Tract F.

<b>RESULT:</b>	<b>ADOPTED [UNANIMOUS]</b>
<b>MOVER:</b>	Rita Pritchett, Vice Chairwoman/Commissioner District 1
<b>SECONDER:</b>	Jim Barfield, Commissioner District 2
<b>AYES:</b>	Pritchett, Barfield, Tobia, Smith, Isnardi

**ITEM II.A.5., SETTLEMENT AGREEMENT BETWEEN STATE OF FLORIDA DEPARTMENT OF HEALTH IN BREVARD COUNTY , BREVARD COUNTY, AND PALM SHORES PROPERTIES, LLC TO EXTEND MANDATORY SEWER CONNECTION UNTIL MARCH 31, 2018**

The Board approved the Settlement Agreement with State of Florida Department of Health in Brevard County and Palm Shores Properties, LLC, allowing for Palm Shores Properties, LLC to extend mandatory sewer connection until March 31, 2018.

<b>RESULT:</b>	<b>ADOPTED [UNANIMOUS]</b>
<b>MOVER:</b>	Rita Pritchett, Vice Chairwoman/Commissioner District 1
<b>SECONDER:</b>	Jim Barfield, Commissioner District 2
<b>AYES:</b>	Pritchett, Barfield, Tobia, Smith, Isnardi

**ITEM II.D.2., ACKNOWLEDGE RECEIPT, RE: ANNUAL AUDITED FINANCIAL STATEMENTS OF THE TITUSVILLE-COCOA AIRPORT AUTHORITY FOR FISCAL YEAR 2015-2016**

The Board acknowledged receipt of the annual audited financial statements of the Titusville-Cocoa Airport Authority for FY 2015-2016.

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<b>RESULT:</b>	<b>ADOPTED [UNANIMOUS]</b>
<b>MOVER:</b>	Rita Pritchett, Vice Chairwoman/Commissioner District 1
<b>SECONDER:</b>	Jim Barfield, Commissioner District 2
<b>AYES:</b>	Pritchett, Barfield, Tobia, Smith, Isnardi

**ITEM II.D.3., ACKNOWLEDGE RECEIPT, RE: ANNUAL AUDITED FINANCIAL STATEMENTS OF THE FLORIDA DEPARTMENT FINANCE CORPORATION FOR THE FISCAL YEAR ENDED JUNE 30, 2016**

The Board acknowledged receipt of the annual audited financial statements of the Florida Development Finance Corporation for Fiscal Year ended June 30, 2016.

<b>RESULT:</b>	<b>ADOPTED [UNANIMOUS]</b>
<b>MOVER:</b>	Rita Pritchett, Vice Chairwoman/Commissioner District 1
<b>SECONDER:</b>	Jim Barfield, Commissioner District 2
<b>AYES:</b>	Pritchett, Barfield, Tobia, Smith, Isnardi

**ITEM II.D.4., ACCEPTANCE AND APPROVAL, RE: PARKS AND RECREATION FACILITY USAGE AUDIT REPORT; PUBLIC WORKS ROAD CONSTRUCTION MONITORING ASSISTANCE AUDIT REPORT; UTILITY SERVICES CONSTRUCTION MONITORING ASSISTANCE AUDIT REPORT; AND UF EXTENSION SERVICES AUDIT REPORT**

Commissioner Isnardi stated she had some concerns; she had planned on getting with Stockton Whitten, County Manager, and Venetta Valdengo, Assistant County Manager, getting the audit report for UF Extension Services; she knows there are some issues with the 4-H; and the audit was sort of initiated by a board member who was concerned about the allocation or lack of accountability of fund, and about the concern that there is a board member on the 4-H that may be an employee of the investment company. She noted what concerns her about the response is rather than getting out of the 4-H, because she knows they do a lot of good, she would rather come into compliance with rather than saying to the State that the County does not want to do this; in recent years there have been changes and movement with employees and directors; and there are a lot of good the 4-H does. She recommended to the Board that the County come into compliance that it tries to do what the State requires of the County, and to make sure that if it is the auditor's recommendation that the board member should not be an employee of the investment committee, that it is not a conflict of interest. She pointed out in her opinion there is a conflict of interest; she stated she saw where it was the County's response that it did not believe there was a conflict of interest; but she thinks there at least appears to be a conflict of interest.

Linda Seals, University of Florida Brevard County Extension Service Director, stated the University of Florida is currently addressing this issue with the 4-H Foundation, because 4-H Foundation and 4-H Associations fall under the State 4-H Policies and Guidelines; she agrees with Commissioner Isnardi; and she thinks the University of Florida also agrees with what is being said. She went on to say they had a meeting this afternoon where it is being addressed.

Commissioner Isnardi stated there were a couple of different people, two of which did not even know each other, who contacted her offices due to issues and concerns with 4-H; one being a board member and another one just being a person who paid for membership, but things that were promised, they are not doing; and obviously there is more that she can learn and the

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County can do on its end to get it right; but she wants to make sure the County is on top of it, and to make sure that rather than just say the County does not want to do it, she would rather see it is in compliance.

The Board accepted and approved the Parks and Recreation Facility Usage Audit Report, the Public Works Road Construction Monitoring Assistance Audit Report, the Utility Services Construction Monitoring Assistance Audit Report, and the UF Extension Services Audit Report, with the understanding that the County is going to be on top of it, and it will respond in such a way to make sure it does what it can to make sure the preservation of 4-H is done correctly.

<b>RESULT:</b>	<b>ADOPTED [UNANIMOUS]</b>
<b>MOVER:</b>	Kristine Isnardi, Commissioner District 5
<b>SECONDER:</b>	Jim Barfield, Commissioner District 2
<b>AYES:</b>	Pritchett, Barfield, Tobia, Smith, Isnardi

## **PUBLIC COMMENTS**

Donald Caron stated he is trying to get a building permit to put up a carport in front of his garage so he can put his scooter under it; he has a \$595 fee, which he would like to get waived; it is 10 feet from the County right-of-way; but the County is also 15 feet more to the road, so the end of the carport would be 25 feet. He added he has a 45-foot driveway; and he has a survey he can show to the Board if it would like a copy of it.

Chairman Smith inquired if Mr. Caron is looking at a waiver of nine feet for the carport.

Mr. Caron replied affirmatively.

Chairman Smith inquired if he is asking that the Board waive the \$595 fee.

Mr. Carol responded affirmatively; and he stated he is on Social Security Disability, and he does not have that kind of money.

Stockton Whitten, County Manager, stated he met with Mr. Caron last Tuesday; this issue is being worked on by Planning and Development staff; he does not know if the fees can be waived, but staff is working on it; he was a little late in sending Mr. Caron the email; and staff is aware what the issues are.

Tad Calkins, Planning and Development Director, stated there are three waivers that would be needed; variances from the Zoning Code and one would be for having the structure in front of the frontline of the building; the other one would be the front setback; and then there is the separation from the building itself. He went on to say each of those waivers is about \$700; and those are the County's General Fund fees and the Building Permit fee.

Mr. Caron advised the Board he paid \$35 already.

Mr. Calkins pointed out he would say it would be about \$2,200 for everything all together.

Mr. Caron noted that is more than he makes in a month.

Mr. Whitten inquired if staff can bring this back to the Board at the April 13th Workshop.

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The Board reached consensus to authorize the Planning and Development Director to prepare provisions for Waiver Request of Fees for Donald Caron, located at 5085 Patricia Street, Cocoa, and to bring it back to the Board at its April 13, 2017, Workshop.

Ryan Favale stated with the Board's permission he would like to discuss something going on in the community that he is doing with his partner Mohammad DiReese and the sanctioning body Mitch Miller. He explained they are trying to put on a mixed martial arts event at one of the recreation centers; it is four miles north of Cocoa Village; and it is the Walter Butler Center. He stated they are being blocked a little bit from the operations manager who makes the decisions for putting on events; he wants to create a ripple effect with what they are doing with this event; they do not want to go in there, put on the event, and make income; they would like to create a ripple effect with a positive outreach for the community; and it is not just to make income. He stated he would like to do this through anti-bullying programs, possibly a reduction in crime rate through the martial arts, and all of the discipline and things that come along with those associated events; for example, he knows a Florida kid who was at one point on the wrong point in life, and now he is a law enforcement officer; and he is in route to become a professional fighter. He stated it is something he believes this operations manager interprets it as something that is violent, and would not be good for youth; and he believes it to be the opposite. He pointed out Mr. DiReese is one of the most decorated athletes this State has ever produced; he was a State championship wrestler, he was a University of Central Florida Knight, and he was known as the man who helped Titusville High School break a 15-year losing streak against Astronaut High School; he was on NBC, FOX, the Ultimate Fighter, and he was in the WSOF; and it is beyond him the reason why the operations manager would encounter someone like that and not be chomping at the bit to have him come in a help do things with the community, help the youth, and reach young adults. He asked the Board to overturn the operations managers' decision.

Commissioner Pritchett asked Mr. Favale to get with her Legislative Aid, Steve Tagye, and he will give him a call tomorrow to see what they can do to get information.

Mohammad DiReese stated he wants to talk about the event they are trying to bring to the Titusville area; he is currently a volunteer in the Titusville community; he has been volunteering for the past six years, helping with the Titusville Wrestling Team; and this past year he has helped with youth football ages 12-15. He went on to add he has helped coach a lot of the youth leaving high school and in college to reach out and better themselves; he has brought some attention to the north end Parks and Recreation; and he wants to bring an event to the Titusville area. He stated he volunteers for Fighting Edge, which works with Parks and Recreation, and they do free boxing, food drives, and give back to the community; they raise money at these different events to give back to different organizations like Host Brevard; and the City of Titusville approved it last year, the Titusville Police Department decided to help with security, and everything was set to go forward, but Mr. Davis from Parks and Recreation decided he did not want to do it from his personal, moral beliefs for whatever reason. He went on to say Mitch Miller is the representative of the State, and his job is to make sure he follows the State's direction what he is legally supposed to do to be able to hold this event, which is a lot more than the Parks and Recreations limits and regulations are. He pointed out it is a legally sanctioned, licensed under the State event that they want to bring to the community, and it is being shot down because of someone's personal beliefs.

Venetta Valdengo, Assistant County Manager, stated she would like to encourage Mr. DiReese to speak with the Director and Assistant Director of Parks and Recreation Department about the proposed event; they host hundreds of events in Parks and Recreation; they work with hundreds of not-for-profits; and they have a procedure that can be followed. She went on to say if there are partners like the Titusville Police Department, they would want to talk with them as

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well; she cannot say the County has done a mixed martial arts event sponsored or co-sponsored by Parks and Recreation; but they will be more than willing to talk with Mr. DiReese and Mr. Favale. She pointed out it has to be consistent with the County's philosophy for a safe and fair recreation; and stated if they are a not-for-profit and the County can work with them, it will. She noted they should start with Hector Lopez, Assistant Parks and Recreation Director, and Mary Ellen Donner, Director of Parks and Recreation.

Mr. DiReese stated last year what he was told was that the police and the City of Titusville would not want it to happen; he talked with the police department and they were behind him; and he talked with the City of Titusville that got behind him as well. He stated at that time, Parks and Recreation did not approve of it.

Ms. Valdengo asked Mr. DiReese to let staff verify that.

Mitch Miller, Florida Combative Sports, stated he is licensed through the State to oversee mixed martial arts, kick boxing, and kick boxing events; there is no license or approval requirement; he is licensed by the State to oversee these events; and his job is to make sure they have the correct insurances and everything else the Boxing Commission requires. He stated Mr. DiReese has already done events in Brevard County; and he does not understand the roadblock here, because there is not any kind of municipal approval needed.

Mr. Whitten stated he is not sure this is a road block, it is if it is a compatible use with the other activities going on at the park; staff will work that out; and if they do not feel like they made progress there, he as the County Manager would be the next step for them.

Mr. Miller stated he has never had anybody say this needs to be approved as long as it is a legal business; it is extremely regulated by the State of Florida; and the State would come after him if it is not done properly.

Mr. Lopez advised for the record that Mr. Favale had contacted him, and he had requested a meeting for tomorrow.

**ITEM IV.A., RESOLUTION, RE: PETITION TO VACATE 10.0 FT. WIDE PUBLIC UTILITY AND DRAINAGE EASEMENT ON SPINAKE DRIVE, IN SOUTH INDIAN RIVER ISLE THIRD ADDITION, ROCKLEDGE - STEPHEN AND MICHELLE SPIRA**

Chairman Smith called for a public hearing to consider a resolution vacating a 10.0 foot wide public utility and drainage easement on Spinaker Drive, South Indian River Isle Third Addition, as requested by Stephen and Michelle Spira.

John Denninghoff, Public Works Director, stated this is a vacating request for a side lot on easements in a subdivision on Indian River Isles in District; and staff has received no objection to the request.

Steve Spira stated he and his wife are the petitioners, and he is present to answer any questions the Board may have.

There being no further comments, the Board adopted Resolution No. 17-60, vacating a 10.0 foot public utility and drainage easement on Spinaker Drive, South Indian River Isle Third Addition, in Rockledge, as requested by Stephen and Michelle Spira.

<b>RESULT:</b>	<b>ADOPTED [UNANIMOUS]</b>
<b>MOVER:</b>	Jim Barfield, Commissioner District 2
<b>SECONDER:</b>	Rita Pritchett, Vice Chairwoman/Commissioner District 1
<b>AYES:</b>	Pritchett, Barfield, Tobia, Smith, Isnardi

**ITEM IV.B., RESOLUTION, RE: PETITION TO VACATE 12.0 FT. WIDE PUBLIC UTILITY EASEMENT ON SAPODILLA DRIVE, IN BAREFOOT BAY UNIT ONE, BAREFOOT BAY - FLOYD AND LONIE LAYMAN**

Chairman Smith called for a public hearing to consider a resolution vacating a 12.0 foot wide public utility easement on Sapodilla Drive, Barefoot Bay Unit One, Barefoot Bay - Floyd and Lonie Layman.

John Denninghoff, Public Works Director, stated this Item is a petition to vacate side lot easements and adjoining lots in the Barefoot Bay Subdivision, Unit One; and there have been no objections to the petition.

There being no further comments or objections, the Board adopted Resolution No 17-61, vacating a 12.0 foot wide public utility easement on Sapodilla Drive, Barefoot Bay Unit One, in Barefoot Bay, as requested by Floyd and Lonie Layman.

<b>RESULT:</b>	<b>ADOPTED [UNANIMOUS]</b>
<b>MOVER:</b>	Jim Barfield, Commissioner District 2
<b>SECONDER:</b>	Kristine Isnardi, Commissioner District 5
<b>AYES:</b>	Pritchett, Barfield, Tobia, Smith, Isnardi

**ITEM IV.C., RESOLUTION, RE: PETITION TO VACATE 12.0 FT. WIDE PUBLIC UTILITY EASEMENT ON NORTH MARLIN CIRCLE, IN BAREFOOT BAY UNIT ONE, BAREFOOT BAY - JOSEPH R. AND ALLYSON M. NICHOLS**

Chairman Smith called for a public hearing to consider a resolution vacating a 12.0 foot public utility easement in North Marlin Circle, Barefoot Bay unit One, in Barefoot Bay - Joseph R. and Allyson M. Nichols.

John Denninghoff, Public Works Director, stated this Item is a petition to vacate side lot easements inside the Barefoot Bay Unit One Subdivision in District 3; and there have been no objections to this petition.

There being no further comments or objections, the Board adopted Resolution No. 17-62, vacating a 12.0 foot public utility easement in North Marlin Circle, Barefoot Bay Unit One, in Barefoot Bay, as requested by Joseph R. and Allyson M. Nichols.

<b>RESULT:</b>	<b>ADOPTED [UNANIMOUS]</b>
<b>MOVER:</b>	Jim Barfield, Commissioner District 2
<b>SECONDER:</b>	Rita Pritchett, Vice Chairwoman/Commissioner District 1
<b>AYES:</b>	Pritchett, Barfield, Tobia, Smith, Isnardi

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**ITEM IV.D., APPROVAL OF REVISION TO MERIT SYSTEM POLICY II - PAY PLAN, RE: LANGUAGE FOR PAYMENT DURING DECLARED EMERGENCY CONDITIONS**

Chairman Smith called for a public hearing to consider approval of a revision to Merit System Policy II - Pay Plan for language for payment during declared emergency conditions.

Jerry Visco, Human Resources Director, stated this Item is a request to amend the County's Merit System Pay Plan to incorporate changes recommended to respond to emergency operations and shelter management, and the pay for County employees to work those shelters.

Commissioner Tobia stated the more he dug into this Item, the scarier it became; it is important how the Board got here and lead to this potential change; as Mr. Visco explained to him, the Red Cross was manning the County's shelters; and then the Red Cross decided they did not want to man the shelters. He went on to say he found out there was an unenforceable non-written contract with the American Red Cross; that is scary that the County is relying on its shelters to be manned in times of need without any contract; and he inquired if there are any contracts like this in times of need that a service provider has the ability to pull out and leave the County hanging when it comes to those type of arrangements.

Mr. Visco replied not that they are aware of.

Frank Abbate, Assistant County Manager, stated the issue with the Red Cross and them supplying people to man shelters is a statewide issue.

Commissioner Tobia stated if it is a Statewide issue, he does not understand how the County got into this predicament; as a condition of employment every application that was opened, the last sentence says, "In the event of a hurricane, major storm, natural or man-made disaster which may threaten the area, the employee will be required to perform emergency duties as directed"; they have told the respective employees that in times of disaster that it is incumbent upon them to work; and he inquired how does the County not have a backup plan in such an important time to take care of the citizens when they need it the most that the County turns to the National Guard. He inquired if the County is on the hook for the National Guard for covering the services; and if so, how many National Guard members, what is their salary, and when will the County know if it will be getting a check to cover the services, because quite frankly, it did not do its job as a County to plan for a natural disaster.

Mr. Abbate replied he does not know that he would say the County did not do its job.

Commissioner Barfield stated he was in the Emergency Operations Center during Hurricane Matthew as he was Chairman of the Board; the shelters are activated, Red Cross was supposed to be there, and the Red Cross was not there; the Governor was in and asked what the County needs; they told the Governor they needed National Guardsmen; and immediately by the next morning the National Guard came in and worked the shelters. He went on to say the problem he sees from his standpoint is the County can prepare all it wants, but when there are organizations it is depending on, it does not know until they do not show up.

Kimberly Prosser, Emergency Operations Director, stated the Brevard County shelter notebook is developed jointly between the County and the Red Cross; it is extremely detailed with regard to plans, which shelters the County uses, which buildings and rooms the County uses, how many people are needed, what are their jobs, and all of those things that have been planned for years; and up until the moment when shelters are opening, the Red Cross was still telling staff they planned to be able to provide those workers. She pointed out it did not work out that way here or in other counties.

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Commissioner Isnardi stated she worked for a rather large organization that requires them to work as a condition of employment; they all know and no one even argues that fact; a person signs up for pre-storm, during the storm, or post-storm; and he or she is expected to work. She noted given that these events do not occur very often, they are compensated at time and one-half, assuming they meet the 40 hours; and they probably would compensate them at time and one-half if they worked less than that. She inquired if that has been considered to make it a requirement for employees to work as a condition of their employment, or has the County ever enforced it.

Mr. Visco responded that is the requirement, and it is on every job description; the County's issue has been in the past staff has attempted to get those to voluntarily accept certain assignments for storms; and that is why the pay plan historically had created incentives to encourage people to step up and make themselves available. He pointed out that has not worked for the County, so they are trying to take the next step to make this a mandatory issue.

Commissioner Isnardi stated she just wonders why the compensation seems that high.

Mr. Visco advised the Board that had been previous Board Policy regarding paying people at double time for working the special needs shelters, for example; the level of work that was required there was felt to be very significant; and to encourage more employees to step up and assume those roles, the pay plan was built to encourage that level of participation.

Mr. Abbate stated what this really addresses is not when the County has a Level I or Level II hurricane, it is when there is the most serious of hurricanes, a Level III, Level IV, and the few times the County has had Level V hurricanes approaching; and at that point, a lot of people who would otherwise be there voluntarily, they have to make that decision between their family and are they going to be able to fulfill the commitment they are making to the County. He added with that in mind, staff tried initially, when they were dealing with special needs shelters, to get employees to volunteer for that duty; there are two departments that were mandated; and if there were not volunteers, those departments were mandated, and have always been mandated to man the special needs shelters, primarily Housing and Human Services and Parks and Recreation. He stated they tried to fulfill as much of that, and always have, with people who would volunteer; but volunteering, when a person does not show up, it jeopardizes his or her employment; and what was done was a pay grade was selected at the 814 level in the County's pay plan, and it was offered at double time for those individuals. He noted when they looked at the challenges that are now being faced, they are saying basically out of the 2,000 employees, 1,500 approximately have emergency responsibilities within their departments either pre-storm, during the storm, or after the storm, from Utilities to Road and Bridge, to Fire Rescue, et cetera; but there were 500 other employees, while it is in the job description and it is in all of the announcements for all employees, they had never been mandatorily assigned to go into the shelter; and the thought was it is not the same level of duty as perhaps the special needs shelters or pet friendly shelters, but it was a way, especially for the lower paid employees, that it did provide a bit more than what they would have gotten at time and one-half, and that is why it was presented this way. He pointed out if the Board chooses not to approve this, then staff would look at traditional time and one-half during emergencies and continues to do that; and it is obviously the Board's decision in how it would like to proceed, and staff will be prepared to do that. He stated staff did draft an administrative order that would implement this no matter what pay scale the Board adopts; and staff has provided that as an attachment to the Agenda request.

Commissioner Tobia stated this is a very significant issue, it will have the impact of approximately \$2 million on taxpayers; and he inquired if he is reading this right that certain folks that volunteer at a pet friendly place will be making close to \$1,000 a shift.

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Mr. Visco responded at the 814 pay range \$20.70 an hour double time; and that comes out to the 40 some odd dollars an hour.

Commissioner Tobia noted he does not like how this was written, it was written extremely poorly; there are folks that will be making \$1,000 a shift, and other folks with these new proposed changes will actually be making less money; and he inquired how does the County incentivize by paying folks less money than what they were making before this change, and is there a parity when it comes to that.

Mr. Visco replied no, there is not parity; this was an opportunity to create some simplicity in the pay scale; there was a degree of consistency; some people will be making more and some will be making less; but for the most part, most of the folks who will be in the special needs shelters will be making more.

Commissioner Tobia stated his understanding is they will be making \$41.56 an hour right now, and the proposed change would be \$41.56; and he inquired if that is correct.

Mr. Visco replied affirmatively.

Commissioner Tobia pointed out there is no change to the special needs shelters.

Mr. Visco responded when staff says making more, it is making more relatively speaking to those folks who are working in general population shelters or who are doing non-shelter related storm work.

There being no further comments, the Board granted approval for a revision to the Merit System Policy II to the Pay Plan language for payment during a declared emergency.

<b>RESULT:</b>	<b>ADOPTED [4 TO 1]</b>
<b>MOVER:</b>	Rita Pritchett, Vice Chairwoman/Commissioner District 1
<b>SECONDER:</b>	Jim Barfield, Commissioner District 2
<b>AYES:</b>	Rita Pritchett, Jim Barfield, Curt Smith, Kristine Isnardi
<b>NAYS:</b>	John Tobia

**ITEM VI.A.1., RESOLUTION, AMENDMENT TO AERIAL RAILROAD BRIDGE SUPPORT AND DRAINAGE EASEMENT AGREEMENT IN/OVER PINE STREET, AND APPLICATION FOR AMENDMENT, RE: ALL ABOARD FLORIDA**

John Denninghoff, Public Works Director, stated the Board has seen this Item previously twice; in January of this year, the Board approved an easement for All Aboard Florida (AAF) for an aerial crossing, as well as other items, across the Pine Street Road right-of-way in Canaveral Groves, adjacent to the SR 528 corridor; AAF has asked to come back and make some modifications to the easement language; it would make it not quite an exclusive easement, but not quite a general easement; and they have proposed language that has been reviewed by staff, and it has been brought to the Board of its consideration. He went on to say in keeping with the Statutory construct for this particular easement, it will require a super majority vote of the Board. He advised the AAF representative is present to speak if the Board has any questions; and the Board has three options outlined in the Agenda Report.

Laura Young, Law Firm of Dean Mead, representing AAF, stated she wants to highlight something Mr. Denninghoff said; they are not changing the type of easement, it is still a non-

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exclusive easement, and it will remain such that was a requirement for the County; it has to have it on this specific easement; and AAF agreed to that. She added what they are doing is putting procedures in place to make it clearer on paper how that relationship goes; the County still has full authority to maintain the roads, structures, widen the road, or do whatever it needs to do in that easement area, as long as it does not interfere with the improvements AAF puts in there; and they have crafted some language with the help of Public Works and the County Attorney to make it put in a process that they think can work easily for both the County and the applicant as well.

Chairman Smith stated he would like to see this Item tabled; he has been involved with the AAF for however long the Board has been going back and forth with this; and he would suggest resolving the overpass situation on Pineda Causeway before this is addressed.

Commissioner Barfield inquired what the status is of the Pineda Causeway.

Mr. Denninghoff replied the aerial crossing for Pineda Causeway overpass over the Florida East Coast (FEC) Railroad right-of-way the appraisal is completed, the County has submitted an offer to FEC for them to consider, they are reviewing that, they have had it for about a week and one-half at this point, and staff has been in touch with them since they had it. He pointed out staff has not heard anything back from the FEC; they made it clear if they do not like the appraisal, they may get their own appraisal; if they do like the appraisal, they will sign the agreement and send it back to the County; and or if they want to negotiate something that would not require a whole new appraisal, they may try that. He stated when staff hears from FEC, they will come back to the Board; they had initially expressed an idea that perhaps it would be somewhere on the order of \$300,000 value; the County's appraisal did not reach half of that; and he expects they may hear back from FEC about the amount.

Ms. Young noted those two projects are not linked, and it is two different entities; they do not have any negotiating power for that; there are two separate groups of folks and two separate projects; and she would urge the Board to consider that and not link the projects together.

Chairman Smith reminded the Board this is a super majority vote.

Commissioner Tobia inquired why Chairman Smith would like to table the Item.

Chairman Smith replied they have no bargaining position with this Item; the County has an appraisal of around \$140,000 and they are saying it would be closer to \$300,000; and with this tabling, the Board has some bargaining power.

Commissioner Tobia stated Ms. Young advised the Board those two entities were not related.

Chairman Smith stated they are individual Items, but the two principles are the same.

Ms. Young pointed out she does not think this will getting anyone negotiating power.

Chairman Smith stated maybe not, but it will not hurt.

Commissioner Tobia inquired if the Board were to table this for two weeks, how long would that process normally take.

Mr. Denninghoff responded he does not, staff has never dealt with FEC on the acquisition of an aerial easement; they did provide evidence that they have them in other Florida Department of Transportation (FDOT) districts; and this is sort of ground breaking for staff.

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Commissioner Tobia inquired if he expects to hear something in two weeks.

Mr. Denninghoff replied he would be surprised if staff had the information back from FEC in two weeks; his suggestion would be that it be continued to a date certain to a regular board meeting; if staff has the information for the overpass at that time, then perhaps both of the easements could be taken care of at that point. He noted if not, it can be continued again if that is the desire of the Board.

Commissioner Tobia inquired if in an abundance of caution, if the Board were to table this for say two weeks, does it have any impact on the timetable as the applicant moves forward in one way or another.

Ms. Young replied she is not 100 percent sure; certainly two weeks would probably not hurt the project; but she urged the Board to consider the fact they are two separate entities. She noted they prefer getting it approved today instead of it coming back before the Board again.

Commissioner Isnardi stated she has not heard a good reason from the Board or staff as to why this is to be held up, and she would support tabling it.

The Board tabled consideration of a resolution authorizing the amendment to the aerial railroad bridge support and drainage easement agreement in/over Pine Street and Application for Amendment for All Aboard Florida (AAF) to the April 25, 2017, Board meeting.

<b>RESULT:</b>	<b>TABLED [UNANIMOUS]</b>	<b>Next: 4/25/2017 9:00 AM</b>
<b>MOVER:</b>	Rita Pritchett, Vice Chairwoman/Commissioner District 1	
<b>SECONDER:</b>	Kristine Isnardi, Commissioner District 5	
<b>AYES:</b>	Pritchett, Barfield, Tobia, Smith, Isnardi	

**ITEM VI.A.2., RESOLUTION AND RELEASE OF PERFORMANCE BOND, RE: MODERN DURAN - THE VIERA COMPANY**

John Denninghoff, Public Works Director, stated this is a release of a Performance Bond with The Viera Company in District 4; they have completed all of the work on this project; and the normal procedure would be to release the Performance Bond.

The Board adopted Resolution No. 17-063, releasing the contract and surety Performance Bond for Modern Duran - The Viera Company.

<b>RESULT:</b>	<b>ADOPTED [UNANIMOUS]</b>
<b>MOVER:</b>	Jim Barfield, Commissioner District 2
<b>SECONDER:</b>	Kristine Isnardi, Commissioner District 5
<b>AYES:</b>	Pritchett, Barfield, Tobia, Smith, Isnardi

**ITEM VI.E.1., RESOLUTION, RE: EXCEPTION TO VENUE POLICY FOR GOVERNMENT GRANT AGREEMENTS**

Stockton Whitten, County Manager, stated this Item is an approval of an exception to the Board's venue policy; oftentimes there are State and Federal grants that require a venue that is outside of the County if litigation occurs; most of the time the County never has litigation with

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those granting agencies; and most of the time it is just simply a formality to bring it back to the Board to waive that policy. He noted staff is asking the Board to approve the blanket waiver to its policy with venue within the County for Federal and State grants.

The Board adopted Resolution No. 17-064, to waive the venue policy for all Brevard County grant agreements and contracts with other governmental agencies.

<b>RESULT:</b>	<b>ADOPTED [UNANIMOUS]</b>
<b>MOVER:</b>	Rita Pritchett, Vice Chairwoman/Commissioner District 1
<b>SECONDER:</b>	Jim Barfield, Commissioner District 2
<b>AYES:</b>	Pritchett, Barfield, Tobia, Smith, Isnardi

**ITEM VIII.A., BOARD REPORTS, RE: STOCKTON WHITTEN, COUNTY MANAGER**

Stockton Whitten, County Manager, stated the Assistant Fire Chief is coming to talk to the Board about a burn ban as the County is having some issues.

Scott Gold, Assistant Fire Chief of Operations, Fire Rescue Department, stated staff is requesting action from the Board to implement a burn ban due to the heightened wildfire concerns; they are asking for a chance to revisit and possibly modify the current Ordinance on burn bans in the future; due to the wildfires in 1998, the current Keetch-Byram Drought Index (KBDI) is set at 700; since that time, they have realized that certain situations have come that are not addressed by the KBDI, which have increased the fire danger; and the Governor has instituted a Statewide state of emergency due to over 100 wildfires that are currently active right now. He went on to say the current burn bans in place are in Polk, Seminole, Osceola, Glades, Okeechobee, Nassau, and Hendry Counties; they are asking the Board to institute this burn ban currently at the rate the County is at, above 500, and that it would lift the burn ban when the County reaches the average of 450 once again.

Commissioner Tobia stated he thinks it would be very premature to do this; he was literally just handed this Item; it was not on the Agenda; and he inquired if this will have any impact on the constituents of the County past the national disaster or the Statewide disaster that the governor just issued, and if it is an emergency and solely for the Statewide emergency, or will this have an impact after that is lifted.

Assistant Fire Chief Gold replied currently the County is above 500; the scale is from zero to 750; if it drops and goes into a burn ban right now, there would be no impact except for a few people who are asking for prescribed burns; and at this time, the prescribed burns would be stopped.

Commissioner Tobia inquired does he want zero or 750.

Assistant Fire Chief Gold responded zero is the best and 750 is extreme fire conditions.

Commissioner Tobia stated this is news to him; and he inquired where the County is at right now.

Assistant Fire Chief Gold responded the County is a little over 500.

Commissioner Tobia inquired if there is a burn ban since the County is a little over 500.

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Assistant Fire Chief Gold replied the Ordinance calls for a burn ban at 700; and the rest of the counties he named are set at 500.

Commissioner Tobia inquired if this would permanently lower it from 700 to 500 or just for this state of emergency.

Assistant Fire Chief Gold advised just for this time of emergency, and staff needs to come back to the Board and adjust the Ordinance at a later time.

The Board granted implementation of a current Burn Ban in Brevard County until the Keetch-Byram Drought Index (KBDI) reaches an average of 450; and for modification to the Ordinance to decrease the KBDI to 500, at which time the Brevard County Burn Ban will go into effect in the future.

<b>RESULT:</b>	<b>ADOPTED [UNANIMOUS]</b>
<b>MOVER:</b>	Jim Barfield, Commissioner District 2
<b>SECONDER:</b>	Rita Pritchett, Vice Chairwoman/Commissioner District 1
<b>AYES:</b>	Pritchett, Barfield, Tobia, Smith, Isnardi

**ITEM VIII.C., BOARD REPORTS, RE: JIM BARFIELD, DISTRICT 2 COMMISSIONER**

Commissioner Barfield stated he and Chairman Smith, along with a number of economic development people, attended the National Space Symposium in Colorado Springs, Colorado; they met with a number of companies, approximately 18; a number of them are interested in either growing their services here or bringing new opportunities here; after talking to Blue Origin, they were originally going to build a facility of 250,000 square feet, and now they are over 750 square feet; and they should be reaching over a million square feet before it is all done. He added there are a lot of movement in commercial space, a lot of activities in the smaller launch vehicles, smaller spacecraft, and a lot will be happening in the Space Center and in this area. He advised it was a good experience, and it snowed about 10 inches while they were there.

**ITEM VIII.E., BOARD REPORTS, RE: KRISTINE ISNARDI, DISTRICT 5 COMMISSIONER**

Commissioner Isnardi expressed her appreciation to the members of the community that came to the town hall meeting on the 4th; the City of Palm Bay covers Districts 3 and 5; and she understands other Commissioners were invited. She went on to say there were maybe over 100 people present; there was a lot of engagement with constituents; and she expressed her appreciation to her staff, and stated she is sure Commissioner Tobia wants to thank his staff as well in keeping everything organized. She pointed out she plans on doing something like that again in the future; and hopefully the other Commissioners can make it to that event.

**ITEM VIII.F., BOARD REPORTS, RE: RITA PRITCHETT, DISTRICT 1 COMMISSIONER/VICE CHAIRWOMAN**

Commissioner Pritchett stated she received an email from Scott Knox, County Attorney, about the North Brevard Economic Development Zone (NBEDZ), and an ordinance already written out, and it kind of hit her; she understands the Board is working through a budget; she knows everything is on the table; but as far as she is concerned, killing District 1 is not on the table. She explained to the Board a little history of the NBEDZ; about five years ago, they got hit with

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the Space Program, the economic fall of the housing market, and the County moved its facilities to this District; all of the incentives were going to the south end of the County; and District 1 had nothing. She went on to say every three houses were empty, the population was moving out, and it was incredibly terrible; there was nowhere to get funding, as the County was going through the crisis at the same time; and they came up with the idea of doing the NBEDZ. She pointed out all that did was recreate any new businesses that came into the area to put it back in; District 1 is not where it needs to be yet, but it is not where it was; and they are nowhere near satisfying the purpose of why the NBEDZ was formed. She stated she already has a stressed District; she wants to make a motion to deny the proposed ordinance, because she does not want to do it to her community; she does not think they are anywhere close to discussing pulling the NBEDZ out; it has a time limit on it anyway; and it is just now starting to get funding. She stated if they did not have the funds coming in, they would have empty houses, they would be lowering Ad Valorem taxes, and this is actually serving its purpose; and it has not gotten to the place where it is actually doing a good job yet for District 1. She stated this is something that came up to District 1 to bring some relief, funding, and hope back to the community.

Motion by Commissioner Pritchett to deny the ordinance regarding the North Brevard Economic Development Zone (NBEDZ). Motion dies due to lack of a second.

Commissioner Isnardi pointed out it is not on the Agenda.

Commissioner Pritchett stated when she worked for the City of Titusville they were not allowed to just have ordinances made through the staff without a consensus of the Board because it would just tie up staff time; and she has a feeling that the County Attorney is expensive.

Motion by Commissioner Pritchett before the County Manager or legal do a formal ordinance, that there is consensus of the Board that it is something it would like to have done so it is not using staff time, which is expensive. Motion dies due to lack of a second.

Commissioner Barfield inquired if there is a policy about that; he has the same concern; and all of a sudden the Board has a modification to an ordinance that it did not know anything about.

Stockton Whitten, County Manager, replied to his knowledge, the Board does not have a policy in place that says before the drafting of an ordinance or a resolution that it has to come before the Board.

Scott Knox, County Attorney, stated he is not aware of any such policy either.

Chairman Smith stated he is probably thinking along the same lines; he is not a politician; he has been on the Board for two and one-half years; and whenever the Board decides one of the Board Members has an inkling that he or she wants to forge a resolution, it is talked about among the Board, and then staff is directed to bring it back; and at that point, the Board votes on it. He stated maybe the Board may want to create such a policy.

Commissioner Isnardi stated she would caution the Board as it may want to be careful doing that; she is guessing that this is directed at District 3; the Commissioners were the ones who were elected; when anyone has an issue, such as the County Attorney or County Manager, she would hope he or she would say no to the Commissioner instead of saying the Commissioner cannot put anything on the Agenda; and this is why there was an issue before. She went on to say she does not think there is ill intent, but that is why she wants better control in throwing things on for poor Sally Lewis, Agenda Specialist, on the Agenda; if that gets under control, there will be an ample amount of time to review an Agenda Item. She noted that issue the Board received via email is not on the Agenda; she knows it could be something that would come; but it is not anything that needs to be quickly reviewed now and make a decision on it.

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She stated the Board needs to be careful to say it wants to stifle the ability to be able to put things on the Agenda given that the Board may gain more information or have a chance to review it once he or she looks at it and the legal opinion of it; and she believes it is scarier to think staff may be the only ones able to put something on the Agenda as opposed to the Commissioners; and the Commissioners were elected to enact policy. She noted she would be hesitant to say the Commissioners are not allowed to put things on the Agenda without the consent of the other Commissioners.

Chairman Smith stated a Commissioner can still direct staff to bring an ordinance forth that would be considered at the next Board meeting.

Commissioner Isnardi stated not if the Board did not give consensus.

Chairman Smith advised that is not what he is saying; he is saying it should be vetted at the Board level; and then to direct staff to bring an ordinance back to convey what is being asked to be done.

Commissioner Isnardi stated she does not think that was what the intention was with the discussion; she thought it was that the Board had to agree to put something on the Agenda.

Chairman Smith stated he would not agree with that.

Commissioner Pritchett stated it is not that the Board Members cannot bring something, she just thinks there should be discussion before the County Attorney drafts something and spending hours on it; and there is just no way she is going to agree with killing her District. She went on to say she would have loved to have had a discussion; she did not mind when the Commissioners individually tried to bring something forth to discuss and to work through; and the only time she has trouble with that is when she receives something Friday afternoon at 2:00 and she did not have time to prepare for it for Tuesday. She explained to the Board she thinks it should have the conversation to see if it is the will of the Board, at least three people, and direct staff to write an ordinance, or to come with something drafted on paper that the entire Board can look at. She pointed out she is not saying that a Commissioner cannot bring it for discussion if it is something he or she would like to bring forward; but she does not think an ordinance should be drafted without consensus of the Board.

Commissioner Barfield stated the Board already has the process and it is called legislative intent; the Board makes a motion for legislative intent; it directs the County Attorney to write the ordinance; and to then bring it back to the Board.

Attorney Knox pointed out sometimes it works that way and sometimes it does not; sometimes staff has the ordinance ready to go; and the actual title of the ordinance is legislative intent.

Commissioner Tobia stated to call a spade a spade, he asked for this ordinance, not a resolution; it was direction of the Chairman that mentioned all resources in General Fund would be actively looked at in order to fund roads; it did not happen at the meeting the Board just had where it was continuing to hand out dollars to charity instead of funding the need of transportation; but it was the direction of the Chairman that said that all resources need to be actively looked at. He noted that ordinance right there was an ability to grab almost \$3 million and bring to the infrastructure and roads of the County; it is not on the Agenda; he has not had time to review that yet because he is still working on Community Redevelopment Agency (CRA) Workshop that is coming up; but to stifle the conversation on something that is a direct order of the Chairman of the Board does not reflect well on the direction the Chairman asked the Commissioners to go forward with. He stated he does not know if this will pass or not, but it is incumbent upon the Board to look at all of its resources; and by not having a NBEDZ and

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looking at how to recapture some of those funds, the Board is not doing its job. He stated as far as staff goes, if they can justify that something else was put to the side that was of dire need, then maybe that apropos; that was asked by his office in the public record request weeks ago; he told the County Attorney there was no hurry on that; but he just wanted, as he got to that point, he wanted to be prepared. He pointed out if the Board goes down that road, it needs to be careful; he has two attorneys in his office that will be more than willing to start drafting ordinances and resolutions to bring up for discussion; and he would like legal opinion as to how that would impact the Board's ability to move forward with those types of documents when generated. He noted it is a Pandora's Box that will decrease transparency, and not be good for any District. He stated he takes credit for asking for the ordinance to be drafted; he has not put it on the Agenda; he may or may not put it on the Agenda; but now his full focus will be on CRAs, because that takes more money out of the General Fund. He reiterated that was asked that it be drafted by staff only because of the potential resources that could go into the transportation infrastructure.

Commissioner Pritchett stated she has no problem with Commissioner Tobia having this opinion, and him bringing forth this issue; her struggle is yesterday afternoon she received a completed ordinance that is talking about dismantling the NBEDZ and she had no idea it was coming; and if Commissioner Tobia would have brought forth his information for discussion, she would have appreciated it. She went on to state a fully-drafted ordinance by the County Attorney without Board conversation, there is something just not right with it, and it hit her funny. She stated she is not sure any Commissioner should hire outside legal to do this; this little piece of paper coming at her yesterday, just was very uncomfortable, and something about it is not hitting her right; and she does not want to stifle anyone with their opinion or discussion. She noted she thinks it is a lot of use of staff time without conversation.

Commissioner Tobia stated it is not on the Agenda, he has not requested it be on the Agenda, and his intent in asking for that to be drafted is so the Board did not get into the CRA issue where it was dropping ordinances in a timeframe that other Commissioners were saying it is too soon; he had the conversation with the County Attorney about what a public records request meant; he asked for the reason that the individual who asked for the draft to be able to look over it and read it before it was blasted out to everyone; but he had no intent in taking this issue up until the Board has dealt with one way or the other with CRAs. He pointed out he ran on dismantling the NBEDZ, as many of the Commissioners ran on other issues; it was not a surprise, he wanted to get this out there and given everyone time to look at it; and he has no intention of putting this on the next Agenda either, he just wanted to have it ready so the Board could have a good, in-depth conversation of whether this was the best way or if those resources could be used in another fashion.

Commissioner Pritchett stated if this is going to be put on the Agenda for discussion, she needs time, because if Commissioner Tobia is going to have a crowd with the CRAs, she promises this place will be full; people will need to rearrange their schedules to come in; and in District 1, the Board will not find anyone who does not support it.

Chairman Smith suggested to the Board that good points have been raised regarding the introduction of ordinances and resolutions, and he does not think any Commissioner wants to stifle anyone's ability to discourse; but at the same time, there is something that does not feel right about this. He advised maybe when the Board thinks about it, he or she can come up with a solution.

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**ITEM VIII.G., BOARD REPORTS, RE: DISTRICT 4 COMMISSIONER/CHAIRMAN**

Chairman Smith stated he went to Washington, DC, a few weeks ago; he met with Assistant to the Secretary of the Air Force; the subject matter was bringing battlefield airmen's training center to Patrick Air Force Base; the County is on a short list of eight; and they were there for about an hour and 45 minutes. He noted it would be huge for the County; the Air Force has said they are going to award this program to either one to three bases; if one base received it, it would be about 1,200 airmen coming in; and divided into three, it would be about 300 each. He stated they talked about the fact the County has three rivers and the ocean to practice water rescues; it has Avon Park that land rescues could be practiced; and he was interested in the fact that the City of Palm Bay has 600 acres where their shooting range is located, and the Air Force already has use of that. He mentioned the County already has a portion of the 902 rescue staff at Patrick Air Force Base. He stated the Assistant to the Secretary of the Air Force pointed out to him that there will be another Base Closure and Reassignment Commission (BRAC); Patrick Air Force Base is on the short list of that as well; there are 23 percent of the bases in the country that are underutilized; and that will be the criteria for the BRAC. He stated of those 23 percent, they will pick five percent of all of the bases that will be impacted; and if the County can add the Battlefield Airmen's Training Center, it would help bring the Air Force Base into full utilization. He stated he went to Colorado Springs, Colorado; he spent two weeks flying on airplanes; they spoke with a lot of influential people; and it was very productive. He noted on the negative side, they received official word that the County is not getting the Blue Origin engine building company; they have changed the market in the County; of all of the thousands of rockets launched in the County in the last 50 years, not one has been built here; Blue Origin is going to change that by building its rockets here; and while it is a natural fit, Blue Origin is not building their engines here. He stated Blue Origin is going to Greenville, South Carolina, because they had more incentives than Brevard County.

Upon consensus of the Board, the meeting adjourned at 7:50 p.m.

ATTEST:



SCOTT ELLIS, CLERK



CURT SMITH, CHAIRMAN  
BOARD OF COUNTY COMMISSIONERS  
BREVARD COUNTY, FLORIDA

As Approved by Board 5/9/17.