

March 5, 2020

# **Brevard County Board of County Commissioners**

*2725 Judge Fran Jamieson Way  
Viera, FL 32940*



## **Minutes**

**Thursday, March 5, 2020**

**5:00 PM**

**Zoning**

**Commission Chambers**

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**A. CALL TO ORDER 5:00 PM**

**Present:** Commissioner District 1 Rita Pritchett, Commissioner District 2 Bryan Lober, Commissioner District 3 John Tobia, Commissioner District 4 Curt Smith, and Commissioner District 5 Kristine Isnardi

**B. MOMENT OF SILENCE**

Chair Lober called for a moment of silence.

**C. PLEDGE OF ALLEGIANCE**

Commissioner Isnardi led the assembly in the Pledge of Allegiance.

**J.5. Motion Directing Staff to Advertise Using Least Expensive Publisher**

Chair Lober advised he received an email from Mara Bellaby at *Florida TODAY*; he stated he wants to address some of points made in her email; and he noted if there are any questions they can be addressed after public comment. He continued by saying the Agenda Item largely speaks for itself; he will highlight on the first page of the Agenda Item the difference in cost; depending on the size of the ad being talked about for legal ads a switch would save the County between 29 percent and 394 percent, so it is a massive difference in cost; with respect to the email her received from Ms. Bellaby he will just pick some items that appear to be more pertinent than perhaps others; and he is going to quote directly from her email. He advised there is a statement that reads, "I know the proposal has been put forward as an effort to save County taxpayers money but it is hard for me not to see it, at least in part, as part of a continued attack against *Florida TODAY*" and she goes on, but what she conveniently omits with that is that at least two other Gannett owned publications, *The Reporter* and *The Weekly Eagle* were intentionally and specifically included by name in the list of media outlets with which the County is encouraged to consider for advertising non-legal ads; in the Agenda Item it is all about saving taxpayer funds and not continuing to essentially subsidize and enrich one particular entity which has profited for years on the backs of hard working taxpayers by essentially enjoying the monopoly amongst the County, amongst the Port Commission, amongst the different agencies, and amongst the municipalities given that there are far less expensive alternatives; his opinion, positive, negative, or otherwise with respect to the leaning or lack of leaning with the paper is irrelevant; this is a financial question and rather simple; looking at another item in Ms. Bellaby's email, she talks about, and he read, "Every media entity in the State makes use of the public notices free and easily accessible to everyone at [Floridapublicnotices.com](http://Floridapublicnotices.com)" so he will take her at face value, if she says, "Every media in the State" participates in the same public notice website and they are up to 394 percent more expensive than the alternative, there is absolutely no reason to stick with them. He went on to say Ms. Bellaby's email went on to talk about their parent company, Gannett being based in Virginia and she talks about them having just under 100 independent contractors that work for their distribution center here in Palm Bay and other areas of the County; he does not know that he would be bragging about having independent contractors who are not treated as full-time employees; he cannot imagine any independent contractors enjoying benefits, but it is not something that is really relevant to the question if this is going to save taxpayers money; he noted she goes on to talk about *Florida TODAY* supporting community organizations through sponsorships to local charities around the Space Coast; from his understanding and everything he has seen preceeding his election and continuing through present, the County Commission has openly and actively sought to reduce taxpayer grants to community-based organizations because taxpayers should not have their money confiscated by the government and distributed

to the charity of the government's choosing. He went on to say those hardworking people have a right to choose which charities they are going to support and to what amount they want to support rather than to pay an entity to pay independent contractors with the hopes that some of it will funnel down to charities, they should do that directly. He stated lastly she talks about *Florida TODAY* being housed or staffed by independent journalists, whether he agrees with that categorization or not it is again irrelevant; the question here is one of what saves taxpayers the most money and accomplishes the goals of the Board; he thinks it is worth mentioning that what was not said in the email is just as important as what was said; Ms. Bellaby did not dispute that this proposed action will actually save taxpayers a significant amount of money; in her own words, "I know the proposal being put forward is an effort to save County taxpayers money" and she does not even attempt to dispute that essentially no one comes to County Commission meetings on account of having seen the legal advertisement in *Florida TODAY* or anywhere else for that matter; and even given their shrinking subscriber base, some people who do read *Florida TODAY* do not make it past the front page. He added some may make it a few pages and others may even look at the obituaries but if anyone remembers there was a meeting not too terribly long ago where he had polled the audience and he asked who out of everyone in attendance was there on account of having seen the legal advertisement from *Florida TODAY* and he does not even know, with all due respect, if Mr. Berman's hand went up; he stated he also happens to know, despite charging a high premium that *Florida Today* does not do a reliable and consistent job on the legal ads; what he means by that is he has had conversations with the Clerk's Office staff that they routinely see flawed proofs with the legal description cutoff with respect to tax deed legal ads and despite numerous requests from that office on how to correct the errors and finding out what the issue is, it is something he understands as of a few days ago, still is a routine occurrence; and in addition to that the other issue that he was told by Clerk staff is that there are a number of incorrect bills for indigency legal ads and possibly other items. He continued by saying the issue today before the Board is really simple does it waste taxpayer funds by subsidizing a paper owned by and out-of-state corporation or does it spend far less and support a totally local option; items are put out to bid because it is wholly appropriate and it is expected that the County will watch out after taxpayer funds and be prudent in their expenditure; this County's largest municipalities, Palm Bay and recently Melbourne have already switched to *Trader Jakes*; they have already done the recon and the homework to determine what is permissible and what is not; and this Board has an obligation to follow suit and be continuing good stewards of taxpayer funds, and to him this is a no brainer decision.

Paul Alfrey, Vice Mayor of City of Melbourne, stated this is an item he had brought before the City of Melbourne Council at the last meeting; having done their homework in reviewing it, he felt that he brought to council the best bet for legal advertising was *Trader Jakes*; one of the reasons for this were massive cost savings; he asked if anyone would over pay on chemicals to treat their water or vehicles just because that is what was always done, his answer would be absolutely not; he commented the way he felt was if he asked his directors to go through the budget and cut, cut, cut, then he has to do the same thing even if it is not popular; and when he brought that before council to use *Trader Jakes*, not only was he supporting a local owned business, the \$0.25 that *Trader Jakes* charges for their paper, 100 percent of that goes back to the Wounded Warriors. He went on to say if it saves dollars, it makes sense; he would implore the Board to do what his council did with a 7:0 vote; they all agreed and it was not a partisan issue because it saved the City of Melbourne tens of thousands of dollars; as a city resident and a Brevard County taxpayer he would hope this Board would consider the same; and he thanked the Board for its time and service.

Sheriff Wayne Ivey, Brevard County Sheriff's Office, stated he thinks Vice Mayor Alfrey did a great job laying this out and why it just makes sense; he would like talk briefly about what his agency's intentions are and how they have to do legal notices; they do legal notices on

auctions of surplus property over \$5,000, levies on real or personal property, surplussed, lost, or abandoned property, unclaimed evidence, civil service hearing notices, and civil forfeiture notices; when looking at how this just makes good sense for the taxpayers, trying to be a good shepherd of the taxpayer's dollars, just making sure that they are doing everything they can to get the information out to the citizens, and looking for avenues to save the taxpayers money; when considering this has been very one-sided for a long time, he thinks the playing field has to be even; and he is looking for the place to best save his own taxpaying dollars as well because he has to pay taxes in this community too.

Commissioner Tobia stated while he agrees with the top portion the subject motion directing staff to advertise using the least expensive publisher, the summary does not necessarily match the subject; there were a couple issues he has such as least expensive and singling out *Trader Jakes*; it is wonderful that Melbourne might have gone in that direction but he would certainly like to find out which one was the least expensive; secondly using a recommendation from Palm Bay, he does not know if he would ever want to use a recommendation from Palm Bay unless he wanted a criminal defense attorney; and to put this into perspective at tonight's meeting, Palm Bay has \$250,000 that they are looking on a forensic audit to find out why they handed away millions of dollars to a developer, so that is what is going on in Palm Bay right now. He continued by saying there are some issues statutorily with this; Florida Statute 125.66(4)(b) states that certain rezoning notices be placed in newspapers five or more days in circulation; he looked up *Trader Jakes* and it does not meet that minimum requirement; he knows the Agenda Report says the County Manager must articulate the nature of extenuating circumstances but that seems like quite a bit of work on the County Manager's part to keep doing that for each one; and most importantly, this goes to the good judgment of Commissioner Smith, he had looked at things that were pending in the Florida Legislature, and mentioned there was a bill moving through the house and he thought it wise to wait. He added he does not want to advertise in *Trader Jakes*, he does not want to advertise in *Florida TODAY*, he just thinks that this can be done through technology, online; it is much easier, much more effective, and thankfully Representative Randy Fine believes that as well; House Bill (HB) 7, the last time he looked had made it all the way through the House and it was pending in the Senate; and he would like to make a motion that the Board table this until after the legislative session which is just a couple weeks from now. He thinks he is going in the same place as Chair Lober but if it can be done for even less than what *Trader Jakes* is doing then he thinks that is probably the best direction to go at this point.

Commissioner Pritchett stated she is approaching the elephant in the room right now; she thinks that a lot of people are struggling with the content that has been in the newspaper; she thinks the day the world is in there is such a problem trying to get good information; her whole life whenever she read information in the paper it is always sided by someone's emotional feelings when it is written, that is just human nature; it is a struggle right now and she does not know how to fix all that; she has a lot of concerns; however, she has a lot more concerns about people getting information off of Facebook and that seems to be happening a lot. She added what is making her hesitant is, first she had never heard of *Trader Jakes* until she received this and she asked about circulation and found they only have a circulation of 800 and the problem is *Florida TODAY* has 54,000. She continued to say she was thinking maybe if the Board thought about doing the *Orlando Sentinel* instead; her concern would be is that the information is not getting out to the public; she agrees with Commissioner Tobia because she reads everything online or electronically but problem is if there is a circulation of 54,000 then there are still a lot of people in the County that are reading the newspaper; she thinks this trend is starting to go away and people are starting to lose more paper prints and go more into the electronic but right now she does not know that she can do this right now because she thinks it would take information out of the constituents' hands; and she agrees that maybe everybody does not read it, but her husband reads it every day from front to back, so she knows there are

people out there. She mentioned she does not believe everything she reads in the newspaper; she would like to ask if the Board is to do this that it do a Request for Proposal (RFP) or figure out something different so maybe someone could come up with something else in how to get information out to people's hands; she is always open to other ideas, but right now she is not sure this is the best route to go; and she has seen Commissioner Tobia often right his own articles and send them off and she sees it in the paper. She noted that shows there are other ways to get information out to the public; and she reiterated she is not against doing something different she is just not sure *Trader Jakes* is the way to go because there is only 800 people getting that paper, where there are 56,000 getting the *Florida TODAY*. She commented she would be interested in knowing what the Orlando Sentinel is doing if the Board wants to go that route; she is trying to make the best unemotional decision for the people out there who are wanting information; and that is just where she is at right now.

Commissioner Isnardi stated she would agree with that if she believed people read public notices in newspapers, she would fully support that if she thought that were the case; what she takes issue with is those cost are not only egregious of what it costs to advertise but the fact that someone just needs to go to Tallahassee and look at the newspaper lobby; whether someone agrees with the content it does not matter, they know how to play the Legislature just as well as that email the Board received from their editor; she finds it interesting that whether anyone likes Chair Lober, agrees with Chair Lober, there is an article that came out yesterday that was quite awful about Chair Lober, the timing is quite interesting considering this was on the Agenda today; and she will fully and completely support the lowest and cheapest possible way to get that information to the residents. She continued to say it is electronic, people just have to look at the trend as far as subscribing, on any news publication; if people want to get that information it is available; she does not believe the Board should be in the business of subsidizing any private organization whether it be a newspaper or otherwise; just because they donate to charity most certainly does not justify the Board subsidizing a private business; she likes the idea of the RFP as far as going out for advertising so maybe they can compete; however, for what the County is paying now it is completely egregious.

Commissioner Tobia stated he thinks he could get everyone on board if, and he asked staff who said it would be 10 to 15 hours, they were to create a report of all the public notices that the County does and the different statutory minimums to find out what the County could shift over to a publication that is weekly instead of daily; that way the responsibility would not be on the County Manager every time to justify that there was a publication in the *Florida TODAY*; he imagines that is something that could be done in conjunction with waiting for the end of the Legislative session; and he noted he would have asked the County Attorney's Office to do that but when he heard it was 10 or 15 hours he certainly did not want to make a request on their time without getting the direction of the Board.

Commissioner Smith advised he would like to call the question, he thinks it is pertinent.

Chair Lober asked if Commissioner Smith would mind giving him an opportunity to comment.

Commissioner Smith agreed; he stated he believes it is pertinent to take the vote because if the vote passes the conversation is moot until two weeks goes by or whenever Legislative session ends.

Chair Lober stated he agrees. He noted he would just like to comment now that everyone else has had an opportunity to do so. He went on to say he agrees with Commissioner Isnardi and that it is a rarity, in fact he believes Commissioner Pritchett's husband is maybe the only one that he has ever heard of who reads them, but he has never heard of an instance in which there was a seat warmed by anyone on account of them having seen a legal notice; to go back

to Ms. Bellaby's email he is going to read the first item of a whole laundry list, he read, "we participate as does every media entity in the State in making all public notices free and easily accessible via [Floridapublicnotices.com](http://Floridapublicnotices.com). Florida's media has invested significant money in building this website, to date it has over 32,000 registered users using over 70,000 monthly page views. It is free and easy to use"; he commented this sounds great; literally she states that all media advertises in that, the Board would be advertising identically online with the exception of anything behind a pay wall on the *Florida TODAY* site; if the Board is all about transparency the only difference that the County would have in terms of publicity online would be the potential of having it behind a pay wall; he does not see that as fair; and it certainly is not something that encourages or incentivizes transparency in the public. He continued by saying if anyone knows of one person who has ever shown up on account of a legal notice being advertised with *Florida TODAY*, let him know because he would be shocked; he would be happy to go with the motion that was proposed, but his concern is House Bill 7 (HB7) that was referenced, there was a very similar item last year that died; he is happy and encouraged that it has moved forward beyond where it had in the past but he does not know if he is comfortable waiting on the House to do a job this Board can do itself saving taxpayer money; there are a lot of things they can do that the Board can do at a local level without waiting for them to do the Board's job; with respect to getting a comparison or a spreadsheet, laying out what the County can move over and what it cannot, the motion that as proposed or the Agenda Item, looking at the requested action, it is where lawfully permissible staff shall endeavor to use *Trader Jakes* for required legal advertisements, it is not use it, period; and there is no statutory concern because it is incorporated in the requested motion, where it is lawfully permissible. He noted if it is not lawfully permissible and it has to go to *Florida TODAY* or anywhere else for that matter, wonderful, he is happy with that; it is what it is, but if it is something where the County can save money and it is legally permissible, he does not know what the benefit of having a report laying exactly what is going to move and what is not going to move out, really does for the Board other than waste staff time; however, if that is the will of the Board, he will go for it he just does not know that it is really putting the County in a better place.

Commissioner Tobia noted if that is the motion that Chair Lober intends to make, it does not label the motion with 'where lawfully permissible,' staff shall endeavor to use *Trader Jakes* for required legal advertisements.

Chair Lober advised it does.

Commissioner Tobia explained it does not; that is not the subject of the motion; the motion is directing staff to advertise using the least expensive publisher, *Trader Jakes* is a single source.

Chair Lober stated he can add to why; he noted if there are any questions he can have Vice Mayor Alfrey come up because he knows Mr. Alfrey has done the homework as well; at one point, and this was all of two or three weeks ago when he looked, second to the most recent, the Clerk's website which lists different media outlets that are potentially appropriate for legal ads had, he believes, five separate outlets; when he looked a day or two ago, there were three including *Florida TODAY*, *Trader Jakes*, and there was a third one, that is it; it is not that there is that much out there; and when he looked at the pricing, not just the advertising costs but the costs to obtain the actual products, for people that want to go in person, and he knows it is a dwindling number, but someone that wants to go and buy a paper, buy a publication, it was a quarter for *Trader Jakes*. He went on to say he knows it was at least \$1.00 if not more for the other alternative, and he truly was blanking on the name; he is happy, if the Board is more comfortable today and it would get the Board to be in a spot where it would be happy to support it or willing to support it, to take out the name *Trader Jakes* and direct staff to use the least expensive publisher for legal ads period; and if the Board has concerns over the item with Frank Abbate, County Manager, having to explain for the other why they would use *Florida*

TODAY in the event that they have to do that, if that is troubling anyone he will strike it, that is not a problem. He noted his goal is to save taxpayers money; he basically put forth what he thought would be a good proposal; however, if the Board is not happy with it he can take pieces of it out, he does not have a problem with that.

Commissioner Tobia inquired if he could ask staff a question.  
Chair Lober agreed.

Commissioner Tobia asked Steve Darling, Central Services Director, if he has looked at any of the associated costs.

Steve Darling, Central Services Director, advised he has looked at the costs that the County has spent and what procurement spends.

Commissioner Tobia inquired if he could run some of that so the Board has an idea of how much the County potentially could save when it comes to advertising this type of stuff.

Mr. Darling responded he did not do the comparison, but he can tell the Board what the County spent last year; it was \$88,000 as a County as a whole; however, it varies by Department based on the different sizes and the different types of ads.

Commissioner Tobia mentioned he is terrible at math; it says that there is a potential 29 percent saving up to 394 percent, he is just going with the smallest one here, 30 percent, that is certainly a sizable amount; he asked if Mr. Darling looked at the legal requirements for the rezoning for example, if that needs five days or if *Trader Jakes* was just available on a weekly basis; and he inquired if that might push back Agendas for people that are looking to get rezoned.

Mr. Darling noted it is possible but he would have to defer to Eden Bentley, County Attorney, on that one.

Chair Lober asked the County Attorney to respond.

Attorney Bentley advised the rezonings are a little bit different than plain ordinance amendments; they do require a five-day publication, so she does not believe *Trader Jakes* has that; therefore, the Board would have to go through and see which ones were eligible for *Trader Jakes*.

Commissioner Tobia noted he sees five days, not five consecutive days.

Attorney Bentley agreed it is not consecutive.

Commissioner Tobia inquired if the County does advertise it in *Trader Jakes* then it would require more time.

Attorney Bentley noted she sees where Commissioner Tobia is going with that; she agreed it might slow things down; and she mentioned she has not looked at it from that angle so she would have to take a look at it.

Commissioner Tobia continued by saying Melbourne's Community Redevelopment Agency (CRA) tried to sell the County on a building that was going to create billions of dollars of revenue; they got a comma and a zero mixed up; he likes Melbourne, they are great folks, but when someone cannot tell the difference between billions and millions, he does not know that

the Board needs to be taking their advice on publications one way or another; he certainly trusts the County staff, it has some great people; and if the Board waits for the two weeks, that is about \$300 or \$400.

Chair Lober stated if that is what Commissioner Tobia wants to do that is what he will do, he just wanted to throw it out there that he is willing to modify what it is that he is seeking or at least clarify it.

Commissioner Tobia noted ideally he is on the same page; if HB7 passes; Chair Lober brought up a very valid point, this has been in the legislature certainly longer than when he was up there; and he mentioned he was a co-sponsor of this, so he thinks they are completely on the same page. He stated he thinks two weeks; he will modify his motion that is on the table to ask staff to draft a report detailing all of the County public notices and their respective requirements and maybe do a cost comparison, so the Board can find out what would be eligible for certain publications; he has no problem with bringing this back in two weeks and making a decision at that point; and if *Trader Jakes* is the lowest one, he will second the motion.

Chair Lober noted and if it is a different one he would be happy to do that; he does not have any ownership interest, and no stock in *Trader Jakes*; he does not know if it is publicly traded, and it does not make him any happier or sadder to see it go to one publisher or another, whoever is the least expensive would be his preference; and it just seemed like in his research that *Trader Jakes* was the least expensive that is why they were specified by name, not because he prefers or has an opinion one way or the other as to them being a better publication.

Commissioner Tobia stated he thinks Commissioner Pritchett mentioned the circulation numbers, and he thinks that is important to her; it is not important to him, but it is important to her so he certainly would like to ask staff when they did that, at least they could get the Board some publication numbers on that report; and he would like to amend the motion with that request for staff to compile that and bring that back at their convenience so the Board could make a decision at that point.

Commissioner Pritchett asked if the Board is thinking now that it is really not all that beneficial to advertise these things; and if that is really kind of what it is trying to determine now.

Chair Lober noted that is his personal belief.

Commissioner Pritchett asked if it is not necessary.

Chair Lober advised he polled it and anyone is welcome to poll the folks sitting here now with this item.

Commissioner Pritchett noted she cannot talk to the Board members off line so she was just wondering.

Chair Lober reiterated he does not know of a soul that has ever shown up here or at any city on account of having seen a legal notice in *Florida TODAY*, he just does not know if it has ever occurred.

Commissioner Pritchett noted Chair Lober is legal though with legal law things; and she inquired if the County is at the point where it is actually doing something as a County or a government that is really not necessary to do.

Chair Lober advised the Board is in his estimation, complying with statutory requirements, but

not complying with them in the least expensive manner.

Commissioner Pritchett stated Chair Lober is just going to have to educate her in front of everybody so she can understand this; and she asked why it is statutorily necessary that the County advertise it.

Chair Lober explained as far as the Items which have to be advertised, his understanding is, and he will invite Attorney Bentley to jump in if her understanding is different or additional, that these Statutes require certain ads, it has been in place for a very long period of time prior to internet becoming a household commodity; he does not believe that people obtained their news in the same manner that they do now and as a result it probably was beneficial to a degree to include things in print media back when those requirements were put in place and Statute; however, at this point, he thinks these Statutes have outlived their usefulness and are due to be revisited right now.

Commissioner Pritchett commented Okay.

Chair Lober inquired if Attorney Bentley tends to agree with that.

Commissioner Pritchett asked if people need to have this information that the County advertises or is the County just doing something redundant.

Attorney Bentley advised the Statute requires the ads; she is looking at Chapter 125 right now, the section that was talked about earlier, and it was initially adopted in 1969; therefore, she agrees with the timing issue regarding the Statutes being adopted before the internet.

Commissioner Pritchett noted she is trying to determine because everyone is talking about internet, but she has a lot of old people in her life and she kind of resembles that now, but they are not all real good with internet; they are still reading paper; her thought is if it is something that is not even necessary to do, the Board could be buying her into this; but her concern is if it is necessary and the Board is trying to get it out; and she does not think *Trader Jakes* is in North Brevard.

Chair Lober advised it is.

Commissioner Pritchett stated if it is 800 for the whole County, she would promise her District does not have but maybe 10; she is concerned that she is going to stop her constituents from getting information; if the Board is really wanting to go this route with something different, she might be open to the *Orlando Sentinel*, if the Board wants to research that; and she noted she does not know if there is anything else that is able to get that kind of data out on paper as easily, but she is open to it.

Chair Lober advised that Scott Ellis actually sent him another suggestion as well; it is not on his list now and he has not vetted it to see if it complies but there is something called the *Orlando Business Journal* that might also work; however, it is not on the list so, he does not know for sure.

Commissioner Pritchett reiterated if the Board is telling her this is not necessary that it is just done because it is the way it has always been done it, because she hates doing things because it is the way it has always been done, if it's not necessary; but if it is something that is important she is going to have a little heartburn with this because it is taking away information from the people; and if this is about costs, it is the difference between 59,000 and 800 people and that is a significant difference in publication. She inquired the million dollar question here is how

important is it to have these notices in people's hands.

Chair Lober explained basically the Board has to check the box, that is what it amounts to; and he stated if Don Walker would start a paper tomorrow, if it complies with the Statute, and it is the cheapest thing the County can do to check the box.

Commissioner Pritchett commented if it is only going to a circulation of 10.

Chair Lober advised if it only had a circulation of one.

Commissioner Pritchett noted if nobody can get to it, then the Board is not doing justice to its constituents, and that is her concern.

Chair Lober stated he agrees with Commissioner Pritchett.

Commissioner Pritchett stated at that point the Board is not getting information out; that is the whole thing; she noted she loves Dave Berman, but she is not in love with the paper necessarily; she wants to make sure if it is information that is important to get to people, that the Board is not hindering that; and 800 and 59,000, is a significant difference in getting information into people's hands.

Chair Lober commented if this gets kicked out two weeks, which he thinks is the direction this is going, he suggested the Board Members talk to their constituents, if they have constituents that are frequent flyers and that they trust, and ask them if they have ever put themselves in a seat at a meeting on account of having seen a legal ad.

Commissioner Pritchett advised she does not have people reading the internet and doing the same thing either; they are not really emotionally provoked with it; she reiterated if it is legally something that the constituents are supposed to read, is her question; if it is something the County is just doing, old laws with that needs changed; she stated she does not get to talk with Commissioner Tobia outside of the meetings; and she inquired if there is a significant reason why some Board Members do not think that this maybe is not so necessary.

Commissioner Tobia noted the genesis of this is because of a very strong, Commissioner Lober is 100 percent correct this is a very strong newspaper lobby that still to this day is pretty strong; reading the Statute if an area that does not have high enough circulation, there are certain Counties down south, who have to publish it in the *Tallahassee Democrat*; to put it in perspective, legal notices down south statutorily have to; he thinks it is to pad the newspapers pockets; it is absolutely horrific the way that this was written in the 1960s and the fact that it has continued; however, this online nexus would allow someone if he or she wanted to see public record, he or she could either open the *Florida TODAY*, look through those tiny words or he or she could go online and type in a name and figure out anything that has popped up for that name. He added it is much more user friendly. He went on to say in fact Representative Fine has gone far enough to say that people that want that and do not have internet access can get on a list in which all public notices are sent to him, so he has gone through a lot of thinking on this; he thinks it is a great bill; if he was up there, he would support it; Representative Fine has taken steps that were not taken when he was in the Legislature, so kudos to him; however, he just thinks that two weeks is really not that big of a deal. He continued by saying Commissioner Lober said there may be some other publications out there, the *Orlando Business Journal*, if it does not pass, he hopes it does, but if it does not pass, he would certainly like to have all the information; and he noted if this Board passes another tax increase, he wants it in every publication. He mentioned he wants every reader to know what a bunch of republicans decided to do, he would never hide that one, so that one will be seen on the front page of the *Florida TODAY*.

Commissioner Smith asked to please call the question; he stated the Board has spent 40 minutes on this issue which in two weeks if it is voted for in the Florida Senate and passed it could be a non-issue, so it just wasted 40 minutes if that be the case; and if it is not voted for, the Board could follow this up in the next meeting or two meetings from now. He advised he agrees with everything that has been said; he does not think anybody reads these things anyway; and he thinks it is a requirement that goes back before most of the Board Members were born, so it is really silly that the County has to do it, but statutorily it is required. He added if the Legislature decides the County does not have to do it, then the Board just wasted 41 minutes, now.

Commissioner Tobia commented this is making Commissioner Smith very uncomfortable that he is on the same page of something with him.

Commissioner Pritchett inquired if Statute is about to make it so the County does not have to put any of these public notices out any more.

Commissioner Tobia advised if HB7 passes, yes.

Commissioner Pritchett asked for clarification if that means no more notices at all.

Commissioner Isnardi opined it is not going to pass.

Chair Lober commented people were hopeful last year that it would pass the equivalent and it did not. He went ahead and called the question and he noted this question is whether to continue this out for two weeks, and meanwhile, to have staff produce the report including the items that Commissioner Tobia suggested; and he asked Commissioner Tobia if that is correct.

Commissioner Tobia responded affirmatively.

Commissioner Smith asked Commissioner Tobia, what if the Legislature has not decided in two weeks; he suggested the motion be changed to by the time the Legislature ends its session; and if it has not been addressed, then the Board will address it.

Commissioner Lober commented he does not want to wait for Tallahassee to do the Board's job; he is ready to move tonight; if the Commissioner as whole or as a majority is comfortable waiting two weeks, he would be happy to do that; and he inquired if John Denninghoff, Assistant County Manager has a light on.

John Denninghoff, Assistant County Manager, pointed out that the Board has been saying two weeks and the next Board meeting is March 24, which is a Zoning meeting night, so two weeks is on a Thursday; and he suggested the Board go for March 24.

Chair Lober asked Commissioner Tobia if that was acceptable.

Commissioner Tobia agreed.

Commissioner Pritchett asked to hear Commissioner Tobia's motion again.

Chair Lober asked Commissioner Tobia if he would mind restating it again for everyone's benefit.

Commissioner Tobia stated table this until March 24, contingent on the Legislature making or not making a decision as to HB7, as well as provide direction to staff to draft a report detailing

all public notices, their respective requirements, costs, as well as circulation.

Chair Lober inquired if Commissioner Tobia contemplates that regardless of what the State House does, and if he still wants this to be revisited on the March 24.

Commissioner Tobia advised absolutely not, if HB7 passes and is signed by the Governor then this becomes a moot point and he hopes it is never brought up again.

Chair Lober inquired if it does not pass or if it is continued up there, if he wants it addressed at that point.

Commissioner Tobia responded affirmatively, and he noted on March 24th.

Chair Lober commented that is perfect, he just wanted to clear that up.

The Board tabled consideration for motion directing staff to advertise using least expensive publisher to the March 24, 2020, Board of County Commissioners meeting.

**Result:** Continued

**Mover:** John Tobia

**Second:** Curt Smith

**Ayes:** Pritchett, Lober, Tobia, Smith, and Isnardi

Chair Lober noted he knows it is a little irregular but the two gentlemen who spoke earlier were kind of wiggling when he said there was another possible publisher; he asked if they were aware of someone else the County could have staff check into it so it can be put on the record; and he called Mr. Alfrey back to the podium.

Mr. Alfrey stated he wanted to point out something Mr. Tobia said, he had said Melbourne not knowing the difference between the billions and the millions, and he was right; he explained the former City Manager had that issue which he uncovered and that is why he got rid of him; just so the Board knows this is something he brought forward; and he totally understands about our former City Manager. He went on to say one of the things on the *Trader Jakes* again, as a local business, to him he believes in buying local, that is very important and the fact that all that \$0.25 goes to the Wounded Warriors, 100 percent; it is not only about saving tax dollars, it is also about helping veterans; as a veteran, he knows this County has a lot of veterans; at the end of the day this is a win, win; and that is why the City had a 7:0 vote for republicans and democrats on the council.

## **G. PUBLIC COMMENTS**

M.J. Waters stated she does not advertise any legal notices anywhere that she knows of; she lives in Melbourne; she is on the board of the Indian River Lagoon Coalition and they had spent most of January and February talking about what has been going on with the Citizens Oversight Committee (COC) and the Indian River Lagoon (IRL) Plan because that is one of their goals, to educate people; and she advised she had brought a less than two minute video she would like to share with the Board. She went on to say the IRL Coalition feels like the process of the Save Our Indian River Lagoon Plan (SOIRL) and the COC has worked very well; they appreciate the Board's support it; and they are excited to be able to see some modest progress. She mentioned they have shown this video to many people; they have worked with the County and Duane DeFreese and have virtually been on every television station in Central Florida during the past six weeks; and she noted if any of the Board would like to use the Video for anything they can get in touch with them and they would be happy to share it with them.

**H.1. Beatrice Akman (Corey Lancaster) Requests a CUP for a Guesthouse in an RU-1-11 Zoning Classification (19PZ00139) (Tax Account 2514604)**

Chair Lober called for a public hearing on a request by Beatrice Akman for a conditional Use Permit (CUP) for a guesthouse in an RU-1-11 zoning classification.

Jeffrey Ball, Planning and Zoning Manager, stated 19PZ00139, Beatrice Akman requests a CUP for a guesthouse in a RU-1-11 zoning classification and it is located in District 2, Chair Lober.

Chair Lober advised with respect to this, he has reviewed it with staff; the second page of the Agenda Item it talks about Planning and Zoning having heard the request and recommended approval by a 6:3 vote with the condition the applicant connect both the principle structure and the guesthouse to sewer; he would like to request a motion to permit this either with the recommended condition or in the alternative that both the guesthouse and the existing house be connected to advanced septic; and he would imagine that involves connecting the guesthouse to advanced septic which is required anyways and the existing house, he just does not know if they would be able to connect to sewer. He noted staff seems to think that they will be able to but he would like to give them another option.

There being no comments or objections, the Board approved the request by Beatrice Akman for a CUP for a guesthouse in an RU-1-11 zoning classification on 0.96 acres located at 1291 Newfound Harbor Drive, Merritt Island with the condition the applicant connects both the principal structure and the guesthouse to advanced septic or sewer.

**Result:** Approved

**Mover:** Curt Smith

**Second:** Bryan Lober

**Ayes:** Pritchett, Lober, Tobia, Smith, and Isnardi

**H.2. Hitchin Beach Development Corp. (Richard Lee) Requests a CUP for Alcoholic Beverages (Beer & Wine only) for On-Premises Consumption in Conjunction with a Restaurant in a BU-1 Zoning Classification. (19PZ00156) (Tax Account 2434945)**

Chair Lober called for public hearing on a request by Hitchin Beach Development Corporation for a Conditional Use Permit (CUP) for alcoholic beverages, beer and wine only, for on-premises consumption in conjunction with a restaurant in a BU-1 zoning classification.

Jeffrey Ball, Planning and Zoning Manager, stated 19PZ00156, Hitchin Beach Development Corporation 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; and the subject property is located in District 2, which is Chair Lober.

Commissioner Tobia stated the Board had asked staff to look at these types of permits and come up with a process; he will certainly support this, he would just rather have these types of things taken care of administratively and applicants not have to show up in the evenings; and he asked the Planning and Development Director where staff is at with these types of processes.

Tad Calkins, Planning and Development Director, stated staff is still putting together a report for the Board and he hopes to have it completed by the next Zoning meeting.

There being no comments or objections, the Board approved a request by Hitchin Beach Development Corporation for a CUP for alcoholic beverages, beer and wine only, for on-premises consumption in conjunction with a restaurant in a 2,000 square foot unit located at 6710 North A1A, units A and B, Cape Canaveral in a BU-1 zoning classification.

**Result:** Approved

**Mover:** Kristine Isnardi

**Seconded:** Bryan Lober

**Ayes:** Pritchett, Lober, Tobia, Smith, and Isnardi

**J.1. Adoption of the Save Our Indian River Lagoon Project Plan 2020 Update  
Unanimously Recommended by the Save Our Indian River Lagoon Citizens  
Oversight Committee**

Chair Lober advised he spoke with Virginia Barker, Natural Resources Management Director, and that she has initially passed a request off to his office to continue this out to the next meeting; however, his thought is this has already been continued once; he spoke with her in person either yesterday or the day prior and asked if she had a particular opposition to the Board addressing; and she did not seem to have a strong inclination one way or another. He commented if the Board wants to move to continue he would second it. He stated he is going to have a separate motion but he would like to have a little discussion first. He continued by saying looking at what was proposed he likes it all; he thinks they did a good job and the process worked out rather well; his concern is that there is money unallocated and he is not talking about the contingency or the Reserve funds that are built into that, that five percent contingency or reserve, he is not looking at touching that; having spoken to staff he thinks it is an appropriate number and he trust that the Citizens Oversight Committee (COC) and the powers that be have done their work in determining that number; however with that said there is still a large number that is left on the table. He went on to say he went through the spreadsheet and spoke with Ms. Barker and Attorney Bentley about this to address the legality and also a way of allocating the unallocated portions that would be in keeping with what the COC and the powers that be have suggested thus far. He stated looking at what was submitted as far as Indian River Lagoon (IRL) projects submission for award funding, the award funding was ranked based on dollars per pound in total nitrogen removed and they approved the first 46 of them; 47, 48, 49, and 51, the Board could fund all of those up to the same level of \$1,500 cap which is a dollar figure per pound of total nitrogen; the County could fund those out of the unallocated portion and still have a small portion unallocated; and the reason he would skip over 50 is because it is almost \$14 million project and there is not enough allocated for it.

Commissioner Pritchett suggested the Board pass this and that Chair Lober send that out to the rest of the Board and it can make another motion right afterwards of what to do with the unallocated funds if that would be alright; she has asked and she thinks the County is working on, a better detailed financial of what is going on with the Lagoon Funds and what is encumbered, so they are working on that right now also; and she asked if that would be alright because she is going to want time to look that over. She advised if it is not allocated right now that means it is unrestricted reserves.

Chair Lober stated he agrees with Commissioner Pritchett with respect to the Board's ability to revisit it.

Commissioner Isnardi stated if the Board is going to be talking about reallocating or allocating

those funds, she reached out to Melbourne-Tillman because she knows they have some needs and they directly impact the Lagoon as far as equipment from the 1980s that they keep repairing; that would prevent the sediment from going to the Turkey Creek; it does not make a lot of sense that the County has this massive canal system and the County is still dumping all this sediment into the Lagoon; she would like to get something from them; and she noted they are supposed to be working on something to get to her and Commissioner Tobia.

Commissioner Tobia stated in principle it sounds good; and he asked if the Chair would mind asking someone from the COC if they have looked over this and to see if they are on the same page.

Chair Lober noted he would be happy to allow that but before the Board does that he would like to add some specificity so everyone is on the same page with what it is he is proposing; what he mentioned was the COC and what was sent to the Board to approve or propose is the first 46 items in order of the greatest benefit per dollar in reducing total pounds of nitrogen; they stopped at 46, inclusive of it; he is proposing including 47 through 49, skipping 50 which is a \$13.9 million project, and including 51; it is in multiple districts; and some are in his, and some appear to be in District 4. He noted if this goes for a vote today he is not going to support it and not because he does not agree with the 46 but because he would like to address this all in one fall swoop and be done with it; and if the Board wants to continue so they can speak with Ms. Barker to get her input that is wonderful, or if the Board is ready to vote today that is fine too. He went on to say he would ask that after the Board hears from them, is to get a motion to accept and modify by adding the following next in line projects where the dollars per pound of total nitrogen levels have already been reviewed by the COC and that is how they are prioritized, funding them out of the unallocated portion of the Save Our Indian River Lagoon (SOIRL) funds. He added with that he thinks they are better on board with them all being on septic removals and connections to sewer.

Commissioner Tobia stated they may not be able to speak for the entire COC; he commented he is sorry to put anybody on the spot but this is millions of dollars; he is wondering if there is any reason they stopped at 46 because he thinks the goal of the COC is to get the Lagoon in the best shape possible as soon as possible; and he wonders if there is a reason why.

Chair Lober stated he and Eden Bentley, County Attorney, were in the same meeting and he would invite Attorney Bentley to jump in if her understanding is different; his understanding is actually what he just suggested doing was something that was at least talked about; and the reason they did not include those was because they wanted to keep over and above the reserve, money unallocated because there could be something theoretically in the future that would come up that might be a benefit; therefore, it is basically leaving it unallocated because they do not know what might come up in the future, not to allow for cost overruns. He asked the County Attorney if that was her understanding.

Attorney Bentley advised she does not think she was at that meeting so she does not have the details on the financing for that program.

Chair Lober stated if they wanted someone from the Citizen Oversight Committee (COC) to come up, that has been there, he is happy to let them comment on it; or table it as Commissioner Pritchett suggested, for a time when Ms. Barker is in attendance.

Commissioner Tobia stated his understanding is the recommendations had to come through the COC; and he asked Attorney Bentley if that was her understanding that this is a recommendation coming through the COC thus the Board would have the authority should it want to do this.

Attorney Bentley stated the language of the Ordinance is unusual; it says when the COC makes its recommendation it comes to the Board of County Commissioners, this is an amendment to an existing plan and so the amendment is offered to the Board for their inclusion, modification and inclusion, or inclusion in the SOIRL Plan; the Board does have some ability to modify; however their recommendation is clear, it stops at 46.

Chair Lober added inclusive of.

Attorney Bentley agreed.

Chair Lober asked if Commissioner Tobia would like someone to come up.

Commissioner Tobia stated he would like one of the folks who has dedicated so much time to this come up before the Board votes on this; for instance maybe the next time the COC meets see if this is something they would be willing to bring back to the Board with a recommendation; maybe they think that 50 is better than 47, 48, 49, and 51 together, he does not know; he is not looking at that; and he advised he was just looking at the 46.

Chair Lober advised there is not enough money if all the Board wanted to do was add 50; that is why he went with 47, 48, 49, and 51; they were next in priority; and they could not do 50 by itself with what is left.

Vince Lamb stated he is not on the COC; he thought he had some positive remarks and he is going to try his best; Brevard County, Florida is being recognized Statewide and nationally as a Florida County where the citizens voted to fund a major water clean-up effort; he has seen some of the presentations, and Duane DeFreese has been publicizing this at the national estuary programs; the County is getting a lot of attention for the citizen-driven action; many of the voters he talked to before the referendum were very aware of COC and the County has been very fortunate the volunteers that have come forward wanting to serve have met or exceeded the requirements for this board. He thanked the Board for approving the seven citizens choosing those people on the COC. He went on to say the other seven are appointed by the Space Coast League of Cities; he added he thinks this reflects well on the community and is a nice balance of County municipalities; he mentioned the five Board Members and former Commissioner Jim Barfield share a legacy of providing the leadership to greatly improve the IRL; many communities face water quality problems today and few step up and truly take action to make improvements especially at the \$500 million level; and he offers encouragement to approve the 2020 projects. He noted he would further encourage the Board to pass the matter without changes that circumvent or go around the COC process. He commented if the Board wants to do something above and beyond what the COC is doing he would encourage the Board to take that information to the COC; and he stated the benefit of that is one of citizen's confidence. He added Ms. Barker and her leadership set this out on this return of investment to the voters with the return on nitrogen content and he thinks it is good to be pure to that as opposed to going around it. He noted people will forget the bumpy roads and the high garbage bills but the Board could be remembered as the Commission who led the effort to restore the IRL; and he asked that the Board please keep up the effort.

Lew Kontnik, Board member of the Brevard Indian River Lagoon Coalition, stated he attends a lot of the COC meetings; he in fact attended the meeting that is being discussed right now; there was extensive discussion about the projects that ran beyond 46; the gist of it was and it took place over 20 minutes, the cost benefit return of those higher numbered projects was lower and so there was a concern about going ahead with doing those projects; the other thing he thinks is so critical in what they discussed was the fact that if they locked themselves in

today and in two years, three years, or four years, they wind up finding projects that will give them much, much better return for the same dollars and they are foreclosed because they picked high cost projects, that is undercutting themselves; and there was a lot of discussion on how the contingency plan funding was really low by comparison to what normal projects, construction projects like his would do. He went on to say his point is there was very deliberate consideration, very rational decision making by a group of people who have wide expertise from finance to tourism and etcetera; he thinks that substituting the political judgment where there is a set of people who have discussed this in great detail with great facts is really not the way to go; and he encouraged the Board to approve the project plan as given because everyone is going to benefit from it.

Chair Lober stated Mr. Kontnik mentioned the COC stopped at 46, inclusive of, because the projects beyond that were more expensive per reduction of total pounds per nitrogen; and he asked if that is correct.

Mr. Kontnik stated that is what he remembers; he is not trying to give the Board gospel because it was maybe six weeks ago and he does not remember everything.

Chair Lober stated he is not trying to be accusatory or anything he is just trying to understand; 44, 45, and 46 were recommended by the COC and are exactly the same dollars per total nitrogen pounds removed as were 47, 48, 49, and 51; they are all \$1,500 presumably because that was the cap per cost share; and he thinks this goes back to where there was discussion with respect to opportunities that may present themselves which are not yet known; and he asked if that would be fair to say.

Mr. Kontnik advised he is not going to comment on the cost and the detail of that rationale because he would want to be sure of what he was saying; there was extensive discussion about the individual projects and he knows that; and there was extensive discussion about the fact that they may find in a year or two, and he believes the amount of money is \$16 million, but he is not positive about that.

Chair Lober stated he thinks it is closer to \$8 million.

Mr. Kontnik stated the thought was, for goodness sake, save a little bit so if they find the pearl they want to finance, do not lock it all up today; he knows that was part of the rationale; and he certainly encourages that.

David Carbone stated he has attended several of these COC meetings and he has been very impressed; he is a finance professional with over 40 years of experience both in the public arena as well as in the private industry with many of the projects he has overseen responsibility for have been in excessive of the amounts being discussed today; he has been impressed with the COC's process, their approach, the distribution of the projects, the way that they have hedged their bets by backing off on all muck removal, and selecting other initiatives; from a financial perspective he is urging that the Board approve the COC plan as it was recommended for two reasons; first they have gone through the projects and have a better understanding of the numbers and they have been incredibly diligent in the process they have gone through; and there is a good possibility that in the many years that the County faces in collecting this tax to fund this project, that additional opportunities will arise so it is his understanding the unallocated amount will increase the contingency approximately five or six percent. He went on to say an additional percent in the contingency reserve is really peanuts when looking at the potential for cost increase for unanticipated events like hurricanes or COVID-19 can do to increase the materials costs; he already mentioned adding additional projects as funding downstream; he does not think the Board wants to put itself in the situation of over-promising

and under delivering; and he thinks if the County is going to get where it wants to go, that if the Board does not apply good management principles then it has to rely on good luck and he does not think the board wants to be in that situation. He reiterated he would urge the Board to approve the updated SOIRL Plan as recommended by the COC.

Chair Lober stated as to the additional percent reserve, he does not see that being something that was recommended; and he inquired if that was something he saw that they meant to recommend to the Board, to go up from five to six percent.

Mr. Carbone explained he understood that the COC intended to leave themselves an allocated amount ahead to provide for the potential to add future projects that have yet to be identified.

Chair Lober stated Mr. Carbone mentioned the COC hedged their bets by backing off of muck removal and he inquired if Mr. Carbone thought that was a good decision.

Mr. Carbone responded he does.

Chair Lober asked if he was aware, that decision was a direct result of this Board rejecting their initial proposal last year and it going back to the COC for a change.

Mr. Carbone stated he is a finance professional not a Phd environmentalist; he has listened to both sides of the argument from them; what he understands is finance; and what he is recommending is based on his financial perspective and experience.

Terry Gibson stated he is the government affairs director for the American water security project; Jensen Beach is the next town north of Stuart; he is not a resident but he has fished, hunted, surfed, and dived here in Brevard County since he was a little boy; he knows these waters like the back of his hand; and he stated he want to first of all asked the Board to pass this plan, it is a stark improvement from what the County was looking at a few years ago. He added it focused on the main problem which is the feces; it focuses on the source primarily and that is where it needs to start; the organization he represents is chock full of experts that do estuarine restoration all over the country; with a couple exceptions, nobody has ever muck-dredged their way out of a feces problem; all estuarine restoration, begins with restoration of waste water; and he really appreciates the County concentrating most of the budget on that. He went on to say he would take some exception to the video he just saw, he knows this river backwards and forward, he has seen a little bit of grass and most people mistake seaweed and algae for grass or it is shoal grass that is the first to come back and it will not survive the year, it is almost all gone, and the muck dredging has not helped it at all; he believes the County needs to save every last dollar it can for the wastewater stuff; he has been in Tallahassee all week for the past 11 weeks working on water legislation and appropriations; some really good news is probably going to come across the County's news feeds in the next couple days about water policy; and there is going to be a lot of requirements to improve the wastewater and stormwater infrastructure. He added the other good news is there is probably going to be a lot of money to help do that on top of the half-cent sales tax; a lot of others have said this Board really has a unique opportunity to leave a legacy as the people who have healed this Lagoon; he encouraged the Board to pass this; and he asked that the Board really focus on the inputs.

Commissioner Smith advised he is very familiar with Jensen Beach and he loves the inlets except when Okeechobee comes out; he thanked Mr. Gibson for being there; he noted Chair Lober makes some very good and productive points and he would like to hear the answers; and he thinks the best way to do that is to table this and let Virginia Barker, Natural Resources Management Director, explain it because he does not know the answers, but it does make

sense to him. He made a motion to table.

Chair Lober stated he seconds that. He continued by saying there are a couple more lights so he will go ahead and address those first; and he passed the spread sheet he has been operating with on to the Clerks to include in the record.

Commissioner Pritchett asked to send a copy to all of the Board.

Chair Lober asked the Clerk to email it to the Board as it was his only copy. He advised the first motion has been withdrawn; the motion on the floor is for Commissioner Smith to finish this out; and he asked if this should be continued to March 24.

Commissioner Smith stated whenever the next meeting is.

John Denninghoff, Assistant County Manager advised that is the next meeting where staff could agenda things in the normal fashion; and it could be brought back on March 10 as an add-on.

Commissioner Smith commented if Ms. Barker is going to be there on April 10, then that would be fine.

Commissioner Tobia asked if the COC would have met prior to March 24 so they would be able to offer input on this.

Mr. Denninghoff responded he does not think so.

Commissioner Smith commented he thinks Ms. Barker would have the answers; and he noted she has been to all the COC meetings.

Chair Lober agreed.

Commissioner Tobia advised if Commissioner Smith is comfortable with that so is he. He stated he is sure the COC can weigh in prior to that as well.

Commissioner Smith stated he is sure they will get the message so if they have answers he is sure they will be there.

Commissioner Pritchett stated she thinks what the Board is saying is it is passing what was presented but there is a reserve fund that Chair Lober is wanting to go ahead and put through also; her thought is when this was first done, their thought was to have \$23 million the first year; the first year hit like \$34 million; last year was \$48 million; and this year they have projected over \$50 million, so there is a lot of funds coming in. She continued by saying she does not know that the Board should not start putting things through; Commissioner Isnardi got her attention with extra funds coming in; she does not know if the Board should not start thinking about some capacity issues if it falls within the guidelines; there seems to be enough to do what was originally planned; and she thinks the Board needs a lot of input because this was double the money that was considered. She added she thinks that needs to be a good discussion; she wants to make sure this is going to be equitable between the Districts; she looked into it and she thinks there is a little imbalance; and she thinks District 5 is way behind right now and it needs to be looked at moving forward.

Commissioner Isnardi reiterated District 5, Indialantic, obviously is part of the concern but she has that whole canal system that is miles and miles of canal and it all drains into Turkey Creek

which all drains into the Lagoon; she thinks whether or not they should be in front of the Board begging for money, it is probably not Melbourne Tillman's style because they just maintain canal ways; they are a quiet group of people that do an amazing job if anyone has ever seen how much water they hold in the Districts; however, she really wants them to bring the Board something so it can at least make sure that the Board is not missing an easy, low-cost opportunity to save money. She noted she is so excited about the capacity issues and getting people off of septic; no one will ever get the public's support if there is constant dumping of raw sewage into the Lagoon; it really does defeat the purpose to restore something just to hammer it again with pollution; she likes the list and does not think anyone on the Board is not going to agree with what is allocated so far, it is just the overage; however, the money is coming in hand over fist and they cannot spend it fast enough. She stated the reserve is for having it sit in the bank; if there is a hurricane or something then there is Federal Emergency Management Agency (FEMA); and she mentioned that money is always coming in so to just have it sit there and not do anything she feels is not being very good stewards of that money.

Commissioner Smith interjected it is counterproductive.

Commissioner Isnardi agreed. She went on to say the County should be doing everything it can; not spending it recklessly or without good science but she thinks it should be spent; and she commented if it is there spend it and restore the Lagoon as quickly as possible.

Commissioner Pritchett stated she agrees; they are sitting with \$123 million in reserves right now because it is hard getting the permitting going for these projects; that is just going to increase; from an overview, everyone is paying into this so she thinks the entire County needs to benefit from it; she thinks they need to expand the criteria of what the County is doing; and because everyone is paying in she thinks it needs to be equitable between the Districts. She mentioned overweighing the projects that are going and looking at the financials, is something she believes the Board should be more aware of; and she thinks the County needs to be a lot more aggressive with some other capacity projects because there is a lot more money coming in.

The Board of County Commissioners, in regular session on March 5, 2020, tabled consideration to adopt the SOIRL Project Plan 2020 update, unanimously recommended by the COC, to the March 10, 2020, Board of County Commissioners meeting.

**Result:** Tabled

**Mover:** Curt Smith

**Second:** Bryan Lober

**Ayes:** Pritchett, Lober, Tobia, Smith, and Isnardi

## **J.2. Tourist Development Tax Proceeds**

Chair Lober stated this is the Tourist Development Tax (TDT) Item that was continued out to have the benefit of Commissioner Isnardi who unfortunately was not well the last time; he would be happy to introduce it but he thinks everyone is probably familiar with it; and he asked what is the Board's pleasure. He asked Commissioner Isnardi what she thinks with respect to this; and he asked if it is something she is interested in seeing because at this point what is being proposed is simply getting proposals from staff, it is not reallocating.

Commissioner Isnardi asked for clarification that this is just overages that have not already been budgeted.

Chair Lober responded affirmatively.

Commissioner Isnardi advised she does not have an issue with that only because she hears both sides of it; they are obviously spending a ton of money on marketing like it is supposed to do; that is what the tax is for; she would caution she does not want this to now become the road fund; she does not want the County to now take an infrastructure; however, if there is an overage this year she does not have a problem allocating it as a one-time sunset so it does not become a political issue, so just this year only. She added that way the County is not taking from it, it sunsets in one year, and the Board can revisit it if it needs to or if it wants to do it again, it can; she does not want this to become a reoccurring thing because it is not what this tax is for whether people agree with the tourism tax or not; is of zero consequence to her position on this whether people agree with how it is collected, who it is collected from, or whether it should be spent on roads or not; and that is what their budget is so she does not have a problem with taking what is over, at least for this one year.

Chair Lober stated he does not know if that is something that necessarily can be built in a sunset because what is being proposed is simply asking staff to provide options at this point; the Board would have to vote on those options when they are brought back; and in the future if the Board does not want to do that then it just does not ask for the options or alternatively the Board could reject the options.

Commissioner Isnardi noted Chair Lober asked for her opinion on this so basically it is a philosophical opinion; it is either she likes it or she does not; therefore, she gave it all.

Chair Lober asked the Board for a motion.

Commissioner Isnardi made the motion to approve.

Commissioner Pritchett asked if the Board is just opening up the ability for the Tourist Development Committee (TDC) to make some changes if they received some extra funds and want to do this.

Chair Lober explained it would have to come through the TDC as well.

Commissioner Pritchett asked for clarification that all they are doing is just giving them an extra avenue for them to make the choice, like if they are sitting on extra funds that they do not know what to do with because that is their ability to do that.

Chair Lober went on to say the TDC and the Board would have to sign off on it as well so it has a couple safe guards in there as well.

Commissioner Pritchett commented the Board is not necessarily making anything happen.

Chair Lober responded no. He noted if the Board does not like what staff proposes, it dies at that point or if the TDC does not like it then it dies there.

Commissioner Pritchett commented the Board could do it and the TDC could just ignore the Board; all the Board is doing is saying there is availability for this if the TDC wants to do it.

Chair Lober replied affirmatively.

Commissioner Smith stated he has gone back and forth on this; one day he is really supportive of it and another day he is not; and he questioned if the Board starts at 16.6 and the TDC takes in \$100,000 over that then they would have to make a proposal to the Board to spend that

\$100,000 on a road.

Chair Lober stated it would have to be approved by a majority.

Commissioner Smith inquired if out of that \$100,000, 40 percent could be used for the road repair.

Eden Bentley, County Attorney, explained 40 percent of the TDT revenues must be spent to promote advertising so she would have to go back and do the math because it is not 40 percent of the \$100,000 overage.

Commissioner Smith stated okay.

Chair Lober stated looking at the second page of the Agenda Report Item, second complete paragraph, about midway through, moreover a maximum of 70 percent of the cost of the proposed public facilities will be paid for with TDT revenues; the Board could only pay for a certain percentage with that but it could in theory use 100 percent if they are supplementing that with other County funds; and for instance other funds that would go to roads regardless. He continued by saying his Chief of Staff, Robert 'Fritz' Vanvolkenburgh has the exact numbers and he believes it is a lot more than \$100,000; he thinks at his point they are barely into March at over \$300,000; and he noted it could be a seven digit number for just one year. Commissioner Smith stated the other thing he is concerned about and he thinks this could be a slippery slope, this is the TDC's bread and butter; they tax themselves voluntarily and he knows it is something like 45 or 47 percent of what is taken in, it does not reach the 50 percent threshold so it does not all go to advertising; and he asked if they are raising \$16.6 million and 45 to 50 percent is used for advertising, then the other 50 percent goes where.

Chair Lober commented it depends on what their proposals are and what the Board does in respect to approving or rejecting the proposals; one of the big motivations for this Item comes from his constituents who do not feel that the TDT funds benefit them at all; he tends to disagree as he believes there is a benefit to the County with the way the money is spent by and large; there are certain projects that some are more happy with than others; however, he thinks this is a way of allaying the concern and really benefiting those folks as well to say the TDT exists to promote the tourism industry but it can do that while also helping local residents and folks that are not involved in the tourism industry. He added more so than just benefiting by the additional economic boost that it gives the economy.

Commissioner Smith stated he is teetering because he does not want to go down a slippery slope so that the County starts giving people that are opposed to the TDC impetus to come back and say the County needs to take more; that is his fear because he does not want to kill the goose that lays the golden egg; the hoteliers and the people who collect this tax, they are the ones who are marketing this County and they are the ones bringing in the tourists; and they do spend money right now on things that benefit the entire County like beaches and storm protection.

Chair Lober stated he would not try to take what the TDC has already been receiving and using; he knows if the County continues the way it is going it will have spent more over the past 12 months than it will have in any preceding 12 months to benefit that industry so it is not that the Board is bleeding them to the point where there's an issue; they are getting everything they intended to get and anticipated getting; it is just the gravy over and above that can help the Board put the County in a better position than the way it is traditionally done.

Commissioner Smith stated he gets that and that is the part that he agrees with, but he still has

a concern that if the Board does this, then it makes it easier to go a different route next year; and that is the slippery slope he is concerned about.

Chair Lober commented the Board is always the gatekeeper and the TDC is another gatekeeper so it is something where there are checks and balances that exist in the system; he understands that if the TDC became unhinged and a Commission that became unhinged, it could be really bad; however, that could happen regardless of what the Board does today or not. He added if Commissioner Smith thinks it is a good idea at least insofar as it is outlined for today's purposes and if he does not like it in the future if it is proposed again, then do not support it.

Commissioner Smith agreed.

Commissioner Pritchett stated she liked it until Commissioner Smith started talking; she started thinking that is why the Board ended up with instead of \$25 million in the Lagoon fund it is coming in with \$50; they have the gas tax coming in a little higher; she thinks all the tourism stuff being done is working; and now she is getting a little hesitant from what was said. She mentioned here is the thing, if they came to the Board and said look the TDC has spent everything it could spend and there is X amount of dollars they would like to give to the County to do something with roads; and she does not know if at this point if she has not been talked right out of it. She asked the Tourist Development Office Director, Peter Cranis if his office has had any conversations where they think they have more money than they need to do the projects that they think is going to draw in tourism; and she knows she is putting him on the spot and he is not going to want to answer that. She reiterated she is a little more hesitant with what Commissioner Smith has said. She inquired if the TDC came to the Board and said they had extra funds, is the County allowed to take that and apply it to road projects.

Eden Bentley, County Attorney, responded not unless the Board could amend the Ordinance and have this very narrow window to use it on roads that benefit tourism; and that is all the Board can do.

Commissioner Pritchett stated so even the roads would have to be correlated with projects that are directly connected to like Viera before the stadium or beach roads.

Attorney Bentley advised it would have to be reviewed by a consultant and found to be a benefit to tourism.

Chair Lober commented this gives them the opportunity to do that and if they do not agree then it does not pass and it does not even make it to the Board.

Commissioner Pritchett inquired if it is going to be expensive to try to do that.

Attorney Bentley noted she does not know how much a consultant would cost for something like that; and she does not know if Peter Cranis, Executive Director of Brevard County Tourist Development Office, has ever had experience with hiring that type of consultant.

Peter Cranis, Executive Director of Brevard County Tourist Development Office, responded he has not.

Chair Lober stated that is something that will obviously come back to the Commission to approve if there is a cost associated with it.

Mr. Cranis responded it would.

Chair Lober advised this just puts the Board in a position to have more information.

Commissioner Isnardi stated she does not know that the County needs a consultant to interpret the law, it probably just needs a solid legal opinion because those have to come back from the TDC anyhow.

Mr. Cranis explained the law provides for a consultant, a third party must look at it.

Commissioner Isnardi asked if it is something new.

Chair Lober replied yes.

Commissioner Isnardi noted she was unaware of that, but the bottom line is it still needs to come from the TDC.

Mr. Cranis agreed.

Commissioner Isnardi went on to say so it is not something that the Board is arbitrarily making up, and if anybody thinks that tourists do not use roads, and whether or not someone agrees on how the County should get those monies whether it be through General Fund dollars or new taxes, and she would never support that, but the TDC also benefits, she thinks the hoteliers do a great job, but they also directly benefit from all that marketing that the TDC is using those funds for; it is not like they are throwing themselves on the sword, they are directly benefiting from that marketing and advertising; and she does not have any problem taking the overage of what has not been allocated because Lord knows, and the reason why the TDC in the past has been so criticized, is because they have wasted money; they wasted money in the past, they have not been able to account for bills and other funding, but not anymore, and not lately; and she expressed her appreciation to Mr. Cranis for cleaning up the mess. She went on to say that is why that reputation is so scarred and bruised; she is glad it is headed in the right direction; and this is an easy one for her because the tax is being used for its intended purpose and this is just talking about exploring other ideas in regard to infrastructure for what is over and not budgeted for. She advised she will support it.

Chair Lober commented the motion is to have staff bring back options to the Board utilizing TDT funding where authorized by Statute to better ensure the County focuses on reducing the backlog on roadways, County-owned roadways, and the options must be contemplated as having some articulable positive impact on tourism related businesses in the County.

The Board directed Tourist Development Director to bring back to the Board the options utilizing Tourist Development Tax funding, as authorized by Statute, to better ensure focusing on reducing the backlog on County-owned roadways, and the options must be contemplated as having some articulable positive impact on tourism related businesses in the County.

**Result:** Approved

**Mover:** Kristine Isnardi

**Second:** Bryan Lober

**Ayes:** Pritchett, Lober, Tobia, and Isnardi

**Nay:** Smith

Commissioner Smith advised if they get a chance to see how it works next year, then he can reassess.

**J.3. Resolution Declaring the Intent of the Board to Adopt a Budget That Would Not Constitute a Tax Increase**

Commissioner Tobia expressed his appreciation to staff for all of the hard work that goes into putting together a budget; he mentioned all this would do, should it pass or not pass, is to provide staff with a little more information; thanks in large part to staff, the County is making significant progress in fixing the backlog in infrastructure; the County is not there but it is making strides; it is clear that the County is able to accelerate this without having to raise taxes; and thus not having to advertise in the Florida TODAY. He went on to say cutting services would not be necessary because the revenue from new construction and the revenues expected to raise without a tax increase, he sees a Consumer Price Index (CPI) of about 1.81; and he would like to make a motion to adopt a resolution declaring the Board's intent not to raise taxes.

Chair Lober stated as he did last year, he will second it for this year.

The Board adopted Resolution No. 20-020, declaring its intent to adopt a Fiscal Year 2020-2021 budget that will NOT require an advertisement of a tax increase under \$200.065 due to the adoption of a millage rate in excess of 100 percent of the rolled-back rate.

**Result:** Adopted

**Mover:** John Tobia

**Seconded:** Bryan Lober

**Ayes:** Pritchett, Lober, Tobia, Smith, and Isnardi

**J.4. Resolution Declaring the Intent of the Board to Not Make a Finding of Critical Need Pursuant to Section 2.9.3.1(c) of the Brevard County Charter**

Commissioner Tobia stated this is a resolution stating the intent not to bust the voter approved tax cap; there is no fiscal responsible reason, outside of a declared emergency, why it would be necessary to do this; he knows the Board might have done this in the past dealing with public safety; that amount was a little bit more than \$900,000; and to put that into perspective the County received more than \$3 million last year in new construction funds. He went on to say hopefully the County will get somewhere around that amount, plus there is the CPI on top of it that will come to the General Fund; that should account for in the neighborhood of \$3 or \$4 million; that is just the 1.81 times the General Fund so the County is looking at millions of dollars over; and that should be more than enough to cover the few hundred thousand that the County was forced to vote on in order to give a bump into the Municipal Service Taxing Unit (MSTU) for Law Enforcement. He continued by saying this resolution just states the Board's intent not to bust the cap and this year the County will have the funds to cover public safety and infrastructure with the added revenue.

Commissioner Pritchett noted she totally agrees with this, the only hitch would be if something happens with the Clerk's lawsuit on the County and then they would have to go back to square one; she would then most definitely have to vote to do that to make sure the Sheriff has funding like the Board has tried to do with them the last couple years; in full disclosure she just wanted to say that; and she noted outside of that she has no intent of finding a critical need.

Commissioner Isnardi stated without the unknown, the emergency, that is what the voters voted for; the last thing she wants to do is bust the tax cap but if it is public safety she cannot guarantee that she would not at least review it; she does not want to be locked in a box because that is what the voters approved; therefore, she will not support this the way it is written. She added she would support it if public safety was a factor and that includes the Sheriff's Department and the Fire Department; and she went on to say if it was health or safety

it would be foolish of the Board to just say no.

Chair Lober agreed.

Commissioner Smith stated he agrees with that because what is being said is the intent; it is his intent as he sits here right now; he cannot say that there would not be a situation that raises its ugly head in three months or 10 months that he would not consider raising it so he can vote for this; however, he cannot guarantee that is the way it is going to be going forward, forever and ever. He noted if Commissioner Tobia wants to change the wording he would definitely vote in favor of it.

Commissioner Tobia stated the MSTU on the Law Enforcement budget was raised not to be exact \$942,209, just under \$1 million; last year this Board received in new construction alone \$3 million more; had the Board prioritized public safety more than what it did and he could provide a whole laundry list of things that the Board could cut, the Board would not have had to put the Sheriff in that position; however, the Board did not want to make any cuts so it forced the Sheriff to come here and ask for money for public safety. He went on to say the Board is going to have new construction money, money that is unallocated and above last year's budget that is going to be substantially more than that \$942,000; and there is also a CPI that is estimated at \$1.81 which should raise another \$3 or \$4 million. He noted this Board is looking at millions of dollars more; the Sheriff's budget \$942,000 MSTU went over and that triggered this; if anyone could give him the pencil that Commissioner Pritchett was talking about he will go through and find the \$942,000 that can be cut from other projects to fully fund the Sheriff's budget, but it should not come to that; he is not willing to make any changes to this because he thinks it is very important that this Board not only prioritize public safety but go along with whatever more than 70 percent of Brevard County voters have said in the past that they are not interested in busting the tax cap; and he reiterated this is outside of a declared emergency, should there be that occurrence that the Board cannot see, the Board would not be obligated to do this.

Commissioner Smith pointed out that the Charter does not limit it to an emergency, it says a critical need can trigger this, so it can be either or; and it does not have to be just an emergency. He inquired if the County takes in X amount of dollars in new construction that does not automatically get spent, if it is above the budget, does the Board get to spend that.

Commissioner Tobia commented that is the Board's job to approve the budget that the County Manager's Office sends to the Board that; and that is what the Board is tasked to do.

Commissioner Smith advised the Board is limited by the cap so if the County takes in more money than the cap, the County cannot spend that; that is not just a blank check because there is a windfall in new construction.

Commissioner Tobia advised with a four-fifths vote, according to the Charter, the Board does have that ability; and the problem is with a critical need there is no real definition for a critical need.

Commissioner Smith opined that is why the five Board members are there to make that decision.

Commissioner Tobia stated that is true but Commissioner Smith is talking to the one who disagreed with the definition of the critical need.

Commissioner Smith commented he understands that, that is why there are five Board

Members because they all get to have an opinion.

Commissioner Tobia stated he fully supports that and that is why he is bringing it up here; he is just saying the Board has the ability with extra dollars to fully fund that need and not force the Sheriff to come here with his hands held out and ask for the \$942,000 extra dollars; the County had the extra resources had the Board decided to allocate them; and instead the Board sent them all over the place.

Commissioner Pritchett stated she called Frank Abbate, County Manager, while he was in the hospital and asked him some questions; she asked if he thought the budget would bring a tax increase and he said that is not his intent; she asked if he thought the Board would have to break a critical need and he said he did not believe so; and she thinks that is based on, and Chair Lober is more lawyer than she is and he also believes what the Board did last year is consistent, so she does not think the Board is going to lose that one, she does not really see the Board having to do it; and she thinks it can just be built on and it will be okay. She continued by saying the Board raised the Sheriff's MSTU which she loves because it can only go to the Sheriff's Department and it is a constitutional office; some forget that the Board gave the Clerk \$1 million, it gave the Supervisor of elections \$1.5 million, so it is not like the Board did not already strain the budget to give extra money to the constitutional offices; she would love to never have to do it but sometimes it has to be done to take care of the jobs that have to be done, safety and infrastructure; she thinks the Board has done really well with chopping off a lot of things that were not necessary in the past; and she advised Commissioner Tobia that she can vote for this because she has no intention of breaking this unless something comes up that is unforeseen that is an emergency with safety and infrastructure that the Board has to, or if Mr. Abbate comes along and says it has to be done to do a good job, or if the County does not win with what the Clerk is doing. She added she has no intention of wanting to have to do that so she is comfortable with it.

Chair Lober inquired if the estimated CPI is 1.4 percent or thereabouts.

Jill Hayes, Budget Office Director, stated for the Fiscal Year 20/21 budget the CPI will be 1.81 percent.

Chair Lober noted that is a little better than he thought but certainly not anywhere near three percent; this whole situation kind of reminds him when he was campaigning in the middle of 2018; he got a recurring question at a ton of events, if he would swear not to increase taxes and his answer was always the same, that he could not promise not to do that because he does not know what he does not know; if there is a situation that would make life essentially unbearable for people, absent the Board raising taxes, he cannot say sorry but people cannot use the roads or sorry people cannot get from point A to point B, sorry Police do not respond because he swore not to raise taxes; and he did not want to box himself into a position like that. He went on to say does he want to exceed the Charter cap or the CPI at 1.81 percent, no he does not want to do that; he pays into the millage himself; however, he does not want to box himself into a corner and just as he would not promise when he was running, not to raise taxes, even though the Board has not raised them the entire time he has been in office, he is not going to promise not to do something unless he knows absolutely to a certainty. He stated he just does not have all the information at this point, so he can support this in spirit, but he does not want to box himself in a corner by voting to support this; that is what he did last year when this same Item came up; he voted for the aggregate Item last year; he thinks it failed last year and luckily passed this year; however he is not going to support this one this year and he does not see a reason to change course this year. He added he has one final thought and it may be on the Agenda either this next meeting or the meeting after that, there is an Item that talks about having a study with respect to County Fire Rescue and the time lines that are included in

that, talks about doing a study, he believes in 2021 to apply in 2022; if that is what Mr. Abbate is basing his assessment, that the Board will not have to exceed the 1.81 percent CPI, he does not know that he is too thrilled making the fire fighters wait until 2022 to do something to help them out and to get them to a more competitive salary; if the Board can accelerate that and push it back to doing the study now and applying it in 2021 or bridging the gap somehow, that is his strong preference; and he reiterated he is not going to support this today because he does not have all the information he would need in order to be comfortable doing it.

Commissioner Isnardi stated just reading through this resolution, "Whereas the Board of County Commissioners intends to adhere to the will of the voters and not interpret critical need in such a manner as to create a virtually limitless loophole," this Board voted by majority voted to exceed that and she does not think anyone on the Board envisioned it to be a limitless loophole; she is not going to play to the political fodder; she read, "Outside of a State of Federal emergency, a true critical need will not arise in the current year if revenue exceeds the previous fiscal year absent such a finding," that is a State or Federal emergency and she is not comfortable with that either; she is not going to commit to vote for something when she does not know what is going to happen; and she does not feel comfortable when it comes to public safety. She went on to say everybody on this Board has voted to raise taxes at some point, so do not forget that; she is not going to play this political game and be boxed into anything just because it may or may not win her favor; she is going to do her job that she was elected to do with the information she has; therefore, she will not be supporting this.

Commissioner Smith interjected make responsible decisions.

Commissioner Tobia's motion died for lack of a second.

The Board took no action on a resolution declaring the intent of the Board to not make a finding of critical need, pursuant to Section 2.9.3.1(c) of the Brevard County Charter.

**L.1. Frank Abbate, County Manager**

John Denninghoff, Assistant County Manager, stated Frank Abbate, County Manager, is thankful for all the well wishes that people have expressed; and he noted Mr. Abbate is on the mend.

**L.6. Curt Smith, Commissioner District 4**

Commissioner Smith stated at the last meeting when he requested approval from the Board for him to go to Washington D.C. Chair Lober asked what the cost would be and he said about \$1,000, and he wanted the Board to know it is going to be about \$1,800; and he noted if the Board wants to change its mind to please let him know.

Commissioner Isnardi stated there is value in those trips.

Commissioner Smith stated he would encourage anybody to go whenever they get a chance because it is very positive for the County.

Commissioner Isnardi stated she would like to go next year.

Chair Lober stated as long as he was convinced that there is a Return on Investment (ROI) for the County he is happy to support; and he does not think the Board needs to do anything with respect to that.

**L.7. Kristine Isnardi, Commissioner District 5**

Commissioner Isnardi stated the Board is thinking about Frank Abbate, County Manager, praying for him, and everyone is there for him; she mentioned he has good people at the helm so the County will not burn down without him; and she mentioned he has to take care of himself if he is going to come back and take such good care of everyone else.

**L.4. Bryan Lober, Commissioner District 2, Chair**

Chair Lober stated if Frank Abbate, County Manager, is watching to turn it off and watch something that is a little more interesting; and he promised the Board will be there; and he can bore himself with the minutes when he is up to 100 percent. He added get well. He went on to say he went to the Department of Health (DOH) briefing at the Emergency Operations Center (EOC) earlier this week where Maria Stahl, Department of Health Administrator, her staff with DOH, Kim Prosser, Emergency Management Director, and her staff put together a good show; they had a ton of participation from all the stakeholders; the Air Force Base, the School Board, and a slew of folks that are in the Medical community were all there; it was a real good set up in that people were able to ask questions and relay different things that were happening with respect to their agencies and their organizations; and he knows a couple of the other Commissioners had sent people out there. He added he took note of that; he mentioned he thinks the County is doing everything it reasonably can with respect to the Corona Virus; a potential issue that the County may have here, he would caution people to not do anything rash, to take it seriously but not to over-blow it either; that is the stance he is perceiving from DOH and EOC; and he noted to pay attention if there are any notices that go out; but do not go crazy with it.

Upon consensus of the Board, the meeting adjourned at 6:54 p.m.

ATTEST:



SCOTT ELLIS, CLERK



BRYAN LOBER, CHAIR  
BOARD OF COUNTY COMMISSIONERS  
BREVARD COUNTY, FLORIDA

As approved by Board May 19, 2020.

## Kimberly Powell

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**From:** Kimberly Powell  
**Sent:** Thursday, April 30, 2020 11:14 AM  
**To:** Commissioner District 1; Commissioner District 2; Commissioner District 3; Commissioner District 4; Commissioner District 5; Eden Bentley; Sally Lewis  
**Subject:** 03-05-2020 Zoning draft.docx  
**Attachments:** 03-05-2020 Zoning draft.docx.rtf

All,

The attached minutes for the March 5, 2020, Zoning meeting will be considered by the Board on May 19, 2020.

If you see anything that needs to be corrected please let me know prior to that meeting date.

Thank you and have a wonderful day.

Kimberly Powell  
Clerk to the Board  
(321) 637-2001  
[Kimberly.powell@brevardclerk.us](mailto:Kimberly.powell@brevardclerk.us)

