

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

5:00 PM

The Board of County Commissioners of Brevard County, Florida, met in regular session on October 13, 2016 at 5:00 PM in the Government Center Commission Room, Building C, 2725 Judge Fran Jamieson Way, Viera, Florida.

CALL TO ORDER

Attendee Name	Title	Status	Arrived
Robin Fisher	Commissioner District 1	Present	
Jim Barfield	Chairman/Commissioner District 2	Present	
Trudie Infantini	Commissioner District 3	Present	
Curt Smith	Vice Chairman/Commissioner District 4	Present	
Andy Anderson	Commissioner District 5	Present	

ZONING STATEMENT

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

INVOCATION

The invocation was provided by Pastor Eric Ward, Calvary Chapel, Viera.

PLEDGE OF ALLEGIANCE

Commissioner Andy Anderson led the assembly in the Pledge of Allegiance.

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ITEM I.A., RESOLUTION, RE: PROCLAIMING OCTOBER 15,2016, AS “WHITE CANE SAFETY DAY” IN BREVARD COUNTY

Commissioner Infantini read aloud, and the Board adopted Resolution No. 16-185, proclaiming October 15, 2016, as “White Cane Safety Day” in Brevard County.

Camille Tate stated there is a car and bike show on October 15, and invited the Board.

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

ITEM III., PUBLIC COMMENTS

Charles Tovey Jr. stated he is glad Commissioner Infantini is not there; he does not like to stare at people but the camera is there and he never had the opportunity, so he is taking the opportunity to address, excuse his expression if he hurts anyone's feelings, it is no comparison to how he felt and what he has been through; the County is shrinking as far as the environmental places; and he is looking for reservations of areas especially now, hind sight is 20/20, when it is too late it is too late. He continued by saying his property, he guesses it is up to him, no one is going to participate in helping him straighten out the situation there; he has asked what he could do and things; and he has to do it. He went on what he states, sometimes he says too much information, a lot, it is for other people and it is the only way they have communication; they see how he is and whether he is alive or not; so other people watch television and this channel has increased as well as all the other things he has addressed, the zoning problems with his property, he has noticed all of his neighbors get to do anything they want, but he is adhering to certain things; and he asked what the Board can do for him. He stated he stated he has the biggest tree in Brevard County; and that is what has been happening, it is like looters every time he leaves, and it is the same people as he is wide awake, watching these people do this stuff. He continued on that they threaten him; he is going to be left to take care of the situation; he appreciates the Board allowing him to express himself while working with it all this time; the tortoises walking down the street and the way the semi-trucks and the rest of the traffic blazes down and Mo, Larry, Curly, Joe, and Shimp, he knows there are five of them that were there and not addressed; the osprey nests are being chopped down as well as the eagles nests; and he has a seven to 10 foot artesian well, and that is why he did not care when they ripped out his water, because he would rather save the springs. He went on to say Pineda is a very important environment; he would like to change his property, satisfy whatever complaints the Board has as well as living under what he works for; he has worked his whole life and it is all gone; he wants to participate; and he has been compliant, paid all his fines, but yet it has progressed. He continued by saying there are things against his safety, which is not an issue, but there are fuel tanks still down at the end of the road; he thanked the Board.

ITEM IV., PUBLIC HEARINGS

Chairman Barfield called for a public hearing to consider Tabled Items and Planning and Zoning Board recommendations of September 12, 2016; and Port St. John Recommendations of September 14, 2016.

ITEM IV.B.1., (16PZ00073) - MIKE ERDMAN MOTORS, INC - (MIKE WILLIAMS) - REQUESTS A CHANGE OF CLASSIFICATION FROM PIP AND PBP TO BU-2; AND REMOVAL OF EXISTING BCP, WITH BDP, ON 4.13 ACRES, LOCATED ON THE NORTH SIDE OF VIERA BOULEVARD, APPROXIMATELY 100 FEET WEST OF U.S. 1 (NO ASSIGNED ADDRESS. IN THE VIERA AREA)

There being no comments or objections, the Board approved the request of Mike Erdman Motors Inc. for reclassification from PIP and PBP to BU-2, and for the removal of the existing Binding Development Plan (BDP) on 4.13 acres located on the north side of Viera Boulevard.

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

ITEM IV.B.2., (16PZ00070) - JONATHAN AMICK - REQUESTS A CHANGE OF CLASSIFICATION FROM AU TO SR. ON 0.55 ACRE, LOCATED ON THE WEST SIDE OF FOLSOM ROAD, APPROXIMATELY .25 MILE SOUTH OF KELLY ROAD (2612 FOLSOM ROAD, MIMS)

There being no comments or objections, the Board approved the request of Jonathan Amick for a change of classification from AU to SR on 0.55 acre located on the west side of Folsom Road approximately 0.25 mile south of Kelly Road.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Robin Fisher, Commissioner District 1
SECONDER:	Curt Smith, Vice Chairman/Commissioner District 4
AYES:	Fisher, Barfield, Infantini, Smith, Anderson

ITEM IV.B.3., (16PZ00074) - K&T ENTERPRISES OF BREVARD COUNTY, LLC - (JOHN W. MALOY, JR.) - REQUESTS A CUP FOR ALCOHOLIC BEVERAGES (BEER AND WINE ONLY) FOR ON-PREMISES CONSUMPTION IN CONJUNCTION WITH A RESTAURANT, IN A BU-1 ZONING CLASSIFICATION, ON 0.79 ACRE, LOCATED ON THE SOUTHEAST CORNER OF U.S. 1 AND BROCKETT ROAD (3121 NORTH U.S. 1, MIMS)

Cynthia Fox stated this is a request for a conditional use permit for alcoholic beverages, beer and wine only, for the on-premise consumption in conjunction with the restaurant in a BU-1 zoning classification located at the southeast corner of U.S.1 and Brockett Road; the Planning and Zoning (P&Z) did recommend several conditions given that the property has been commercial for a while and had many uses on it; at one time, it was a car lot; some of the neighbors from the area came; and P&Z has recommended the request be approved with the condition that the lighting is restricted, fencing and landscaping along the east area of the property, the parking lot be striped, and the hours of operation be limited to 10:00 a.m. to midnight with the exception of a couple holidays per year; and she asked for clarification on the holidays. She went on to say there was a little bit of a split vote at P&Z.

John Maloy stated he leased the property; he is trying to set up a small beer and wine pub and eatery; he will eventually have a limited food menu, serve beer, wine, and refreshment; and he does have some photographs that show the fence he has installed. He continued one of the members of P&Z suggested a privacy fence be put up from the front corner of the building to block any headlights from shining on the properties behind the building and to stop cars from

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driving into the side yard; he had someone look at the parking lot for striping; he took measurements and was working on a layout and then the storm hit so he has not been able to make it back; however, it is in the planning stage and he is going to stripe the parking spaces. He stated according to this gentleman there should be 20 parking spots, including the handicap spot.

Eden Bentley, Deputy County Attorney, stated the County needs some definition about the couple holidays per year; she believes she thinks what he means is he wants to stay open longer on certain holidays, however, there needs to be some definition.

Mr. Maloy commented the P&Z Board discussed the possibility of staying open a little later on certain nights before holidays.

Attorney Bentley asked him to specify those holidays.

Mr. Maloy replied as suggested New Year's Eve would be a good one; holidays where people will be off work the next day.

Commissioner Infantini asked why not pick them all.

Mr. Maloy stated all legal holidays recognized by the County and State offices.

There being no other comments or objections, the Board approved the request of John Maloy for a CUP for alcoholic consumption, beer and wine only, for on-premise consumption in conjunction with a restaurant in a BU-1 classification, on 0.78 acre located on the southeast corner of U.S.1 and Brockett Road with the P&Z conditions and operation hours to increase to 1:30 a.m. during the holidays listed in the Florida Statutes.

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

ITEM IV.B.4., (16PZ00072) - EARL AND STEPHANIE CANNON - REQUESTS A CHANGE OF CLASSIFICATION FROM GU TO AU(L), ON PROPERTY DESCRIBED AS LOT 22, BLOCK 16, CANAVERAL GROVES UNRECORDED SUBDIVISION. SECTION 20, TOWNSHIP 24, RANGE 35. (1 ACRE) LOCATED ON THE NORTH SIDE OF BURNING TREE AVENUE, APPROXIMATELY 0.16 MILE EAST OF SATELLITE BOULEVARD (6736 BURNING TREE AVENUE, COCOA)

There being no comments or objections, the Board approved the request of Earl and Stephanie Cannon for a classification change from GU to AU(L), on property described as Lot 22, Block 15, Canaveral Groves unrecorded subdivision, Section 20, Township 24, Range 35. It is one acre located on the north side of Burning Tree Avenue.

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

ITEM IV.B.5., (16PZ00077) - VIOLETA V. WELSH - (DIANE NAGEL) - REQUESTS A CHANGE OF CLASSIFICATION FROM RU-1-9 TO AGR, ON 9.68 ACRES, LOCATED ON THE SOUTH SIDE OF PARRISH ROAD, APPROXIMATELY 0.42 MILE WEST OF BURNETT ROAD AT TERMINUS OF ROBESON ROAD ON SOUTH END (NO ASSIGNED ADDRESS. IN THE COCOA AREA)

There being no further comments or objections,, the Board tabled consideration of the request of Violeta V. Welsh for a change of reclassification from RU-1-9 to AGR on 9.68 acres, located on the south side of Parrish Road, approximately 0.42 mile west of Burnett Road at terminus of Robesen Road on the south end to the November 3, 2016 Board of County Commissioners meeting.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Trudie Infantini, Commissioner District 3
SECONDER:	Robin Fisher, Commissioner District 1
AYES:	Fisher, Barfield, Infantini, Smith, Anderson

ITEM IV.B.6., (16PZ00064) - JANICE RENK - (ROBERT POTTER) - REQUESTS A CHANGE IN CLASSIFICATION FROM AU TO RU-2-8, ON 1.89 ACRES, LOCATED ON THE EAST SIDE OF SOUTH TROPICAL TRAIL, APPROXIMATELY 102 FEET SOUTH OF RIVER CLIFF LANE (892 SOUTH TROPICAL TRAIL, MERRITT ISLAND.)

Cynthia Fox, Planning and Zoning Manager stated this item was tabled from a previous Planning and Zoning meeting; there were sign issues; and some other questions. She continued the request is a change from AU to RU-2-8 for the purposes of building duplexes; there were many people who came to the Planning and Zoning meeting, therefore their vote is reflected as unanimous.

Robert Potter stated due to the storm some of his partners are out of state, therefore he would like this to be tabled.

There being no other comments or objections, the Board tabled consideration of the request by Janice Renk for reclassification from AU to RU-2-8 on 1.89 acres, located at 892 South Tropical Trail, Merritt Island to the November 3, 2016 Board of County Commissioners meeting.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Andy Anderson, Commissioner District 5
SECONDER:	Robin Fisher, Commissioner District 1
AYES:	Fisher, Barfield, Infantini, Smith, Anderson

ITEM IV.B.7., (16PZ00055) - BANANA RIVERFRONT, LLC - (KIM REZANKA) - REQUESTS A SMALL SCALE PLAN AMENDMENT (16S.05) TO CHANGE THE FUTURE LAND USE FROM RESIDENTIAL 15 AND CC TO ALL CC; AND A CHANGE OF CLASSIFICATION FROM RU-2-15 TO BU-1 ON 2.44 ACRES, LOCATED ON THE WEST SIDE OF ORLANDO AVENUE, APPROXIMATELY 415 FEET NORTH OF CRESENT BEACH DRIVE. (2200 SOUTH ORLANDO AVENUE, COCOA BEACH)

Cynthia Fox, Planning and Zoning Manager, stated this Item is Banana Riverfront , LLC, also known as Squid Lips; they have been through several reiterations of this during different meetings; she believes they are still working through some issues; and the applicant is present to request tabling.

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Kim Rezanka stated originally her client was scheduled for surgery, that did not happen due to the storm; now they are trying to work on the stormwater plan, which was one of the conditions recommended by the Planning and Zoning Board; and also the PID has given that as an option to fully enter into a stormwater plan. She continued they are working with their engineer and the County to make sure they can do that before they go forward with this request; and she requested this item be tabled to November 3, 2016.

Chairman Barfield asked if this is also for Item IV.D., on the Agenda.

Ms. Rezanka replied yes.

There being no further comments or objections, the Board tabled consideration of the request of Banana Riverfront, LLC for a Small Scale Plan Amendment (16S.05) to change the Future Land Use from Residential 15 and CC to all CC; and a change of classification from RU-2-15 to BU-1 on 2.44 acres, located on the west side of Orlando Avenue, approximately 415 feet north of Crescent Beach to the November 3, 2016 Board meeting.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Robin Fisher, Commissioner District 1
SECONDER:	Andy Anderson, Commissioner District 5
AYES:	Fisher, Barfield, Infantini, Smith, Anderson

ITEM IV.D., REQUEST FOR PUBLIC INTEREST DETERMINATION (PID) FOR SQUID LIPS, RE: RESTAURANT TO ALLOW PLACEMENT OF PRIMARY STRUCTURES WITHIN THE SURFACE WATER PROTECTION BUFFER, AND IMPERVIOUS AREAS EXCEEDING 30 PERCENT OF THE REQUIRED BUFFER AREA (DISTRICT 2)

There being no further comments or objections, the Board tabled consideration of the request by Kim Rezanka to the November 3, 2016, Board meeting.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Robin Fisher, Commissioner District 1
SECONDER:	Andy Anderson, Commissioner District 5
AYES:	Fisher, Barfield, Infantini, Smith, Anderson

ITEM IV.B.8., (16PZ00058) - RJM MERCO, LLC - (KENDALL MOORE, ESQ.) REQUESTS A CHANGE OF CLASSIFICATION FROM RU-1-9 TO BU-1-A, ON 0.37 ACRE, LOCATED ON THE NORTHEAST CORNER OF ELKCAM BOULEVARD AND MANTH AVENUE, APPROXIMATELY 470 FEET WEST OF U.S. HIGHWAY 1. (LOT 1 = NO ASSIGNED ADDRESS. IN THE COCOA AREA. LOT 2 = 1070 ELKCAM BLVD., COCOA)

Cynthia Fox, Planning and Zoning Manager, stated this Item is out of the Port St. John Special Independent District; they have been working with the applicants and the neighborhood to change the classification from RU-1-9 to BU-1-A for purposes of having an Assisted Living Facility; they have agreed to a Binding Development Plan (BDP) limited to an age of 65 and over; and that the property be used as an assisted living facility only.

Commissioner Infantini asked why they want to limit the age at 65 because there are times when people need Assisted Living Facilities that are younger than 65.

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Ms. Fox replied the applicant can answer that, but she believes that is the population that they serve.

Commissioner Infantini stated they are welcome to do that, she just does not understand why they would want to be that restrictive.

Kendall Moore stated they would prefer the number not be at age 65, but clearly wanted to convey the intent because County Code talks about group home; there is no real intent to do that just based on the number 14; it is really an Assisted Living Facility but the Code only calls it that once it surpasses 14 in number in terms of beds; therefore, they are not calling it an assisted living facility willing to enter into that for BDP, but clearly there could be a resident that is 50 that has dementia or things of that nature and would love the opportunity to be able to have them, but that was the recommendation that came forward from the Port St. John Advisory Board.

Commissioner Infantini stated she just did not know if that precluded him from accepting somebody younger.

Mr. Moore replied it certainly would, it is clearly intended for over 65 and is extremely restrictive; and he feels that is what the Port St. John Advisory Board was intending.

Commissioner Anderson stated he is dealing with this in his family with a younger person who already has Dementia and feels that the age should be lowered to approximately 50 years old.

Commissioner Infantini thanked Commissioner Anderson.

Commissioner Fisher asked if the Advisory Board made any stipulations.

Mr. Moore stated he thinks the clear intent was they wanted to not have minors, not have people with felonies, or anything of that nature; Mr. McCoic and his partners intend to be in the assisted living facility business; and he thinks Commissioner Infantini's point is clear, there could be someone who meets that criteria and definition of that particular age; but that was the request coming from the advisory board. He went on to say if they were able to accept people between 50 and 65 they would be happy to do it; he wants to be very clear that the BDP specifies it as a Assisted Living Facility and that is what it is intended to be.

Commissioner Fisher stated with the spirit of the Port St. John Advisory Board if the age was lowered to 50, they could still keep the felons and others out.

Mr. Moore replied that is correct. He stated he thinks staff pointed out to the advisory board that this is going to be governed by Statute and a licensing from a State perspective so those parameters will specifically define who can and cannot be a resident in that facility.

Chairman Barfield stated assisted living is defined by the State and actually the Federal Government too, so it is very clear and they must be licensed.

Ms. Fox stated the Port St. John Board was concerned about making this a commercial piece; so if it could at least make sure the BDP stipulates the age to be 50, that would be fine; but she asked to please limit it to an Assisted Living Facility because that was very important to the advisory board.

Mr. Moore stated Ms. Fox was correct; that was the clear intent from the Board; and he is fine with that.

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There being no further comments or objections, the Board approved the request by RJM Merco, LLC for a change of classification from RU-1-9 to BU-1-A, on 0.37 acre, located on the northeast corner of Elkcam Boulevard and Manth Avenue, approximately 470 feet west of U.S. Highway 1; and to change the age of the residents to 50 and older and still remain as an Assisted Living Facility.

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

ITEM IV.C.1., (16PZ00067) SECTION 31, TOWNSHIP 23, RANGE 36, TAX PARCEL 260; AND SECTION 31, TOWNSHIP 23, RANGE 36, TAX PARCEL 2, OWNED BY STATE OF FLORIDA, ITTF - 28.19 ACRES, LOCATED ON THE SOUTHWEST CORNER OF CAMP ROAD AND THE F.E.C. RAILROAD. (TAX PARCEL = NO ASSIGNED ADDRESS. IN THE COCOA AREA; TAX PARCEL 2 = 555 CAMP ROAD, COCOA) CURRENT ZONING : GU GENERAL USE) AND RU-1-7 (SINGLE -FAMILY RESIDENTIAL) PROPOSED ZONING: GML(I) (GOVERNMENT MANAGED LANDS - INSTITUTIONAL)

There being no further comments or objections, the Board approved the request to change the zoning classification from GU and RU-1-7 to GML(1).

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Andy Anderson, Commissioner District 5
SECONDER:	Robin Fisher, Commissioner District 1
AYES:	Fisher, Barfield, Infantini, Smith, Anderson

ITEM IV.C.2., (16PZ00071) SECTION 19, TOWNSHIP 26, RANGE 37, A PORTION OF TAX PARCEL 521, OWNED BY BREVARD COUNTY - 1.10 ACRES LOCATED ON THE SOUTHWEST CORNER OF HOLY TRINITY DRIVE AND PINEDA CAUSEWAY. (NO ASSIGNED ADDRESS. IN THE MELBOURNE AREA.) CURRENT FUTURE LAND USE AND ZONING: (PUBLIC, AND GML(H) (GOVERNMENT MANAGED LANDS - HIGH INTENSITY) PROPOSED FUTURE LAND USE AND ZONING: CC (COMMUNITY COMMERCIAL) AND BU-1 (GENERAL RETAIL COMMERCIAL)

Cynthia Fox, Planning and Zoning Manager, stated this is a property swap; this was coordinated through Public Works and the Planning and Zoning Department; it is between Pineda and Holy Trinity; and she requested the Board to rezone it appropriately to the BU-1 zoning classification.

There being no further comments or objections, the Board approved the request to change the zoning classification from GML(H) to CC and BU-1.

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

ITEM VIII.D., TRUDIE INFANTINI, DISTRICT 3 COMMISSIONER

Commissioner Infantini stated she is very happy Brevard County made it through Hurricane Matthew as well as it did. She expressed thanks to the individuals in the retail stores for stepping up. She stated she personally has never really thought about the magnitude of what they contribute to the community; she certainly saw it now that she lives on the mainland; she saw people hustling and working with a smile; loading lumber into trucks and on roofs for people who were not properly prepared, but thought perhaps they were; and they were continually loading pallets of water until they ran out. She continued on to say the healthcare care individuals who manned the hospitals and often times the police receive recognition but not a lot of these other people in the community; County and City staff were available doing Public Works to make sure the roads were cleared; all these people were amazing; they worked exceptionally hard and long hours; and she just wanted to thank them. She went on to thank the restaurants that were kept open so that those without power could get a breakfast in the morning.

ITEM VIII.E., ANDY ANDERSON, DISTRICT 5 COMMISSIONER

Commissioner Anderson requested a Waste Management Representative be at the next meeting to talk about debris removal and why it is taking so long to move things. He stated in unincorporated South Brevard it is a disaster; he has not seen a Waste Management truck or any other contractors since the storm; and he would like to ask them what is going on.

Commissioner Infantini stated she spoke to one contractor who was up and running and ready to start picking up debris when he found out they no longer had the job because Brevard County was going to exercise its Federal Emergency Management Association (FEMA); she believed that DCI was more than willing to get out there until the rug got pulled out from under them.

Commissioner Anderson stated he does not know what it is like in the rest of the County, only in South Brevard; it is a week later, and if he at least saw a truck around he would feel good; but it has gotten to the point of ridiculousness.

Stockton Whitten, County Manager, stated he would be happy to, but it will not be Waste Management because they do regular garbage pickup, under State of Emergency it is Crowder Gulf in South County and Ashbritt in North County. He went on to say the Solid Waste Management Director would be at Tuesday's meeting to update the Board.

Commissioner Anderson stated he understands some municipalities do go with a third party to utilize their waste management contract and those need to be addressed by those municipalities.

Mr. Whitten commented there are seven to nine municipalities that are on the contract with the County, everyone else is on their own.

Commissioner Anderson stated he just wants to see something happen.

Mr. Whitten stated the Solid Waste Management Director could update the Board.

Commissioner Fisher stated one of the things that happens is there is waste for normal pickup in unincorporated areas under normal debris and then when the storm hit the County goes to the FEMA contract with Ashbritt and Crowder, then Waste Management does not have the responsibility to pick up, the other contractors do.

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Commissioner Anderson stated that is part of the problem; he has had several calls prior to this on normal brush pickup; so the brush was not being picked up routinely or consistently before, so there were already brush piles all over unincorporated West Melbourne before the storm even hit; and he still wants Waste Management to fix whatever is broken on their end, beyond the contract.

Commissioner Fisher stated he would like to have Waste there too because he has some other issues with some pick up.

Mr. Whitten stated to make sure to separate the storm issues from the regular pick up issues because it is complicated once in to the Emergency Declaration and the FEMA requirements; he reminded the Board there was damage to the landfills as well; and he stated a lot of people had called thinking they could get out there after the storm passed and pick up debris, but it is much more complicated than that. He went on to say all of the players will attend on Tuesday.

Commissioner Anderson stated when the Board ratified Waste Management's contract, part of that contract included that it hire a third party brush removal company Doug Connors; he staffed up trucks; and he has yet to see one of his trucks in South Brevard and unincorporated so he would like Waste Management to tell him if they are using who the Board was told it would be using. He went on to ask if the Board needs to revisit the contract or get with its attorney.

Commissioner Infantini stated Waste Management is not using him.

Mr. Whitten commented that Mr. Connors is up in North Carolina working at capacity.

Commissioner Anderson stated he is talking pre-storm, normal operations; Waste Management is supposed to be using Doug Connors to keep up on brush removal; and they have not.

Mr. Whitten apologized to Commissioner Anderson.

ITEM VIII.G., JIM BARFIELD, DISTRICT 2 COMMISSIONER, CHAIRMAN

Chairman Barfield expressed his thanks to everyone in the County for coming together and evacuating when they were told to. He stated people were doing things with a smile; they knew the importance of it; they knew they needed to get out; and having working in the Emergency Operation Center (EOC) gives a bigger appreciation to what goes into this.

Upon consensus of the Board, the meeting adjourned at 5:49 p.m.

ATTEST:

SCOTT ELLIS, CLERK

JIM BARFIELD, CHAIRMAN
BREVARD COUNTY BOARD OF
COUNTY COMMISSIONERS
BREVARD COUNTY, FL