

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

5:30 PM

The Board of County Commissioners of Brevard County, Florida, met in regular session on August 15, 2017 at 5:51 PM in the Government Center Commission Room, Building C, 2725 Judge Fran Jamieson Way, Viera, Florida.

CALL TO ORDER

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

PLEDGE OF ALLEGIANCE

Commissioner Tobia led the assembly in the Pledge of Allegiance.

ITEM II., COMMISSIONER TOBIA REPORT, RE: RESOLUTION REQUESTING FLORIDA LEGISLATURE AMEND CHAPTER 2001-336(8)(12)(C) FOR ALL COMMISSIONERS EQUAL EWIUGH IN TO ADOPT USER FEES FOR THE MELBOURNE-TILLMAN CONTROL DISTRICT

Commissioner Tobia stated in regards to the way the Melbourne-Tillman Water Control District was set up, it includes the basic veto power for Districts 3 and 5; and he advised he has a resolution to present that would give consent to a Member of the Florida Legislature to take up a local bill and to change the vetoing authority from Districts 3 and 5, and giving vetoing authority to the Board of County Commissioners as the governing board of the Melbourne-Tillman Control District.

Frank Abbate, County Manager, inquired if Commissioner Tobia wants the presented resolution to come before the full Board for its consent as a future Agenda item. Commissioner Tobia responded affirmatively.

The Board approved the resolution requested giving consent to a Member of the Florida Legislature to take up a local bill and change the vetoing authority from Districts 3 and 5, and giving vetoing authority to the Board of County Commissioners as the governing board of the Melbourne-Tillman Control District.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Kristine Isnardi, Commissioner District 5
SECONDER:	John Tobia, Commissioner District 3
AYES:	Rita Pritchett, John Tobia, Kristine Isnardi
EXCUSED:	Jim Barfield, Curt Smith

ITEM III., PUBLIC COMMENT

George 'Bo' Rainbolt, Survey Technician, stated he mows and does whatever assignment needs to be done; he felt he needed to address this because he does not know how well the Board knows the employees who work in the field; most of the people who work at Melbourne-Tillman were born, raised, and live in the area; and they are proud of what he or she does. He went on to say lately, because of not getting budget increases throughout the years, the job is get less and less the sense of pride; when riding down streets and looking at the canal grass being high, the employees are not proud of that; the reason is not because they are not working hard enough, it is because of equipment failure; people are calling the office and complaining; and he would rather say when Hurricane Matthew came through the residences did not flood, because the employees were doing his or her jobs. He continued to state residents call saying the grass is so tall that rodents are running into garages and that is embarrassing to the employees; the reason why is because three of the four mowers are down because there is no money in the budget to replace them; they have not been repaired because there is no money in the budget; and nobody wants taxes to go higher, but when services are not being given that the taxes are supposed to provide because someone did not want to raise the user fees when it was necessary hurts the community. He stated he wants people to ride through Palm Bay and West Melbourne and say look how great this community looks; he sees folks in the office looking and scouring the country for the cheapest equipment to find to fit in the budget; it is not the equipment needed to the job or to last, it is the cheapest thing to get by with by putting a Band-Aid on the situation; but if a little more money could be spent on a better machine, it would not be down for maintenance, it will last longer, and in the long run it will be serving the people better with his or her taxpayer money to buy better machines. He concluded by saying they need something that does the job, not something to just get by with until maybe someday they are given a budget increase; he wants Melbourne-Tillman to be a star in the community; and right now with the budget they have, he does not see how it can be done from in the field perspectives. He added computers will not update because they are so old; phone calls are coming into the office all the time about not being in the field due to equipment breaking down constantly, because there is no budget to maintain what is supposed to be done.

Dan Anderson, District Manager of Melbourne-Tillman Water Control District, acknowledged the Melbourne-Tillman Water Control District Members who were present. He stated Melbourne-Tillman in April 2017 adopted a tentative budget for submittal to Brevard County for Fiscal Year 2017-2018; and he acknowledged the County Budget Office for its assistance in working with the budget. He advised the Board of the budget being presented is with an increase in user fee rate structure; the proposed increase would generate approximately \$189,000; and he pointed out the Melbourne-Tillman Water Control District has trimmed its budget back to nothing. He expressed his main concern is tapping into Reserves in order to make up for the deficit in the budget; he stated if he keeps cutting into the Reserves there eventually will be no money in Reserves to make up the deficit; he does not know where the District will be at that point; and one thing about the District is the level of service has increased dramatically, but the fees have not really increased along with that. He added the District started out as a drainage District with its main mission being stormwater flood control; now it is a Water Control District that takes care of water quality; and it went from being a rural area to being a build out area, with expectations from the homeowners has tenfold. He mentioned on an average day like today there were about one-half of one dozen calls complaining about the mowing of the canal behind his or her houses; they get to the canal two to three times per year; there are 165 miles of canals with rights-of-ways on both sides and it is a lot of mowing that needs to be done; and with the proposed increase they would be looking at doing water quality projects, building additional weirs structures, clean out sumps, and stations with a neglected canal by doing aquatic vegetation and harvesting. He talked about a program worked on with the St. Johns River Water Management District (SJRWMD) to create a western diversion sending a lot of the water that Melbourne-Tillman generates, in an 100 square mile area to the Three Forks Conservation

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Area, and eventually into the St. Johns River; and one-third of the water may be able to be diverted but the rest of the water if left untreated has a lot of biomass' created from increasing stages sending the water west during a storm event ends up going out through Turkey Creek, and ending up in the Indian River Lagoon (IRL). He stated he understands it is Melbourne-Tillman's mission to make sure it lives up to the expectation of the people who live in the District; as long as he is the District Manager, he will be asking for an increase each year; and he highlighted on taking the Board for a tour to show what Melbourne-Tillman does, and to educate it on how vast and important its system is to the infrastructure of the community. He advised the District is requesting the Board's approval for the adoption of user fee rafter for FY 2017-2018 as follows: 1) Residential Rates from \$21.04 to \$23.14; 2) Commercial Rates from \$40.85 to \$44.94; and 3) Agricultural Rates from \$7.36 to \$8.10. He added Residential is \$2.10 increase; Commercial is \$4.09 increase; and Agricultural is \$0.74 increase.

Commissioner Isnardi inquired if Mr. Anderson has met with each Commissioner. Mr. Anderson responded he did not meet with Commissioners Pritchett and Barfield.

Commissioner Isnardi stated if the fee structure is looked at, they did not get Consumer Price Index (CPI), and has gone several years without any increase.

Mr. Anderson advised in a 10-year period there was one increase made last year; he stated if the District is looked at, they maintain everything in the system for 165 miles of canals; the system is up and running because of the hard working employees of Melbourne-Tillman; and the District is a labor oriented organization that cleans out the canals and maintains everything within its system.

Commissioner Isnardi reminded the Board of Tropical Storm Fay and all the hard working done by the employees; and the folks of Palm Bay were shocked because it did not hold onto the water for long.

Mr. Anderson mentioned after all that rain, within 72 hours all of the water was contained back within the canal system; within an additional 72 hours they were back to normal stage elevation, through a lot of hard work done by his staff; he stated when he started with the District 37 years ago those canals were beat into shape; and he checked other drainage systems throughout Brevard County, and compared them to Melbourne-Tillman, and the main difference was Melbourne-Tillman is it is proactive, and others are reactive.

Commissioner Isnardi inquired if it is costing more to fix the machines that are from the 1980's. Mr. Anderson replied they have equipment that is well over the intended hours for replacement; he stated they do not have the money in the budget and they could take money out of the Reserves, to try and make up for the equipment losses of capital equipment purchases; and he advised of his main concern of only being able to go to the bank so many times before the money runs out.

Commissioner Isnardi stated they had a piece of land that was donated but it was not needed for the system and that is why they had \$5.8 million in Reserves from the sale of that land; and they have been working off of that.

Mr. Anderson advised of the original plan being to take that money out of Reserves and use it for the capital equipment purchases; and being able to get increases from the Board of County Commissioners to make up for inflation. He added Melbourne-Tillman got caught between a rock and a hard place; it is not asking for the world; and it only wants to be sustainable.

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Commissioner Isnardi stated that is where this resolution comes from because they had two Commissioners vote for its budget and one Commissioner voted nay; and she reiterated that they have not seen an increase in 10 years.

Mr. Anderson remarked there was one Commissioner who voted nay seven years in a row against any type of increase, which really hurt Melbourne-Tillman.

Commissioner Tobia clarified a 10 percent increase was voted for last year.

Mr. Anderson indicated last year one Commissioner did vote for the 10 percent increase.

Commissioner Tobia advised during that 10-year period his office verified a 16.2 percent increase aggregate of the Consumer Price Index (CPI); 10 percent of that was given; and they are behind in the CPI.

Commissioner Isnardi stated not increasing the rate is concerning to her because more money is going to end up being spent maintaining the equipment, and trying to fix something that is not going to work. She inquired about the windmills. Mr. Anderson replied the windmills were installed for aeration purposes, it is taking the nitrogen and denitrifying the water in order to slow down aquatic growth, and is taking the algae and the nitrogen out of the water; it is a pilot program; and they are seeing really good results from it. He went on to say when the District has always been creative; when the District is booming in economy, all of the contractors who are doing demolition Melbourne-Tillman accepts all concrete, and uses it for the linings of canal banks and repairing washout's; and they had always said that they had to be creative to be because they do not have the budget to do needs to be done.

ITEM IV., PUBLIC HEARING, RE: STATEMENT OF PROPOSED USER FEE RATES FOR THE MELBOURNE-TILLMAN WATER CONTROL DISTRICT FISCAL YEAR 2017-2018

Rita Pritchett, Vice Chairwoman, called for the public hearing to consider statement of proposed user fee rates for the Melbourne-Tillman Water Control District for Fiscal Year 2017-2018.

Christine Valliere, Assistant County Attorney, read aloud a resolution to authorize and adopt user fees pursuant to Chapter 86-418, Florida Statutes, authorizing the Board of the Melbourne-Tillman Water Control District to levy user fees for Fiscal Year 2017-2018; and providing for an effective date. She stated the proposed Residential classification is \$23.14 per acre or portion thereof; the Agricultural classification is \$8.10 per acre or portion thereof; and the Commercial classification is \$44.94 per acre or portion thereof.

Chairwoman Pritchett inquired if these are voted on in one motion or separate motions; and she inquired if 3:0 vote or a majority vote is required. Commissioner Tobia replied he thinks that goes towards the resolution that he put out there that the vetoing authority is for the future; he stated right now he is not going to vote for a 10 percent increase in fees, which will put a hamper on it; but the resolution for in the future would move with a majority vote.

Commissioner Tobia went on to say his predecessor held the line drawn in an attempt to discuss last year; he does not feel comfortable making up the gap; all three Commissioners present are new and have not made any of those types of decisions; he thinks it is tough for the Board to be put in that position; he proposed for the Board to treat Melbourne-Tillman like it treats the Sheriff or its Departments, and to offer Melbourne-Tillman the 1.26 percent of CPI. He added Melbourne-Tillman will have his commitment in moving forward to follow that, so it does not go deeper into debt; a majority of the other Commissioners can be convinced to make up that gap, if this goes to Legislature; and he has an issue with the Reserves gone through in 10 years. He stated he would like to amend the resolution to account for the 1.26 percent

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increase and tie it to this years CPI giving an increase of \$24,265; it will still being in a six percent hole, but is not growing as much; but it has given a way to make a case to the other Commissioners moving forward a Legislative bill in Tallahassee, which he will support.

Commissioner Isnardi remarked only two Commissioners can vote on this.

Frank Abbate, County Manager, stated if two Commissioners vote for a rate increase, that rate increase may not go through.

Commissioner Isnardi stated they cannot get the increase that is proposed; but she asked if it has to go with the 1.26 percent of CPI.

Mr. Abbate advised if that is not approved there would not be any increase; and he stated for the record, it would be for Residential to go to \$21.31; Agriculture would go to \$7.45; and Commercial would go to \$41.36.

Commissioner Isnardi advised they need an increase; the Board is wasting money by not giving the needed increase, unless the Board wants them to spend its Reserves; she agreed with Commissioner Tobia; they need this increase because they had gone so many years without one; and she will vote for the smaller increase, because she realizes it is that, or nothing.

There being no further comments heard, the Board denied the statement of proposed user fee rates as presented for the Melbourne-Tillman Water Control District FY 2017-2018; and approved an amendment to user fee rates by adjusting with an increase of Consumer Price Index (CPI) at 1.26 percent, and recommended for final approval of the user fee rates and adoption of the operating budget for the District at the September 12, 2017, Board Meeting as follows: 1) Residential at \$21.31; 2) Agriculture at \$7.45; and 3) Commercial at \$41.36 per acre or portion thereof.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	John Tobia, Commissioner District 3
SECONDER:	Kristine Isnardi, Commissioner District 5
AYES:	Rita Pritchett, John Tobia, Kristine Isnardi
EXCUSED:	Jim Barfield, Curt Smith

ADJOURNED

Upon consensus of the Board, the meeting adjourned at 6:16 p.m.

ATTEST:

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

SCOTT ELLIS, CLERK