

Brevard County Board of County Commissioners

*2725 Judge Fran Jamieson Way
Viera, FL 32940*



Minutes

Tuesday, August 24, 2021

9:00 AM

Regular

Commission Chambers

A. CALL TO ORDER 9:00 a.m.

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 Zonka

C. PLEDGE OF ALLEGIANCE

Commissioner Smith led the assembly in the Pledge of Allegiance.

E.2. Senator Wright Check Presentation to The Reentry Center of Brevard

Senator Tom A. Wright noted that, in his third year as Senator, he had an opportunity to bring more funds that all senators send to the State every year; in his first year he brought home \$1.7 million, the next year he brought \$2.2 million, and this year he brought almost \$13 million back to the District; he mentioned that he is very proud to present the Board with a check of \$612,500 for the My Community Cares, Reentry Center of Brevard Portal; he is glad he is able to do that; and he believes it is a great program. He stated it gives people a second chance to re-enter society; and he is happy to bring that here today.

The Board acknowledged a presentation given by Senator Wright to The Reentry Center of Brevard.

E.1. Resolution Recognizing August 2021 as Florida Water Professionals Month

Chair Pritchett read aloud Resolution No. 21-098, proclaiming August 2021 as Florida Water Professionals Month.

Kevin Shopshire stated, on behalf of approximately 170 members within Brevard County and 5,000 members State-wide of water, wastewater, stormwater, industrial pre-treatment, utility customer relations, employees of the cities, counties, and private contractors, he thanks the Board wholeheartedly for its support; and he, with those mentioned, are here to help keep the environment safe for drinking water, wastewater, stormwater, for the residents and children's future.

The Board adopted Resolution No. 21-098, proclaiming August 2021 as Florida Water Professionals Month.

Result: ADOPTED

Mover: Rita Pritchett

Second: Curt Smith

Ayes: Pritchett, Lober, Tobia, Smith, and Zonka

E.3. Resolution Proclaiming Constitution Week, September 17-23, 2021

Chair Pritchett read aloud Resolution No. 21-099, proclaiming September 17-23, 2021, as Constitution Week.

Lisa Waters, of the Abigail Wright Chamberlin Chapter, indicated two other Daughters of the American Revolution are with her today, Michell Abbey, who is the Regent for the Abigail Wright Chamberlain Chapter, and Deena Albergo from the Cape Canaveral Chapter; she continued to say that there are seven chapters of the Daughters of the American Revolution in Brevard County, and they are all pleased to accept this proclamation; she expressed that, as

daughters, mothers, sisters, and wives, they accept the responsibility of educating their children and youth regarding the importance of American history and the Constitution; and she stated that the two documents of paramount importance to them, that they are promoting as part of Constitution week, is the Declaration of Independence, which forged their national identity, and the United States Constitution, which set forth the framework of the Federal government that is in use today. She asserted that while Independence Day is a beloved National holiday, fewer people know about Constitution Week, an annual commemoration of the living document that upholds and protects the freedoms central to the American way of life; 66 years ago, the Daughters initiated the observance in 1955; later that year, the Daughters petitioned Congress to recognize the importance of the document; and on August 2, 1956, President Eisenhower signed Constitution Week, September 17-23 each year, into public law. She went on to say that the celebration's goals are three-fold; first, to encourage the study of the historical events that led to the framing of the Constitution in September 1787; the second goal is to inform people that the Constitution is the basis of America's great heritage and the foundation of its way of life; and the third is to emphasize United States citizens' responsibilities to protect, defend, and preserve the Constitution. She stated that her Chapter is celebrating Constitution Week, and specifically Constitution Day, at the Fee Library on September 17; they will be there dressed in colonial gowns giving away items for the children, such as pocket Constitutions, puzzles, and coloring books; her Chapter hopes the Board can join them there; she thanked the Board for its support; and she stated the Daughters of the American Revolution sincerely appreciate this important commemoration.

The Board adopted Resolution No. 21-099, proclaiming September 17 – 23, 2021, as Constitution Week.

Result: ADOPTED

Mover: Rita Pritchett

Second: Curt Smith

Ayes: Pritchett, Lober, Tobia, Smith, and Zonka

Chair Pritchett inquired if anyone from the Board would like to pull a Consent Item.

Commissioner Tobia replied that he did not want to pull an Item, but he wanted to vote no without comment on Agenda Item F.9.

F.1. Brevard County Shore Protection Project: Resolution and State Cost-Share Request

The Board adopted Resolution No. 21-100, supporting Brevard County Shore Protection Project; approved to request State grant cost-share funding, matched by local option tourist tax that is dedicated to the Beach Improvement Fund for Shore Protection Projects; authorized the County Manager, or designee, with County Attorney, Risk Management and Purchasing Services approval, to execute contracts, amendments and task orders, as required and in excess of \$100,000, to secure State grant funds and accomplish work under State grants; and authorized necessary Budget Change Requests.

Result: APPROVED

Mover: Curt Smith

Second: Kristine Zonka

Ayes: Pritchett, Lober, Tobia, Smith, and Zonka

F.2. Final Plat Approval, Re: Addison Park – The Viera Company

The Board granted final plat approval in accordance with Section 62-2841(i); and authorized the Chair to execute the final plat for the Addison Park subdivision, subject to minor engineering changes, and the developer is responsible for all other necessary jurisdictional permits.

Result: APPROVED

Mover: Curt Smith

Second: Kristine Zonka

Ayes: Pritchett, Lober, Tobia, Smith, and Zonka

F.3. Final Plat and Contract Approval, Re: Sendero Cove and Sierra Cove at Addison Village, Phases 4 and 5 - The Viera Company

The Board executed and granted Final Plat approval for Sendero Cove and Sierra Cove at Addison Village, phases 4 and 5 – The Viera Company, subject to minor engineering changes as applicable, and the developer is responsible for obtaining all other necessary jurisdictional permits; and executed the Subdivision Infrastructure Contract.

Result: APPROVED

Mover: Curt Smith

Second: Kristine Zonka

Ayes: Pritchett, Lober, Tobia, Smith, and Zonka

F.4. Acceptance, Re: Binding Development Plan with Scott and Debora Speer

The Board executed a Binding Development Plan with Scott and Debora Speer, for property located at Lot 1, The North Forty as recorded in Plat Book 28, page 75.

Result: APPROVED

Mover: Curt Smith

Second: Kristine Zonka

Ayes: Pritchett, Lober, Tobia, Smith, and Zonka

F.5. Approval, Re: Donation of Sanitary Sewer Easement for The Blake at Viera from TBAV, LLC, a Mississippi Limited Liability Company

The Board approved and accepted the Sanitary Sewer Easement from TBAV, LLC for The Blake at Viera.

Result: APPROVED

Mover: Curt Smith

Second: Kristine Zonka

Ayes: Pritchett, Lober, Tobia, Smith, and Zonka

F.6. Adopt Resolution and Release Performance Bond: Walkabout Way and Pod 17, also known as Morrow Place Subdivision - Olen Development Corporation

The Board executed and adopted Resolution No. 21-101, releasing the Contract and Surety Performance Bond dated November 5, 2013, for Walkabout Way and Pod 17, also known as Morrow Place Subdivision – Olen Development Corporation.

Result: ADOPTED

Mover: Curt Smith

Seconders: Kristine Zonka

Ayes: Pritchett, Lober, Tobia, Smith, and Zonka

F.7. Approval, Re: State Aid to Libraries FY 2021-2022, Grant Application with the Florida Department of State, Division of Library Services

The Board authorized and approved the Chair to execute the State Aid to Libraries Grant Agreement application, certification of hours, free Library Service, access to materials, and certification of credentials - Single Library Administrative Head; approved and authorized the Chair to execute any follow-up agreements, amendments to modifications contingent upon approval of Risk Management and the County Attorney; and authorized the County Manager to execute any necessary Budget Change Requests.

Result: APPROVED

Mover: Curt Smith

Seconders: Kristine Zonka

Ayes: Pritchett, Lober, Tobia, Smith, and Zonka

F.8. Approval, Re: Tourist Development Office (TDO) Proposed FY 2021-22 Marketing and Media Plan and Approval for the TDO Director to Make Vendor Selections, Negotiate and Execute Agreements with Media and Advertising Vendors up to and over \$100,000.00

The Board approved the proposed FY 2021-2022 Marketing and Media Plan for the TDO in the amount of \$6,388,300, including the selection of the media vendors listed in the presentation; approved the Tourism Development Office Director to have the ability to select media and advertising vendors without a bid process, waiving Procurement Policy in accordance with BCC-25, as well as negotiate and execute contracts, contract amendments, and any necessary contract extensions, with such vendors, upon review and approval by the County Attorney's Office, Risk Management, and Purchasing Services in accordance with AO-29, up to and exceeding \$100,000; approved the ability for the TDO to receive revenue from cooperative advertising partners and grants from organizations (such as the Florida Sports Foundation); and authorized the Tourism Development Office Director, or the County Manager, be able to access Disaster Fund (1444) in the event of a State or local emergency declaration, natural or man-made disaster for the purposes of advertising/marketing/promotional costs of up to and exceeding \$100,000.

Result: APPROVED

Mover: Curt Smith

Seconders: Kristine Zonka

Ayes: Pritchett, Lober, Tobia, Smith, and Zonka

F.9. Approval, Re: Tourist Development Council (TDC) Capital Facilities Grant Agreement Extension with the Merritt Island Wildlife Association (MIWA) to December 31, 2023

The Board approved the TDC's recommendation to extend grant reimbursement agreement for the Merritt Island Wildlife Refuge (MIWR) capital facilities project grant for two years and three and one-half months; and approved the new grant reimbursement deadline to December 31, 2023.

Result: APPROVED

Mover: Curt Smith

Second: Kristine Zonka

Ayes: Pritchett, Lober, Smith, and Zonka

Nay: Tobia

F.10. Approval, Re: FY 2021-2022 Tourism Development Council (TDC) Major Event Grant Program Funding, Guidelines, Application, and Committee Score Sheet

The Board approved the TDC FY 2021-2022 major events grant program Funding Guidelines Applications and committee score sheet; approved funding the grant cycles for the FY 2021-2022 major events grant program applications which shall come before the Board for final funding approval as the grant application cycle commences, as well as make the necessary legislative findings (Section 125.0104(5)(a)3 Florida Statutes, and Section 102-119(3)a,(5)a, and (6)a of the Brevard County Code of Ordinances); and granted the Tourism Development Office Director the authority to negotiate and sign all necessary grant agreements and related documents to support the grants for applications that receive approval in the FY 2021-2022 grant cycle upon the approval of the County Attorney's Office and Risk Management.

Result: APPROVED

Mover: Curt Smith

Second: Kristine Zonka

Ayes: Pritchett, Lober, Tobia, Smith, and Zonka

F.11. Approval, Re: Tourist Development Council (TDC) FY 2021-2022 Tourism and Lagoon Grant Program Recommendations

The Board approved the TDC recommendation to approve funding for the FY 2021-2022 Tourism and Lagoon Grant Program applications, with said approval including the necessary legislative findings; authorized the Chair to sign all the negotiated Tourism and Lagoon grant agreements over \$100,000; granted the Tourism Development Office Director the authority to negotiate and sign all necessary grant agreements under \$100,000 and related documents to support the grants for applications that receive future approval in the FY 2021-2022 grant cycle upon County Attorney's Office and Risk Management approval; and authorized the County Manager to execute necessary Budget Change Requests to distribute grant funding.

Result: APPROVED

Mover: Curt Smith

Second: Kristine Zonka

Ayes: Pritchett, Lober, Tobia, Smith, and Zonka

F.12. Approval, Re: Authorizing Resolution, Grant Application, and Execution of Follow-Up Master Agreement with the Federal Transit Administration, Areas of Persistent Poverty 2021 Program

The Board executed and adopted Resolution No. 21-102, authorizing the filing of application(s) with the Department of Transportation, United States of America, for grant(s) under the Urban Mass Transportation Act of 1964; authorized the use of Florida Department of Transportation Toll Revenue Credits; authorized the Transit Services Director to execute and submit the grant electronically through Grants.gov; authorized the Transit Services Director to execute and submit the Grant Master Agreement electronically, contingent upon the County Attorney and Risk Management approvals; authorized Transit Services Director to execute any additional follow-up documentation, resolution, and amendments necessary to secure these funds; and authorized the County Manager to execute necessary Budget Change Requests.

Result: APPROVED

Mover: Curt Smith

Second: Kristine Zonka

Ayes: Pritchett, Lober, Tobia, Smith, and Zonka

F.13. Approval to Execute the First Amendment to the Existing Memorandum of Understanding (MOU) with the Florida Department of Management Services (FDMS) for the Continuity of the Radio Interoperability between Brevard County, Region V, and the State of Florida

The Board executed and approved the Amendment No. 1 to the existing MOU with FDMS to extend the current agreement through June 30, 2036; and authorized the County Manager, or his designee, to submit and execute any additional changes, documents, or budget actions, as well as any amendments to the MOU, subject to approval by County Attorney's Office and Risk Management.

Result: APPROVED

Mover: Curt Smith

Second: Kristine Zonka

Ayes: Pritchett, Lober, Tobia, Smith, and Zonka

F.14. Approval of Budget Change Requests

The Board approved the Budget Change Requests.

Result: APPROVED

Mover: Curt Smith

Second: Kristine Zonka

Ayes: Pritchett, Lober, Tobia, Smith, and Zonka

F.15. Acknowledge Receipt of the Tax Collector Recapitulation and Errors and Insolvencies Reports

The Board acknowledged receipt of the Tax Collector Recapitulation of the Tax Roll (DR-502) and Errors and Insolvencies Report (DR-505) for the 2020 Tax Year.

Result: APPROVED

Mover: Curt Smith

Second: Kristine Zonka

Ayes: Pritchett, Lober, Tobia, Smith, and Zonka

F.16. Request Approval to Accept the High Bid for Public Sale of Surplus Property 2021-2415409 and Authorization for Chair to Execute All Necessary Documents

The Board approved the sale of a surplus parcel of property pursuant to Florida Statute 125.35(1)(a) by accepting the high bid received in the amount of \$20,100 received from LeAnn Ricke-Vergara; and authorized the Chair to execute all contracts and contract related documents upon review and approval by the County Attorney's Office.

Result: APPROVED

Mover: Curt Smith

Second: Kristine Zonka

Ayes: Pritchett, Lober, Tobia, Smith, and Zonka

F.17. Precinct Boundaries - Altered or Added (Chapter 101.001 (1) Florida Statutes)

The Board approved the revised precinct boundaries due to annexations by the Cities of West Melbourne and Melbourne.

Result: APPROVED

Mover: Curt Smith

Second: Kristine Zonka

Ayes: Pritchett, Lober, Tobia, Smith, and Zonka

F.18. Bylaws Modification, Re: Brevard Workforce Development Board, Inc. dba CareerSource Brevard

The Board approved the modifications to the Bylaws for CareerSource Brevard.

Result: APPROVED

Mover: Curt Smith

Second: Kristine Zonka

Ayes: Pritchett, Lober, Tobia, Smith, and Zonka

F.19. Resolution Proclaiming Patriot Day on September 11, 2021

The Board adopted Resolution No. 21-103, proclaiming Patriot Day on September 11, 2021.

Result: ADOPTED

Mover: Curt Smith

Second: Kristine Zonka

Ayes: Pritchett, Lober, Tobia, Smith, and Zonka

F.20. Appointment(s) / Reappointment(s)

On the recommendation of Commissioner Curt Smith, the Board acknowledged Warren Bradford Whitmore Jr.'s appointment to the Titusville-Cocoa Airport Authority, replacing Albert Elebach, Jr. Said term of appointment expires August 24, 2024.

Result: APPROVED

Mover: Curt Smith

Seconded: Kristine Zonka

Ayes: Pritchett, Lober, Tobia, Smith, and Zonka

G. PUBLIC COMMENTS

John Niland stated he wanted to speak about Brevard's fluoridation program; he thanked the Board for its service to the community; he stressed that he hopes everyone understands that fluoride is a chemical, a medication, and a drug; it is the only chemical in the public water supply for the purpose of medical treatment; he advised that forcing people to ingest fluoride is a massive betrayal of public trust; and he expressed that as crazy as it sounds, the truth gets worse. He went on to say that it gets more absurd, more irrational, and more illogical; the public water system is being used to deliver a drug in the hope that it might reduce tooth decay for some people; tooth decay is neither contagious nor life-threatening; and every year the water treatment plant dumps tons of a toxic waste by-product, called hydrofluorosilicic acid, also known as fluoride, into the public water system. He informed the Board that 99.5 percent of what is put into the public water system does not go to its intended use; clothes and dishes are washed with fluoride; people shower in fluoride; it is given to cats and dogs; and he reiterated that 99.5 percent of that drug does not go to its intended use when put in the public water system. He advised that it gets dumped into the rivers and lagoons; he mentioned Brevard is operating the world's most inefficient drug delivery system ever devised by mankind, because 99.5 percent of the drug does not go to its intended use; and he explained that this kind of action is well beyond irrational.

Commissioner Smith questioned if a fluoride rinse from a drugstore is the same thing, better or worse than getting it in the water supply; he asked if a person did not have fluoride in the water but wanted to take advantage of fluoride, in order to enhance his or her teeth, could he or she just go and get a fluoride rinse as long as he or she spit it out and did not swallow it; and he questioned how efficient is a fluoride mouthwash.

Mr. Niland replied that the Center for Disease Control (CDC) has publicly stated that fluoride is more effective when used topically, such as in toothpaste or mouthwash; he reiterated that the CDC advised that; he went on to say that ingested fluoride goes into the blood system; he pointed out that any toothpaste on the shelf has a warning label; and he indicated that if a person has a child that swallows a tube of toothpaste, he or she has to immediately call the Poison Control Center. He continued by saying that the Food and Drug Administration (FDA) has required all toothpaste manufacturers put a warning label on it, because the FDA understood that there is a danger for a child to ingest fluoride; and he concluded that everyone can continue to use fluoride topically, just as the Western Europeans.

Commissioner Smith commented that this is another case where education is important; and he explained that if people know that fluoride is good for their teeth, and if they have an option to have or not have fluoride, they could make the choice to purchase it at a drugstore.

Mr. Niland replied affirmatively.

Chair Pritchett stated that she conducted a survey; she indicated that 24 percent of people were in favor of fluoride in the water; she pointed out that when she extended the time, the survey was open, she only received one or two more; she mentioned that her conclusion was that the will of the people is not in favor of fluoridating their water; and she commented that she agrees with Commissioner Smith that there are other ways to do it. She went on to say that some nations sell fluoridated salt that people can buy on their own; she asserted that she has a fundamental problem with forcing people to take any medication; she explained that some might be good and some not, but it should always be the choice of the individual, especially when it is being ingested; she thanked Mr. Niland for coming forward; and she mentioned that there are many people that feel the same way he does.

Joanne Terry stated she has been watching the Board meetings since the beginning of the year; she expressed how impressed she is with how Chair Pritchett manages the meetings; it is because of the respect she has for Chair Pritchett that caused her to be confused about Chair Pritchett's comments regarding the Mims water survey; and she clarified that she is not here to discuss whether or not there should be fluoride in the water. She revealed that she is here because she does not want the way Chair Pritchett has interpreted her survey to become precedent for how the Board might interpret public opinion in the future; she noted, that as of the last meeting, there was a 32 percent response rate for the survey, and although there were more votes in favor of fluoride than not, the votes only accounted for 22 percent, and today 24 percent, of the surveys sent; she indicated that is far below the Chair's supermajority threshold; she advised that is not a normal interpretation of survey results; normally 22 percent of yes votes with a 32 percent response rate is a 68 percent supermajority of responses in favor of fluoride; she believes that a 32 percent response rate is pretty good considering it is the middle of summer; she mentioned that in the 2019 municipal election, the turnout was only 15 percent; and she noted that even the general election did not have a 100 percent turnout. She added that in every one of those elections, as a normal survey, it is not assumed that votes are votes not in favor, nor does it assume votes for anyone who did not vote, nor does it require a 100 percent turnout to define a majority; she believes that most people have felt the disappointment, frustration, and anger of being on the losing side of a fair vote; and she asserted that the republic depends on its officials respecting the democratic norms, even if they personally disagree with the results. She explained that she understands the survey is not an official vote, not an actual ballot measure, and not a normal election; she pointed out that since Chair Pritchett initiated the survey, she can decide the rules and even ignore the results; she mentioned that if Chair Pritchett has no intention of putting fluoride back in the water, then so be it; she pleaded with the Board to not taint democratic norms in an attempt to make it look fair; and she commends Chair Pritchett for being honest and transparent about the results, but if a 100 percent turnout is required to score a majority, or a supermajority, nothing would ever be decided by the people.

Chair Pritchett mentioned she will respond to Ms. Terry's comments at the end of the meeting; she expressed that she tries not to do a lot of public comment when people come up, so if Ms. Terry will stick around she will be glad to respond to her.

Sandra Sullivan stated she is there with a very serious matter; she hopes by the end of her comments that the Board will agree with her that there needs to be an ethics investigation, or even perhaps, with the cooperation with the State, a grand jury investigation of Central Florida Expressway (CFX); she mentioned that she spoke at the zoning meeting in May about the documents regarding CFX and former Commissioner Jim Barfield, along with emails from the City; she explained there was a perception of an attempt to put undue influence on the Florida Communities Trust (FCT) Governing Board to change the outcome, because the city was making controversial changes to the Hightower Preserve, which she has advocated for two years; and she went on to say that it is much worse than that. She added that she did a

records request for Split Oak, because she could not understand why CFX was making requests to put somebody on the FCT Board; it turns out for the two routes that would come to Brevard, and the third route that was referenced by Commissioner Smith in his letter to the State Representatives, both the D and F routes go through a forest called Split Oak, which is one of the earliest FCT sites generated; in order to do that like Hightower, because it is controversial, it would go to the FCT Governing Board; and she noted that to try to put local influence on that Board by a State entity, which is CFX, is very concerning. She continued to say that if one looks into 2013, there was a grand jury investigation of CFX in which corruption was found; she believes that is what is going on here now; she advised there needs to be an ethics violation and the Board has the documents; and she pointed out the Potential Disclosure Form, Section Six, which outlines the particular ethics concern she has. She read aloud, "Have you used or attempted to use your position with CFX or any property or resource which may be within your trust to secure a special privilege benefit or exemption for you or others?"; and she said the special privilege was putting his friend, Jim Barfield, who sits on the Environmental Stewardship Committee with CFX.

E.4. Resolution Congratulating Holly Raymond, National Yoga Athlete

Commissioner Lober informed the Board he would like to do something atypical; he explained that his wife attends the same yoga studio as Miss Raymond, so he asked her, if it is alright with the Chair, if she could read the Resolution today.

Chair Pritchett replied yes.

Rebecca Lober stated it was her privilege and her honor to present this Resolution to her friend and fellow colleague from the yoga studio, Hot Yoga, in Merritt Island where they both attend; she is very proud of her accomplishments and her dedication to the practice; she inspires all of them at the studio; and she read aloud the Resolution, No. 21-104, congratulating Holly Raymond as the National Yoga Athlete.

The Board adopted Resolution No. 21-104, congratulating Holly Raymond as the National Yoga Athlete.

Commissioner Lober asked Miss Raymond to demonstrate.

Result: ADOPTED

Mover: Bryan Lober

Second: Curt Smith

Ayes: Pritchett, Lober, Tobia, Smith, and Zonka

H.1. Public Hearing Re: Intersection Signalization Construction Contract for North Wickham Road at Deer Lakes Drive and Meeting Lane

Chair Pritchett called for a public hearing for the Intersection Signalization Construction Contract for North Wickham Road at Deer Lakes Drive and Meeting Lane.

Marc Bernath, Public Works Director, read aloud Agenda Item H.1., Intersection Signalization Construction Contract for North Wickham Road at Deer Lakes Drive and Meeting Lane; he informed the Board it proposes a \$200,000 County contribution to be provided from the Central Mainland Benefit District; he added it also proposes the Board authorize the County Manager to execute any subsequent contract related documents associated with this action, as well as Budget Change Requests; he explained there are five considerations in support of a Public Interest Determination, along with County's contribution of a maximum of \$200,000; the City of

Melbourne would also contribute towards this project; and he added the developer is obligated to pay any difference to make this project a reality.

Commissioner Smith advised this would be a real asset to the traffic patterns and the safety of the people in District Four on Wickham Road; and he motioned to approve this.

There being no further comments or objections, the Board authorized the Chair to execute the Intersection Signalization Construction Contract for North Wickham Road at Deer Lakes Drive and Meeting Lane; authorized the County Manager to execute any subsequent contract-related documents associated with this action; and approved any Budget Change Requests necessary for this action.

Result: APPROVED

Mover: Curt Smith

Second: John Tobia

Ayes: Pritchett, Lober, Tobia, Smith, and Zonka

H.2. Public Interest Determination: Wetland Impacts for Tractor Supply Company Commercial Site, Northwest Corner of Pineda Causeway and Wickham Road

Chair Pritchett called for a public hearing for a PID for the wetland impacts for Tractor Supply Company commercial site on northwest corner of Pineda Causeway and Wickham Road.

Virginia Barker read aloud Agenda Item H.2., PID for the wetland impacts for Tractor Supply Company commercial site on the northwest corner of Pineda Causeway and Wickham Road; she stated the public interest is required to address the wetland impacts; she explained the No-Net-Loss code is met through a mitigation bank; she added the site is along a mitigation qualified roadway, making it eligible for this public interest determination; and she concluded the benefits are jobs, sales tax, and property tax.

There being no further comments or objections, the Board granted a PID for wetland impacts proposed for a commercial project on the referenced parcel in accordance with Chapter 62, Article X, Division 4, Section 62-3694(c)(3)b, Atlantic Environmental Solutions of Florida LLC (AES), on behalf of Tractor Supply Company.

Result: APPROVED

Mover: Curt Smith

Second: Kristine Zonka

Ayes: Pritchett, Lober, Tobia, Smith, and Zonka

H.3. Public Hearing, Re: Extension of Temporary Moratorium on New Applications of Biosolids to Lands within Brevard County

Chair Pritchett called for a public hearing to extend a temporary moratorium on new applications of biosolids to lands within Brevard County.

Virginia Barker read aloud Agenda Item H.3., the extension of temporary moratorium on new applications of biosolids to lands within Brevard County; and she noted this is the fourth extension, and it is proposed to continue due to ongoing research by the State regarding strengthening the existing State rules.

There being no further comments or objections, the Board adopted Ordinance 21-20, authorizing an extension of temporary county-wide moratorium for 180 days from the effective date; prohibiting the land application of Class B biosolids except existing permitted activities; providing for exhaustion of administrative remedies; and providing for severability, repeal of conflicting provisions, resolution of conflicting provisions; and area encompassed and an effective date.

Result: ADOPTED

Mover: Kristine Zonka

Second: Curt Smith

Ayes: Pritchett, Lober, Tobia, Smith, and Zonka

H.4. Code Revision to Allow a Maximum 1.75 Floor Area Ratio (FAR) in Conjunction with Planned Unit Development (PUD) Zoning

Chair Pritchett called for a public hearing for the request to consider code revisions to allow a maximum 1.75 FAR in conjunction with PUD zoning.

Commissioner Zonka informed the Board she has to abstain from this vote and also filed the correct disclosure, because she works for the employer that submitted the application.

Tad Calkins read aloud Agenda Item H.4., a request for the Board to consider code revisions to Chapter 62, Article VI, Section 62-2110, to allow maximum FAR of 1.75 in conjunction with a PUD zoning classification and Commercial Future Land Use designation.

Commissioner Lober stated it would primarily impact his District in the immediate future, and he motioned to approve.

There being no further comments or objections, the Board adopted Ordinance 21-21, amending Chapter 62, "Land Development Regulations", Code of Ordinances of Brevard County, Florida; amending Article VI, Division 6, Subdivision I, "General Provisions"; specifically amending 62-2110 floor area ratios, to add increased far ratio up to 1.75 for properties zoned PUD when located within the Community Commercial Future Land Use Designation; providing for conflicting provisions; providing for severability; providing for area encompassed; providing an effective date; and providing for inclusion the Code of Ordinances of Brevard County, Florida.

Result: ADOPTED

Mover: Bryan Lober

Second: Curt Smith

Ayes: Pritchett, Lober, Tobia, and Smith

Abstain: Zonka

H.5. Proposed Amendments to Section 14-57, Brevard County Code, Pertaining to the Creation of a Nuisance from Animal Noises

Chair Pritchett called for a public hearing for the request to amend Section 14-57, Brevard County Code, pertaining to the creation of a nuisance from animal noises.

Eden Bentley, County Attorney, stated this is District Four's amendment to the Brevard County Code, Chapter 14-57, to modify the nuisance provisions regarding animal control barking, in particular moving it from 30 minutes to 15 minutes; she mentioned that Assistant County Attorney, Alexander Essee, is with her today; and she informed the Board he worked on this

provision if the Board has any questions.

There being no further comments or objections, the Board adopted Ordinance 21-22, amending Chapter 14, Article II entitled "Animal Control"; specifically amending Section 14-57, "Creation of Nuisance", to modify the time-period that a domestic animal qualifies as a nuisance due to persistent and continuous noise; establishing parameters to enforce the nuisance provisions identified in Section 14-57 of the Brevard County Code; providing for an area encompassed; providing for inclusion in the Code; providing for conflicting provisions; providing for severability; and providing for an effective date.

Result: ADOPTED

Mover: Curt Smith

Second: John Tobia

Ayes: Pritchett, Lober, Tobia, Smith, and Zonka

H.6. Proposed Amendment to Section 14-36, Brevard County Code, to Include a Definition of the Term Sutures

Chair Pritchett called for a public hearing for the request to propose an amendment to Section 14-36 of Brevard County Code, to include a definition of the term sutures.

Eden Bentley, County Attorney, stated this is another amendment to the animal control ordinance; this is to include in the definition of sutures, staples, and wound glue; and she indicated Assistant County Attorney Esseeese is here to answer any questions.

There being no further comments or objections, the Board adopted Ordinance 21-23, amending Chapter 14, Article II entitled "Animal Control"; updating Section 14-36, "Definitions", to include a definition for sutures; providing for an area encompassed; providing for inclusion in the Code; providing for conflicting provisions; providing for severability; and providing for an effective date.

Result: ADOPTED

Mover: Curt Smith

Second: John Tobia

Ayes: Pritchett, Lober, Tobia, Smith, and Zonka

H.7. Approval, Re: Resolution, Amendment to Exchange Agreement Between Nasa Investment Partners, LLC and Brevard County, Florida and Right-of-Way Use Agreement

Chair Pritchett called for a public hearing for a request for a resolution to amend the Exchange Agreement between Nasa Investment Partners, LLC and Brevard County, Florida and the Right-of-Way Use Agreement.

Marc Bernath, Public Works Director, read aloud Agenda Item H.7., a resolution for an amendment to the Exchange Agreement and Right-of-Way Use Agreement between Nasa Investment Partners, LLC and Brevard County, Florida in District Five at Nasa Boulevard and Wickham Road; he indicated the Board in regular session, on July 23, 2019, approved and executed an agreement with National Aeronautical Space Administration (NASA) Exchange Partners related to stormwater retention in the area of the southeast quadrant at the intersection of Nasa Boulevard and Wickham Road; and he added this agreement updates specific easements, as it pertains to updated site conditions and design related matters.

There being no further comments or objections, the Board adopted Resolution No. 21-105; authorized the Chair to execute the Resolution, Amendment to the Exchange Agreement between Nasa Investment Partners, LLC and Brevard County, and Right-of-Way Use Agreement; and authorized the Chair to sign any and all documents to effectuate the Exchange.

Result: ADOPTED

Mover: Kristine Zonka

Seconded: Curt Smith

Ayes: Pritchett, Lober, Tobia, Smith, and Zonka

H.8. Adoption of a Resolution Establishing User Fees for FY 2021-2022 for the Melbourne-Tillman Water Control District

Chair Pritchett called for a public hearing for a request for the adoption of a resolution establishing user fees for FY 2021-2022 for the Melbourne-Tillman Water Control District.

Jill Hayes, Budget Director, read aloud Agenda Item H.8., a resolution establishing user fees for FY 2021-2022 for the Melbourne-Tillman Water Control District; she reported the rates are established within the 1.234 percent change in Consumer Price Index (CPI) for the residential and commercial; she mentioned there is no change in the agricultural rates; and she added that a public hearing was held within the District on August 10, 2021.

Robert Kimklowski stated that on August 10, 2021, a special hearing occurred for the Melbourne-Tillman Water District for its annual water usage increase; he noted this meeting occurred at 1951 Malabar Road Northwest, Palm Bay, Florida 32907, located at Fred Pope Regional Park in the Ted Whitlock Community Center; he added that the meeting started at 5:30 p.m.; he advised there were two incorrect addresses listed; one was published with a Viera address on Brevard Legistar, and the other displayed a Palm Bay address; and he reiterated the meeting had two addresses listed, one in Viera and one in Palm Bay, Florida. He went on to say this has occurred the last four years; in 2020, there is a blue ink check mark or x mark trying to erase that address, as attached in the documents he provided the Board; and he reported the Taxation Without Anticipated Publication, TWAP, explicitly stated on the second page of the meeting agenda on August 10, 2021, the meeting will be broadcast live on Space Coast Government Television (SCGTv) on Spectrum Cable channel 499, Comcast, ATT U-Verse, and will also be played during the coming months of its 24-hour video server. He asserted that he has not been able to locate one video in the last four years of rate increases; he reiterated that all previous agendas, going back four years, have two addresses and no video; and he further added that there were floor motions during Board Reports. He mentioned that the water usage increase, although mundane and relatively gradual in nature, does not adequately represent the items that occur during floor motions; he indicated that the County Manager presented a floor motion during his Board report that was passed; he expressed that all he can extrapolate from that floor motion is what he believes has something to do with an allocation of the American Rescue Plan Act (ARPA) funds to ambulatory services; and he revealed he requested more information of public records from Attorney Bentley but was directed to the public records liaison, which he has not yet received the costs associated with those public records. He went on to say that he contacted Commissioner Tobia's office and left a message but has not received a call back; he advised that if this was broadcasted, as stated, it would not be such an issue; he commented that a quorum was established, but Commissioner Tobia was absent; he revealed that Commissioner Tobia has been absent three out of the last four years; and he read aloud Chair Pritchett's comment from 2018, "That since

District Three is absent and no vote in the affirmative is required, another meeting will need to take place.”; and he said the items were attached. He added that on May 6, 2021, Commissioner Tobia claimed that staff was being unfairly worked; he noted that they are salary, but Commissioner Tobia is absent during a scheduled meeting that could alleviate that burden; and he read aloud a quote from Commissioner Tobia from a May 6, 2021 zoning meeting, “This is one of the first times they do not have the International Association of Firefighters complaining about things, but one of them is mandatory overtime. I ask the Board to take into consideration that staff here gets paid a salary not overtime. There are folks out here bitching and complaining about getting time and a half pay, yet the County is turning around for folks and getting a flat rate and having them here until 7:30 p.m.”

Commissioner Tobia stated the increase on this is 1.234, which is Consumer Price Index (CPI); and he supports the increase as it comes in at or below CPI, as always.

Chair Pritchett inquired if that was a motion.

Commissioner Tobia responded affirmatively and motioned to approve.

The Board conducted a public hearing and adopted Resolution No. 21-106, approving user fees for the Melbourne-Tillman Water Control District for FY 2021-2022; and authorized the Chair to sign the Resolution.

Result: ADOPTED

Mover: John Tobia

Second: Curt Smith

Ayes: Pritchett, Lober, Tobia, Smith, and Zonka

I.1. Request the Board of County Commissioners to Authorize Full Construction of the US-192 Solid Waste Management Facility, as a Class III Solid Waste Disposal Facility

Tom Mulligan, Solid Waste Management Director, stated the request is for the Board of County Commissioners to authorize the Solid Waste Management Department to coordinate and proceed to initiate and complete the full construction of the US-192 Solid Waste Management Facility, including construction of a scale house and the first of the Class III disposal cells; approve any Budget Change Requests that may arise from this project; and authorize bidding, award of contract, and execution of extra construction contracts by the Chair for all aspects of construction of this project.

The Board authorized the Solid Waste Management Department to coordinate and proceed with all reasonable and prudent speed to start and complete construction of the US-192 Solid Waste Management Facility, including the scale-house and first landfill cell; approved any Budget Change Requests that may arise from this project; and authorized bidding, award of contract, and execution of construction contracts by the Chair, of all aspects of construction of the project.

Result: APPROVED

Mover: Curt Smith

Second: John Tobia

Ayes: Pritchett, Lober, Tobia, and Smith

Nay: Zonka

I.2. County Attorney's Agreement

Frank Abbate, County Manager, stated this is the County Attorney's agreement for Abigail Jorandby; he informed the Board that there was a successful negotiation agreement similar to the terms of the existing County Attorney agreement; salary is commensurate with the current salary for the County Attorney, as well as a Consumer Price Index (CPI) increase that the County should be receiving in October; and it is requested the Board approve the agreement with an effective date of November 1.

The Board of County Commissioners approved the County Attorney's Agreement beginning November 1, 2021.

Result: APPROVED

Mover: Bryan Lober

Second: Curt Smith

Ayes: Pritchett, Lober, Tobia, Smith, and Zonka

I.3. Financial Incentive for Resident Reporting of Legitimate Service Complaints of Waste Management Missed Garbage, Recycling, or Yard Waste Pickups

Tom Mulligan, Solid Waste Management Director, stated it is requested the Board approve the methodology of tracking and disbursement of financial incentives for legitimate service complaints of missed garbage, recycling, and yard waste pickups by Waste Management; he advised that staff has determined the most effective way to disperse the incentives would be similar to refunding a landfill gate account where solid waste would provide County Finance, on a monthly basis, with the names, addresses, and requested check amounts for individual legitimate complaints; and he indicated that staff would determine the internal costs for data tracking and check disbursement amount to \$5.47 per check, a \$20 incentive for a phone complaint would result in a check for \$14.53 and a \$25 incentive for an electronically logged complaint would result in a check for \$19.53.

Commissioner Smith commented that he understands the emotion behind this, but he does not agree that it is worthwhile from the standpoint that the Board is trying to incentivize people to complain, but a contract is already in place that provides for fines and procedures; as long as the Board follows that, the Board will still get its point across that if Waste Management is deficient in picking up the trash then they will be appropriately fined according to the contract that they signed with the Board; he feels that this Item will require more staff hours, and he does not see any great benefit; and he advised that he will oppose this.

Commissioner Lober mentioned that he will not reiterate everything he has said in the past about this; he stated that both he and Commissioner Tobia have gone on and on about this on record; he indicated that he wanted to highlight one thing; and he asserted that people do not know who to complain to. He clarified by saying that he does not mean everyone but a large swath of the population; he explained that the people who get fed up, because of continuing issues of poor service, such as missed pickups, whether it is yard waste or otherwise, will often times call Waste Management directly and not the County; if they do call the County, they do not know who to call; and the fact is he knows many citizens who, at the front end, did not start reaching out to anyone in the County, but only after having continuing issues or a protracted unresolved single-issue finally reach out. He went on to say that this is something that he thinks will generate more publicity; he does not want to incentivize people to complain if there is no benefit to receiving those complaints; and if the benefit to the County is knowing and having

a better idea of how widespread or localized a particular issue may be, allowing the County to collect those liquidated damages that Commissioner Smith referred to, is a benefit. He stated there are variables that are unknowable; he believes it is fair to say with a reasonable degree of certainty that the number of complaints will be substantially increased if the Board incentivizes them; and also by extension, the liquidated damages will be substantially increased if the Board incentivizes them. He noted that he is not looking for people to do anything illegitimate to make up a complaint; he mentioned that every time Commissioner Tobia or he brought up this proposal, it has been said that the complaints are verified; he advised this is something that needs to be put in place; he appreciates that Waste Management has made a number of initiatives and efforts in the past to try to ameliorate the problem; but, that said, it is still not where it needs to be. He stressed that he hopes this will not have to be used at all, because the service will be great; he noted if that is the case, this becomes moot; he explained that this amounts to a protection for the County, that if service does not improve to a reasonable level, this is something that should better incentivize or negatively incentive them with respect to missing pickups; and he stated he is in support of this if Commissioner Tobia, or another Board member, wants to make a motion, he or she will have his support.

Commissioner Tobia remarked that while he agrees with the reasoning of Commissioner Smith, he disagrees with the conclusion; he noted that Commissioner Smith's first point is the County needs to follow the contract; and he inquired from Attorney Bentley if the Board continued with this program would it run afoul in any way, shape, form, fashion or function with the current contract that the County has.

Attorney Bentley replied no.

Commissioner Tobia indicated that another good point Commissioner Smith mentioned was that the County made its point; and he inquired to Mr. Mulligan if there has been a marked improvement of services by Waste Management under the contract since the Board last discussed this.

Mr. Mulligan stated that just this morning his Department received reports and finished them up if Commissioner Tobia wants to compare the June reports from Waste Management; he informed the Board that there were 161 legitimate complaints in June and 42 complaints in July; the County reports that there were 129 complaints in June and 93 complaints in July; and he concluded that fewer people are calling Waste Management and 20 fewer people called the County.

Commissioner Tobia questioned if the complaints went down from 120 to 90.

Mr. Mulligan stated it went down from 129 to 93.

Commissioner Tobia deduced that the County has seen a reduction a little more than thirty percent.

Mr. Mulligan agreed.

Commissioner Tobia inquired what were the complaints prior to the new contract; and he asked what was the running average.

Mr. Mulligan explained that the running average was low, but he does not have the exact number; he continued to say that it started getting worse in the seventh year of the last contract, which is 2019-2020.

John Denninghoff, Assistant County Manager, advised that the County was typically seeing 50 complaints every month over a period of time; and he noted that it is well above that now. Commissioner Tobia stated that although the complaints are down 30 percent, they are still almost double the running average prior to the seventh year.

Mr. Denninghoff remarked that is correct.

Commissioner Tobia declared that these figures are not after the first or second time but after the third time the Board has discussed this; he reiterated that although he agrees with Commissioner Smith that the Board needs to get its point across, he disagrees with whether or not the Board is actually getting its point across; and he stated for that reason he motioned to approve the Item.

Commissioner Smith advised that it behooves the Board to look at the total picture; he agreed that the numbers are higher than they should be, but he thinks the efforts indicate there has been a terrific effort on the part of Waste Management to improve the numbers; he explained that the Board is aware of the reasons why the numbers are inflated, not the least of which is COVID-19; he noted that Commissioner Lober remarked that people did not know where to complain to; and his question to the Board is how can it change that. He inquired if the Board changes the process, how is the Board going to get the word out that there is a different number to call or a different way to complain; he advised that Waste Management has two million touches a month; he explained that when one considers the amount of touches, which is the amount of trash cans its employees touch and addresses that they approach, if there are 30 or 300 out of two million, it is still a pretty miniscule number; and he recommended the Board look at the big picture.

Commissioner Zonka declared she did not like any of this; she believes the Board was put in a spot where it had to address it; she indicated that she will be happy to look at in the future; she noted that she does not have an issue the way it is written now, but she will be happy to revisit this in the future, if service does not improve; she asserted that something has to be done; and she does not believe in the beginning the County was being listened to, except for Deena, who has been amazing to try to help as much as possible, and also the things Waste Management is doing now. She stated that she is okay with putting this in place now, or okay with revisiting it later if service comes back to the level that the County expects and what is promised in the contract.

Chair Pritchett mentioned she agreed with Commissioner Zonka; she stated she was going to vote to approve this; she would like a Board member to motion for the Board to come back in three months and look at it and see if that Delta is starting to return back to that normal Delta at 50 a month; and she advised that would be fair. She commented that Waste Management is working hard, but she thinks it took a little longer to work hard; she expressed that is what she would like to see happen, if the Board would consider that; she noted that the Board would need to work on the logistics that Commissioner Smith referenced; and she inquired how to get the calls to Waste Management with the most benefit to the community. She commented that she does not necessarily know how to do that, but she knows there was discussion on it yesterday; and she hopes Deena will get with staff and come up with a good solution for the community.

Commissioner Lober stated he does not have anything negative to say about Deena and Pete; he does not want his support of this particular Agenda Item to reflect negatively on them; he noted that Waste Management is a gigantic company, and he does not know if the local level has the recognition and the resources from the higher ups to fully resolve this; he expressed his hope is that it gets the point across to those at a different level in the organization; and it is

a not a slight to either Deena or Pete. He went on to say Deena and Pete have been nothing but professional; when there were issues, they were both very responsive; he explained that the quickest and simplest way to get the message across is money; he reiterated that money gets the message across; and he asserted that it is just like when the community found out about the various Coronavirus Aid, Relief, and Economic Security (CARES) Act programs that were put into place simply by the County funding them and making them available. He added that if money is available to people for doing something that does not take a lot of effort, on their part, he cannot help but believe that it is going to get across to a wide swath of the community; he advised that whether the County has Don Walker do a press release, which he thinks there is no reason not to, he cannot imagine Space Coast Daily, Florida TODAY, and other media outlets would not pick up on this, because he thinks that this is something that is newsworthy; and he is happy to go drum up more publicity or sit back and be quiet about it if the Board wants him to do that. He also stated that he has no problem modifying this motion to include revisiting this item or having an update in December if the Chair or Commissioner Tobia are okay with it; he mentioned that he is happy to let his second stand with that if that is what Commissioner Tobia wants to do; he advised that he did not think it would be difficult having this publicized; and he remarked that he does not believe that a 100 percent of people in Brevard will find out about it, but he does believe dramatically more people will be made aware of it than what the concern is.

Commissioner Tobia asserted that he believes Chair Pritchett's suggestion is warranted, and he will modify his motion to revisit the results when they are published in December.

Commissioner Lober seconded.

The Board approved the methodology of tracking and disbursement of financial incentive(s) for legitimate service complaints of missed garbage, recycling, or yard waste complaints against Waste Management; and directed staff bring back in three months for Board review.

Result: APPROVED

Mover: John Tobia

Second: Bryan Lober

Ayes: Pritchett, Lober, Tobia, and Zonka

Nay: Smith

I.4. Board Discussion: Letter to Employees That Have Been Approved for the Voluntary Vaccine Incentive Program

Commissioner Tobia thanked the Board for approving his proposal for the Voluntary Vaccine Incentive Program; he gave the update that Staff is already underway in administering the program, which will close September 24; he stated there is still time for employees who do not already have the vaccination to go ahead and get it; he informed the Board that currently, as of yesterday, more than 780 employees have already signed up; and he noted that these are employees from all five County Commission Districts. He indicated that payment will go out electronically, and he has included in the packet a letter thanking the employees for their hard work, service, and dedication; he mentioned that he thought it would be nice, since these are people who have sacrificed in all five of the Districts, to put all five of the Board members' names down; and he asserted that there would be no additional costs, since it will be an electronic email attachment. He expressed a desire to get the Board's opinion before the email went out and also appreciates the Board allowing him to do this; he wants all the Board members to get credit for allocating the resources to the hardworking people on Staff; and he motioned to approve the attached letter.

The Board discussed and ratified the letter to be sent to employees who are approved for pay under the Voluntary Vaccine Incentive Program.

Result: APPROVED

Mover: John Tobia

Second: Curt Smith

Ayes: Pritchett, Lober, Tobia, Smith, and Zonka

J.1. Approval of Economic Incentive Agreement and Interlocal Agreement with City of Titusville and Trimcor Construction of Florida, LLC, for Sanitary Sewer Extension Project along U.S. Highway 1

Troy Post, North Brevard Economic Development Zone Director, stated this Item is being brought before the Board by the North Brevard Economic Development Zone (NBEDZ); it is a public purpose project to stimulate economic development; he explained that NBEDZ had a strategic plan that was adopted almost 10 years ago by the County Commission, which identified programs for his department to operate; one of those is called the Strategic Initiative Section; and in that, it called for his department to seek out public-private partnerships to create infrastructure development projects that could create jobs. He went on to say that, in conjunction with the City of Titusville, NBEDZ has identified an area of need that seems to fit the bill for doing an infrastructure project with one of these public-private partnerships; it is a 5,000 linear-foot stretch of US Highway 1 that goes south of Cheney Highway to the NASA Causeway that lacks sanitary sewer; and he noted that NBEDZ commissioned the Regional Planning Council to do an Economic Impact Analysis to give it an idea of what the potential was if it were to do the project to get the sewer line in place. He informed the Board that the Regional Planning Council documented in a report that is in the Agenda package that approximately 600 new jobs could be created and more than 40 million dollars of personal income would be generated both by the direct and indirect job holders; he added that this proposed project would reduce capacity on a section of existing line in Titusville where the City has been concerned about what might happen during periods of major storms or severe rain; and he proposed that this project could possibly help with the Indian River Lagoon. He informed the Board that Trimcor Construction of Florida has an interest in developing one of the real estate parcels along the corridor but cannot because of the lack of sewer; it has filed an application with NBEDZ to serve as developer, and it would enter into this public-private partnership under that Strategic Initiative section; Trimcor would build the line and feed it over to the City of Titusville, and the City of Titusville would maintain the line; and Trimcor would seek reimbursement for the project. He asserted that there are a couple of notes to emphasize; the first is the project would be funded out of the City's Tax Increment Financing Fund; when NBEDZ was created there were two tax increment funds, or TIFF funds, created; one was for the County and one for the City; this would be using the City's TIFF; the Titusville City Council approved the project unanimously; and this is what it wants to use the TIFF money for. He mentioned the other thing he wanted to mention is the County is not party to the agreement that is in the Board's Agenda package; the County is being asked to acknowledge that the City wants to use the funds for this project; when the District was created it was decided not to create a separate District that would administer a City Tiff and another District administer the County Tiff; and there was just one District created that would manage both of those accounts, and it was set up as a Dependent Special District under the County Commission. He reiterated that his department is coming back to the Board to get the acknowledgment; he thanked Eden Bentley, County Attorney, and her staff, because they spent a lot of time on it; they have been working on this project for 18 months; they communicated extensively with the City of Titusville's legal staff in crafting the Interlocal Agreement that is part of the Agenda package; and he appreciates the work they put into it.

Commissioner Lober remarked that if Chair Pritchett would like this to go through, since this disproportionately impacts her District, he will be happy to support it; he thanked the East Central Florida Regional Planning Council; he disclosed to the Board that there is going to be an agenda item in the next month or two added by his office that is an Interlocal Agreement that will keep the East Central Florida Regional Planning Council operating with the Board's involvement with it and maintaining the status quo in the event that the enabling legislation is struck in Tallahassee; there were efforts in Tallahassee to do away with the enabling legislation; and he said the Agreement would enable that body to continue functioning in the way that it functions. He asserted that if Chair Pritchett is happy with it, he is happy to make a motion to approve.

Chair Pritchett replied yes, this is one of her favorite ones.

The Board approved the Economic Incentive Agreement and Interlocal Agreement between North Brevard Economic Development Zone, the City of Titusville, and Trimcor Construction of Florida, LLC; authorized the Chair to execute all documents in connection thereof; authorized the County Manager, or his designee, to sign contractual agreements, modifications, and amendments; and authorized all necessary Budget Change Requests.

Result: APPROVED

Mover: Bryan Lober

Second: Kristine Zonka

Ayes: Pritchett, Lober, Tobia, Smith, and Zonka

J.2. Request the Board Approve Sending a Letter to the U.S. Army Corps of Engineers on Behalf of the Board of Commissioners Requesting a Grant for a Feasibility Study Re: Restoration of Natural Water Flow and Wetlands at Kennedy Space Center (KSC)

Chair Pritchett informed the Board that this is one of the Items that she was approached with from Ms. Weatherman; they have an opportunity to receive an immense amount of funding to help alleviate some stress, as far as National Aeronautical Space Administration (NASA) and the Indian River Lagoon; a feasibility study needs to be done first; there is a large grant for this, which just needs a letter from the Commission so that the Federal Agencies consider the grant; there is a letter in the Agenda package that covers 80 percent, but 20 percent still needs to be covered; and she advised Ms. Weatherman feels like she can find all the other funds.

Commissioner Lober motioned to approve the letter.

The Board approved sending the letter to the U.S. Army Corps of Engineers on behalf of the Board of County Commissioners requesting a feasibility study for restoration of natural water flow and wetlands at KSC.

Result: APPROVED

Mover: Bryan Lober

Second: Kristine Zonka

Ayes: Pritchett, Lober, Tobia, Smith, and Zonka

K. PUBLIC COMMENTS

Robert Klimkowski, stated he had issues with government transparency; he reiterated there were two addresses; he reminded the Board about taxation without anticipated publication; he

asserted that the Board said it would broadcast it live for the last four years, and it has not been; he revealed that his mother is disabled in District Five, off of Greenbough, and he does not know how she is supposed to watch it if the Board says it will broadcast it; and he inquired how is she supposed to attend that public meeting if there are two addresses listed for it. He brought up the four motions that were made during Board reports; he agreed with Commissioner Tobia that it is a very gradual and needed increase, but the four motions during Board reports are not; and he questioned how a floor motion is passed during Board reports with 10 staff members there, and possibly only two members of the public, in a small room and no opportunity for the public to be present. He further added he still is uncertain what the Board report and floor motions were about; he thinks it has something to do with American Rescue Plan Act (ARPA) and ambulatory services, but he would like that to be further explained; and he referred to Florida Statutes 336.12(8)(b)(c) stating that Commissioners Tobia and Zonka both have to be present during those meetings. He reasoned if there are two meetings why even have the first one; if this is that public hearing that should occur, why have the first one; he understands that according to Sunshine Laws that there has to be a public meeting to even talk about it, but he does not understand why a Commissioner is absent during it; and he inquired why was a Commissioner absent three of the last four years. He stated if there is an answer to that he would love to know; he expressed that he is confused a little bit, especially since Commissioner Tobia said he would like to have the staff treated properly and the funds that are given to them allocated properly; if Commissioner Tobia is having staff come to one meeting, and he himself not being present, and then have to hold another meeting does not seem right to him; and he asserted that he has more to say, but it is not very important and what he wrote was provided to the Board to be in the minutes.

Commissioner Lober stated he believes Mr. Klimkowski raised a valid point regarding public access to Melbourne-Tillman; he advised that he is uncertain if it is unfeasible to make it something that is broadcast live since the same equipment is not there as it is here; if the rest of the Board is okay with this or want to consider this a motion, he thinks the County should make efforts to at least have an audio or video recording of the meeting broadcasted within 72 hours or 48 hours, whatever the Board thinks is reasonable, after the meeting concludes; and he advised that he thinks that would be appropriate. He further mentioned that unless there is something exigent, the Board is probably better served in avoiding floor motions in Board reports; he indicated that he does not want to make a motion for that, because he does not want to limit the Board in the event that something comes up that simply has to be dealt with quickly; his understanding is he believes the County is legally required to have one meeting within the District itself; and he invites Attorney Bentley to correct him. He remarked that Attorney Bentley is nodding no; he mentioned that obviously this meeting receives more attention and five Commissioners are present; he stated he has gone to all the Melbourne-Tillman meetings since he has been elected; he agrees there are very few people that are there; and there is no reason not to record it and broadcast it by maybe even using a cellphone for video.

Commissioner Zonka inquired as long as it is in the District if the meeting can be held at a more convenient location.

Commissioner Lober replied affirmatively.

Commissioner Zonka advised that it seems like staff or Commission has a difficult time at times, because it is kind of out in the boondocks; she believes that the public would have more access to it if was held at Palm Bay City Hall, and that would still be in the District; and she reasoned it might have better equipment that could be arranged for use.

Commissioner Lober inquired if she wanted to check on that or wanted him to.

Frank Abbate, County Manager, stated Staff could take care of that and schedule it.

Commissioner Lober inquired if Mr. Abbate needed a motion on that.

Mr. Abbate replied that if Commissioner Lober wanted to make a motion that is fine, but staff could move forward with it.

Commissioner Lober asserted that if Mr. Abbate is okay with it, so is he.

Sandra Sullivan stated she has been helping the people on Rockledge Drive by doing some of the research; residents received a letter yesterday from Commissioner Smith as a press release, and some received a longer letter; she asserted that it is always good to be transparent and forthcoming with the facts; and she mentioned that she had a conversation with one of the residents about impacts of the Lagoon, because the resident had put in an Advanced Septic System. She researched to see if that area qualified for that system for the Indian River Lagoon; she expressed that she was shocked to find out that it has already been approved from septic to sewer; and she revealed that she believes the conversations the County has had with residents are disingenuous by stating it is just a repaving project. She declared that is simply not the case; she feels that the residents have been misled as to the real intent by the County and Commissioner Smith in addressing what the issues were with this property, regarding trimming trees, by saying milling the road is going to cause root damage that kills trees; and she stated that simply is not the case. She explained that her husband is a road and bridge engineer; she inquired why would the trees be killed; she asserted that at no time were these residents informed of an intent by the County to put in a sewage system down the road; and she remarked that is actually the reason for the destruction of the trees. She inquired why the County Commission is not being forthcoming and honest with the residents in District Four; she also mentioned that she wanted to say something regarding the controversy pertaining to the Florida Communities Trust (FCT) grants; she explained that FCT is a State agency; and she indicated that the entities that are pulled together in what she spoke, the City side of this, which she brought up in a zoning meeting, Liz Alward was the legislative aide to Jim Barfield; and she revealed that it disturbed her to find out yesterday that Commissioner Smith has hired her husband as Executive Assistant.

Commissioner Tobia inquired from Ms. Sullivan if Commissioner Smith had a town hall meeting in Rockledge.

Ms. Sullivan replied yes.

Commissioner Tobia inquired if Commissioner Smith sent out a press release of the result; he does not want to say if he agrees with the decision one way or another, because it is moot at this point; he inquired if it is correct the outcome is what she was helping to achieve; and he asked her to answer as a yes or a no if the trees are getting cut down.

Ms. Sullivan replied they will eventually.

Commissioner Tobia inquired for the moment right now.

Ms. Sullivan replied yes, for the moment right now.

Commissioner Tobia remarked that Commissioner Smith had a town hall meeting, sent out a press release, and the trees are not cut down, but Ms. Sullivan thinks Commissioner Smith is hiding stuff.

Ms. Sullivan replied there is misrepresentation by the County which is saying this project is for paving only, and that is not the case; and she declared there is an agenda.

Commissioner Tobia stated he does not always agree with Commissioner Smith, but Mark Twain said something to the effect of it is better to sit down and say nothing and be thought an idiot than open one's mouth to be proven as such; he declared that it sounds like Commissioner Smith was working hard on the residents' behalf, which is the side Ms. Sullivan is on, and she is up here berating him; and he feels like that opinion should be limited to the people who are on the other side, not the same side. He went on to say he just wonders what will happen next time when she agrees with him; he wondered if that was the best tactic for her to take; he advised that he would spend more time on his campaign than he would coming before the Board; and he explained that he has listened to her over and over and over again, but she has just crossed the line by berating the Commissioner that has gone above and beyond on this issue. He asserted that he disagrees with the outcome; he is on the other side of Commissioner Smith on this one; he advised that for Public Safety, those trees need to come down; he reiterated that those trees need to come down immediately; and he stated that he is sticking up for a Commissioner that went above and beyond on this issue far more than he ever would have.

Ms. Sullivan inquired if Commissioner Tobia believes there should be disclosure on what the real intent is.

L.2. Eden Bentley, County Attorney

Attorney Bentley took the opportunity to introduce Assistant County Attorney, Alexander Esseesse; she stated he has been with the Department since 2015; and he worked on the bulk of Agenda Items H.

L.4. Bryan Lober, Commissioner District 2

Commissioner Lober stated he wanted to give the Board a heads up on another Item that is going to be coming; he mentioned about the American Rescue Plan Act (ARPA) funds that the Board divvied up, where a certain percentage was restricted to water infrastructure projects, as well as the portion that was less restricted, he plans to bring back as an Agenda Item dealing exclusively with utilities that are at risk to spills or leaks, whether it is due to design, age, installation, or any other reason so that substantially everything is going to go towards that; he plans on using the money specifically limited to that and the discretionary over and above out of ARPA, some of the money that was left over in the District Two bucket from the Coronavirus, Aid, Relief, and Economic Securities (CARES) Act, there is about half a million that could potentially go toward that; he asked staff to do, as far as putting the Agenda Item together, because he has no idea what construction costs these days; he stated it could be 20 percent under, which he does not think is the case, or 40 percent over, which is probably more likely than being 20 percent under; he is going to ask, so the Board has a chance to mull it over, to put out for bids or proposals on a slew of different projects in District two to see what the bids or proposals come back at, and then determine from that list what he is able to fund out of the funding sources that he has; the list, if everything comes back, he will never be able to afford it, but he would like to be able to get all of it done in a quick, timely fashion that way he can see to do it; and he mentioned that staff said it would work for them as well. He mentioned if the Board has any questions when that item comes up, the Board may want to sit with staff during its briefings; and he wants to focus on the fact that he does not anticipate that everything that is listed in there will take place, but a lot of it should.

L.5. John Tobia, Commissioner District 3

Commissioner Tobia reported that as recently as yesterday, the Keiser Foundation for Healthcare came out by stating that COVID-19 virus for unvaccinated patients has cost roughly 2.3 billion dollars in healthcare costs for the last two months; there have been some significant changes very recently; those changes, as the Board is very well aware of, the Food and Drug Administration (FDA) issued an approval for the Pfizer vaccine; there is a healthy incentive out there for County employees right now, thanks to this Board; the vaccine is readily available; and as recently as Saturday night, former President Trump, at a rally in Alabama, encouraged his supporters and followers to get vaccinated. He requested, since the County is self-insured, he would like data to be collected; he has spoken with Jerry Visco, Human Resource Director, who has a great deal of data already collected, where it would not take a lot of time to do; but he would like to know what are the costs born by the County's self-insurance, which ultimately gets passed onto taxpayers; he mentioned that one can look at this one of two ways; one can look at it as socially conservative or fiscally conservative; and he tends to fall greatly on the latter. He added that there are hospitalization rates, there is additional leave, and its impact on its reserve totals that would have to be replenished with higher rates, since the Federal Government is not filling in this gap; he would like to find out what that dollar amount is so when the Board makes budget decisions in the future, whether to increase rates; and that rate increase would go not just for County employees but also for Constitutional officers, who have similar amounts. He asserted that he would like to know what the impact is if the Board still decides to go in the direction that it currently is in, at least the Board will go with its eyes wide open instead of shut; and he reiterated his request is to ask staff to give, as best as they can without too many hours put forth, what the costs is to the County's health plan for folks that are not vaccinated.

Commissioner Lober stated he was kind of struggling with this one, and he is not trying to torpedo Commissioner Tobia; he explained that it is either going to come back one way or another way; he inquired that if the data came back to reveal there has been a tremendous cost, what could the Board do at that point; he stated his concern with gathering the data is if nothing is going to be done with the data he would not waste the time to gather it; if there is some idea of what the Board might or might not do, assuming the data comes from either end of the scale, he would just like to know what the end goal is before he supports getting the data.

Commissioner Tobia asserted that no matter what the Board does, even if it does nothing, knowing that it could potentially have a large impact to its reserve, is extremely important; his interest in this is the County is self-insured, meaning the taxpayers bear the burden of unvaccinated folks right now; he went on to say that it is pretty complicated; there are folks out there that are postponing regular checkups, because of this; and there may be long term costs associated with this, but ultimately those are costs that the County Commission must cover through taxation. He exhorted that if the Board makes a decision to do nothing, at least it knows the Board will have to increase the reserve at a later date.

Commissioner Lober inquired if there was some way that would anonymize the health data; he is not certain he is comfortable with the government, whether it is the County or another level, having records of specific individuals or whether or not he or she received particular treatments for something where they have to answer; if it is an opt-program, if he or she does not want to do it then fine, which is why he supported his other concept, because he or she does not have to do it if he or she does not want to; if someone does not want to disclose whether he or she has been vaccinated, for whatever reason or no reason at all, is there an option of not

disclosing it or disclosing it in a manner that his or her name is going to be tied to a record that is potentially a public record indicating whether he or she has or has not been vaccinated.

Commissioner Tobia replied that he hopes Health Insurance Portability and Accountability Act (HIPAA) laws are not violated, and he has full faith in staff to make sure that is the case.

Commissioner Lober stated if Commissioner Tobia's motion contemplates staff gathering the data in a way that it is anonymized and is not going to result in even the potential of a public record to be reproduced indicating directly, or otherwise, an individual's vaccination status, he would support it; but if it does not contemplate that, he could not support it.

Commissioner Tobia asserted that he may have supported Commissioner Lober's incentive program to give \$75 to firefighters; he explained that it gave the Board a data set that was not individual but was across the whole unit; he advised it is no different than what Commissioner Lober requested or the result of what was requested from him in the past.

Commissioner Lober explained that the concern that he has is that the incentive program was a voluntary program; if the firefighters did not want anything to do with it, they did not have to; this, on the other hand, will be applied to everyone, whether or not they wish to participate; and he wants to ensure their information is safeguarded.

Commissioner Tobia stated, to be 100 percent clear, this is gathering data; and he reminded the Board that he is not asking for any policy decision whatsoever.

Commissioner Lober expressed that is not the concern that he has; it comes down to what information will be out at the end of the day; if the County receives a public records request that it has produced; he advised he does not feel comfortable supporting it; he indicated that Commissioner Tobia may have enough support with this anyway, unless the motion is modified to ensure that data is kept privileged or confidential, wherein even indirectly someone could not get a particular individual's vaccination status; and he would not support it otherwise.

Commissioner Tobia asserted that if Commissioner Lober's modification to the motion would be utterly and totally redundant.

Commissioner Lober explained that he does not want there to be any ambiguity.

Commissioner Tobia inquired if his program with the \$75 whether that was done anonymously so that the County only has the aggregate and does not know which firefighters the Board would be able to look up.

Commissioner Lober advised he believes that it was done in a manner that is not anonymized; he reiterated the difference is that is a voluntary program versus something that Commissioner Tobia says people have to participate in, which is the real difference to him.

Commissioner Tobia stated this is a data set that the County currently has.

Commissioner Lober advised that it is a subsection of the Board's employees.

Chair Pritchett mentioned that Commissioner Lober had a point in regards to protecting employees' privacy; and she commented that Commissioner Tobia also made the point that he is not wanting to expose anyone's privacy.

Commissioner Tobia replied absolutely, it will not have anyone's name attached to this.

Chair Pritchett noted that data always helps make good decisions, with wisdom's power, and so she is fine with getting some data; and she advised if nothing else, the Board has to presume what to put into the budget next year if the Board does not do anything different.

Frank Abbate, County Manager, stated the information the Board would get would be from insurance carriers; and staff will not be providing the Board with names associated with any of the costs that they bring forward to the Board and any kind of request that the Board makes in that nature.

Commissioner Lober informed Mr. Abbate he appreciated that; and he will go ahead and support it based on that assurance.

Chair Pritchett asked if a motion was needed on this or if staff was good with doing it without the Board's consent.

Mr. Abbate replied he thought it was clear that staff will be able to get the data as it is requested based on the Board's dialogue.

L.6. Curt Smith, Commissioner District 4

Commissioner Smith informed the Board that the vaccination rates, currently in Brevard County, are 63 percent are vaccinated, of those people that are eligible, which makes Brevard 17th out of 67 counties; which means the County is doing extremely well, as opposed to a lot of other counties; he mentioned there are counties that are as high as 85 percent, which is Miami-Dade; and there are counties as low as 35 percent, which is Liberty County. He noted there are a lot of counties between 30 and 40 percent, so Brevard has done really, really well with 63 percent; and he informed the Board of unemployment rates. He stated Brevard's unemployment rate is 4.4 percent, which makes it 15th out of 67 counties; he reiterated Brevard is doing extremely well with that, as well; he commented the Board can pat itself on the back, as well as the employers in the County; and the Board has done a very good job encouraging business in the County and it should be recognized. He went on to say that there a lot of people who are interested in how well Duane Defries is doing; his most recent text to Commissioner Smith said it has been three weeks since his last chemotherapy; and he is still dealing with severe chemotherapy side effects, including shoulder and tricep numbness, muscle weakness, muscle atrophy, and searing nerve pain. Commissioner Smith further stated that Mr. Defries is hoping his symptoms will soon subside, although his team of doctors are a bit perplexed by these symptoms so he asks the Board to continue to say prayers for him.

Chair Pritchett stated she wanted to thank Commissioner Zonka for all the work she has been doing on this COVID-19 situation lately; there was a massive outbreak, and Commissioner Zonka has been putting in many hours trying to keep the community safe and alive; and she wanted to thank Commissioner Zonka publicly for that.

L.7. Kristine Zonka, Commissioner District 5, Vice Chair

Commissioner Zonka replied it is a honor to help those folks when she is able to; they are the superheroes in the trenches; she went on to say that she was not going to bring it up, but she believes everyone has talked about the vaccine at this point enough; she stated that a lot of people ask her for medical advice on things; and she would like to think that she has enough educational background to speak openly and honestly to give her opinion. She explained that she does not do that as employee of anyone but as a human being, who happens to be a

Nurse Practitioner with a doctorate degree, and knows a little bit about science and a little bit about what she has heard and seen in the hospitals; she stated if COVID-19 has not affected someone or someone's family, it will; what she saw in the hospital was tragic; it was sad; and it was unlike anything she has prepared herself for. She mentioned that she does not believe for a second that she will convince anybody to get a vaccine that does not want to do it; she knows that everybody seems to think there is a government conspiracy, and the government is trying to poison people; she stated she saw a video she thought was funny; she explained if one believes the government is trying to poison people, why would they poison the sheeple; and why would they poison the people that comply, which she thought was an interesting take on it. She added that she is glad that the Pfizer vaccine has been approved; the vaccine does not change one's DNA; that is absurd; 94 to 98 percent of patients, since this started, in the hospital are unvaccinated; she declared if that proves that being vaccinated is helpful on surviving COVID-19; and she added yes, someone can still get COVID-19. She informed the Board that Delta is more contagious; someone can get sicker quicker and harder, but she implores people to do the responsible thing; and she asserted that if someone is on the fence to please consider it. She advised for someone to consider protecting one's neighbor, such as somebody who cannot get the vaccine; she does not like to push her personal agenda on anyone; she has seen family members on the same floor where one, who was in Intensive Care Unit (ICU), died and there is a mother and son on the same unit that have to deal with that when they get released; and they were released, but they went home without their father and husband. She continued to say she has seen it affect perfectly healthy people; she cannot imagine anything more scary than struggling to breathe and having to be alone in the hospital, because you cannot have visitors; she advised for people to think about that for a moment; there is a potential to die when one cannot breathe, which is horrifying enough to envision oneself in that situation; and one cannot even have a family member there to give comfort or talk to. She added that her impact is probably minimal, but she is glad to be able to help her brothers and sisters in the trenches; those workers are doing it every day; they are working hard and stepping up to the plate and doing what they were called to do with compassion, heart, expertise, and synchrony by helping each other; it is an environment that she would have never thought she would experience; and she thanked the healthcare workers that do it every day.

L.3. Rita Pritchett, Commissioner District 1, Chair

Chair Pritchett stated she works at a church; it is her real life job; she reported her church has a daycare; 75 percent of the employees were not vaccinated; they were young, and they all contracted COVID-19; she called them to check on them and took them food; they were all in a lot of pain; and every single one of them said they wished they had been vaccinated. She continued to say that this is a really painful virus; she expressed that she would never vote to mandate someone to get the vaccine or take a drug, but she explained that people make their own choices by their lifestyles and what they choose to eat and do; and if someone does not take the vaccine, it is one's choice, but he or she will have to live with the consequences. She noted that every person has to decide that; and she reiterated what Commissioner Zonka said that if one is on the fence with it or thinking about it, what she has seen with her own eyes and witnessed, because she has watched her family get it during the holidays, it is painful. She stated there is such a risk with having COVID-19; if there is a risk with the vaccine, she thinks it is a lot less than getting the virus; it is not a nice virus, and it takes a long time to recover from for many people; and she implored people to think and pray about it. She stated she would never force it on anyone; she does not think it is her job to make medical decisions for anyone; that would be between a person and his or her doctor; and she mentioned that she will discuss fluoride next. She noted that somehow in the past history, it became appropriate for government boards to make a decision for people getting mass medication of fluoride; she cannot say it is not a drug; if it walks like a duck, quacks like a duck, it is a duck; the Food and

Drug Administration (FDA) actually classified this as a unapproved drug, because it treats a medical condition; if you put it within that, how five or seven government officials, or however many was on the board, was able to make that decision boggles her mind that it ever happened; and especially since there are people who do not want it in their bodies. She advised that on a constitutional level something is not right there; it should have never happened, but there is a mess now; she feels that she is in contact with her community, and she has heard often through her community over the years about the fluoride issue; when she was on the City of Titusville Council, it came up; it was shot down very quickly at the time; and there has always been an issue with fluoride. She went on to say that she has thyroid problems, and whether one wants to decide if she knows what she is talking about or not, she does know that fluoride mimics iodine, and it screws up her thyroid gland; she mentioned that she cannot have it personally; and she will support someone's right to have it if they want it. She indicated that in her body it causes havoc; she said that the City of Titusville never gave her a choice when it put fluoride in the water or she would have protested, because she does not want that medication put into her body; people tell her if she does not want it to get her water somewhere else, but the Indian River Lagoon has some salt in it; and she cannot drink it. She explained that there are silly reasonings out there; she truly believes she has heard from her community before she brought it up to the Commission; the Board voted 5-0 to remove the fluoride; her district was the last part of Brevard County, because the other parts of Brevard County do not fluoridate the water; and now Brevard County water is not fluoridated, except for the naturally occurring fluoride, which is between .2 and .3 percent. She further stated that naturally occurring is a whole lot different than the stuff that is put into the water; the stuff that is put in the water is a byproduct of a fertilizer company; it is not pure fluoride; it is probably not the best for the community to have; if someone wants it he or she can go to the store to get it and it might be a better product; and she believes wholeheartedly that it is good for teeth. She went on to say that she uses it in toothpaste; she believes in the rinses; as far as her drinking it, though, it causes damage; there is a percentage of the community that is damaged from drinking this stuff why should they be forced to have it; and it has been said there are people who do not have money to afford it. She explained that the discussion came up about treating the poor; she commented that she was a poor mother in Mims for a long time, and she resents that people were telling her that she was too ignorant and did not know how to take care of her children, because she did not have money; she knew how to brush her children's teeth; her children did not have cavities; and Mims did not have fluoride at the time. She added that it was another whole subject; she stated that people know how to take care of their children; and if there are still people with this problem who are on fluoridated water then it has to be figured out how to get the education to the children or whatever needs to be done to help them with these problems. She stated that she agrees there is a problem, but this is not the path to do it; since there was a big outcry at the time, she did not want the rest of the Board to get pulled into it, because the Board believed she understood her community, and she did also; she mentioned that she decided to have a public meeting in Mims; and out of the 300 people that showed up, only 20 of them were Mims Water Service customers. She mentioned she had lobbying groups, people from all over the State of Florida, and the head of the Fluoride Commission there, and she let them all speak; she thought it was a wonderful, informative evening, but she did not get the input from the community that she wanted; she stated that she chose to send out survey cards, which another Commissioner from the seat, had done in the past to decide if it was going to be put into the water; he had a good response of people wanting it; and she indicated that she wanted to do it just in case she missed a sect of the Mims water customers that she has not heard from. She explained that she sent it out and made it clear on the card that she needs a two-third majority of all the water service customers to say they want the medication put back in the water for her to bring it back to the Board and see if she could talk the Board into putting it back in; she is certain she put those cards out there, and she gave the option if someone did not want it to not say anything, but she really wanted to hear a yes; and she felt that if at least 51 percent came back, she would bring it to

the Board. She informed the Board that only 24 percent of Mims water service customers sent back a card stating they wanted it; this was after the fluoride people spent thousands of dollars down there; there are billboards; they have been making robo calls; so she knows the information has been getting out there; and the response has not come back with them wanting the fluoride in the water. She indicated that she is very confident of what her office is doing here; she left it open another four weeks, just in case, and she has all the numbers that she will be happy to provide; she stated she is easy to reach; she gives her cell phone number out on the radio; she is pretty easy to get a hold of; and she does not want to keep doing this after every Commission meeting. She commented that she might write up a script in case people want to know it; she may write another letter to the newspaper; at the end of the four weeks she is going to send out a letter to the community to inform them what happened and what was received; she reiterated that she does not want to force anything on her community nor does she want to take away anything that the community wants; but they did not clearly tell her that they wanted this. She went on to say that she does not want fluoride to just be tolerated; she wants it to be wanted if the County is going to do a mass medication to the people; and she added that if the community wants it she will fight for what it wants, but not if people do not want it, which is a big percentage of people. She inquired what if the County mandated that everyone had to have a COVID-19 vaccination, but only the one the Board chooses and is not approved; she asserted that is what it is like putting in fluoride; it is an unapproved drug; and she does not know if any county government should have the right to do that. She indicated that when this first started someone called her up to say she should not be making medical decisions; her thought is that person is not wrong on that; she does not know how the Board ever got in this spot; she advised that this Board should not be making medical decisions; it should not be putting medications into a community water system; and she inquired where will it stop. She added that as far as she is concerned a few people could use a little extra estrogen; she stated that is something she would like to have that she would have to pay for; she expressed that everybody wants their thing done to everybody else, but do not mess with the things they do not want; she asserted that this is not government's position to do this; and that is where the Board is with this. She mentioned there are a few more weeks to see if any more cards come back; she reiterated that she has not had people respond to her stating they want it back in; she explained that she has done everything she can to get the information out; she did a free mail back with the survey; she feels the information is out there, and she has not had the response; and she thanked the Board for its tolerance. She stated that she just wanted to make sure that everyone knew everything; she is not hiding anything; she has no problem being wrong if she is wrong; and she is certain she is not wrong this time.

The meeting adjourned at 10:46 a.m.

ATTEST:


RACHEL M. SADOFF, CLERK


RITA PRITCHETT, CHAIR
BOARD OF COUNTY COMMISSIONERS
BREVARD COUNTY, FLORIDA

As of the Board date October 26, 2021

Cheryl Duisberg

From: Cheryl Duisberg
Sent: Monday, October 11, 2021 10:52 AM
To: Commissioner Isnardi; Commissioner Lober; Commissioner Pritchett; Commissioner Smith (D4.Commissioner@brevardFL.gov); Commissioner Tobia (D3.Commissioner@brevardFL.gov); Eden Bentley; Sally Lewis; Teresa Rivera
Cc: Clerk to the Board
Subject: Minutes for Approval
Attachments: 08-24-2021 Regular Draft.rtf

Please place the attached minutes for the August 24, 2021 Regular meeting on the agenda for **October 26**.

Thank you,

Cheryl L. Duisberg
Deputy Clerk to the Board of Brevard County Commissioners
and the Value Adjustment Board

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Connect with the Clerk!