

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

9:00 AM

The Board of County Commissioners of Brevard County, Florida, met in regular session on July 24, 2018 at 9:00 AM in the Government Center Commission Room, Building C, 2725 Judge Fran Jamieson Way, Viera, Florida.

**ITEM A., CALL TO ORDER**

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

**ITEM B., MOMENT OF SILENCE**

Chair Pritchett called for a moment of silence.

**ITEM C., PLEDGE OF ALLEGIANCE**

Commissioner Tobia led the assembly in the Pledge of Allegiance.

**ITEM E.1., RESOLUTION, RE: PRETRIAL, PROBATION, AND PAROLE SUPERVISION WEEK**

Commissioner Curt Smith read aloud, and the Board adopted Resolution No. 18-100, declaring July 15-18, 2018, as Pretrial, Probation, and Parole Supervision Week.

Rachel Richardson, Circuit Administrator for the 18th Judicial Circuit for the Florida Department of Corrections, expressed her appreciation for the Resolution. She stated with her is just a sampling of her staff; they have people who work all up and down Brevard; her officers support the mission of the Department of Corrections monitoring the supervision over 4,500 felony offenders in Brevard County alone; officers work to provide a continuum of services to meet the needs of the offenders who are entrusted in their care; they make referrals to agencies on a daily basis trying to match the needs of the offender with the services they have; and staff facilitates self-improvement programs in all of their offices. She continued they run Thinking for Change classes, they hold job and resource fairs, they work and coordinate GED classes in their offices, and they make thousands of home employment and personal treatment contacts each and every month; they also work to create safer communities by partnering with law enforcement to conduct initiatives; they are taking guns off the streets on a daily basis and taking drugs out of homes; and they are making sure the offenders are in compliance with court orders and in the condition of their supervision. She noted their hope is reduced victimization, safer communities, and successful outcomes for the offenders in which they supervise; and the agency vision is inspiring success, transforming one life at a time, and this staff does that each and every day with the efforts they put forth in assisting the offenders towards successful outcomes. She applauded the dedication, hard work, diligence, and resilience these State employees, the Brevard County staff, the officers, the support staff, and the supervisors

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because they demonstrate professionalism and commitment to the citizens of the State of Florida each and every day.

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

### CONSENT ITEMS PULLED

Commissioner Smith stated he would like to make a comment on Item F.7, Approval for the Intersection Signalization Construction Agreement between Brevard County, The Viera Company, and Dean Mead for the Viera Boulevard and Holiday Springs Intersection; this is a real good example of public and private cooperation; it is going to start and finish about a year ahead of schedule and under budget; and he wanted to highlight and thank all the people involved, The Viera Company, the Roads Department, and everyone else involved because this is a really big deal, and he does not think the Board give people enough credit when they do things ahead of schedule and under budget.

Commissioner Barfield stated he would like to pull Item F.4, Waiver of Subdivision Perimeter Buffer for Abacos Townhomes and F.12, Approval of Donation from Estate of Mr. Owen Charles Gallagher/So. Mainland Public Library.

Chair Pritchett stated Owen Charles Gallagher left his inheritance to the Public Library and she just wanted to give a shout out to him.

### **ITEM F.1., ACCEPTANCE, RE: BINDING DEVELOPMENT PLAN - CRISAFULLI ENTERPRISE, INC. (18PZ00018)**

The Board executed Binding Development Plan Agreement with Crisafulli Enterprises, Inc., for property located on the north side of East Hall Road, approximately .45 mile east of North Courtenay Parkway.

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

### **ITEM F.2., ACCEPTANCE, RE: BINDING DEVELOPMENT PLAN - INDIAN RIVER BEHAVIORAL HEALTH, LLC (18PZ00025)**

The Board executed Binding Development Plan with Indian River Behavioral Health, for property located at 2355 Truman Scarborough Way, Titusville.

**RESULT:** ADOPTED [UNANIMOUS]  
**MOVER:** Curt Smith, Commissioner District 4  
**SECONDER:** Jim Barfield, Commissioner District 2  
**AYES:** Pritchett, Barfield, Tobia, Smith, Isnardi

**ITEM F.3., FINAL PLAT AND CONTRACT APPROVAL, RE: STONECREST AT ADDISON VILLAGE, PHASE 2**

The Board granted final plat approval; and authorized the Chair to sign the final plat and Contract for Stonecrest at Addison Village Phase 2, subject to minor engineering changes, as applicable, and developer responsible for all other necessary jurisdictional permits.

**RESULT:** ADOPTED [UNANIMOUS]  
**MOVER:** Curt Smith, Commissioner District 4  
**SECONDER:** Jim Barfield, Commissioner District 2  
**AYES:** Pritchett, Barfield, Tobia, Smith, Isnardi

**ITEM F.5., APPROVAL, RE: DISBURSEMENT OF REMAINING INTEREST EARNED ON EDUCATIONAL IMPACT FEES**

The Board authorized disbursement of all remaining interest earned on the deposit of Educational Impact Fees in the trust funds for Benefit Districts 1 through 4; and authorized the Budget Office to execute any budget changes necessary to implement this disbursement.

**RESULT:** ADOPTED [UNANIMOUS]  
**MOVER:** Curt Smith, Commissioner District 4  
**SECONDER:** Jim Barfield, Commissioner District 2  
**AYES:** Pritchett, Barfield, Tobia, Smith, Isnardi

**ITEM F.6., APPROVAL, RE: PERMISSION TO ENTER PROPERTY-NON-SOURCE FORM NEEDED BY THE FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION (FDEP) FOR TEMPORARY PLACEMENT OF A MONITORING WELL**

The Board authorized the Chair to execute Permission to Enter Property-Non-Source Form needed by FDEP for temporary placement of a monitoring well.

**RESULT:** ADOPTED [UNANIMOUS]  
**MOVER:** Curt Smith, Commissioner District 4  
**SECONDER:** Jim Barfield, Commissioner District 2  
**AYES:** Pritchett, Barfield, Tobia, Smith, Isnardi

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**ITEM F.7., APPROVAL, RE: INTERSECTION SIGNALIZATION CONSTRUCTION AGREEMENT BETWEEN BREVARD COUNTY, THE VIERA COMPANY, AND DEAN MEAD FOR VIERA BOULEVARD AND HOLIDAY SPRINGS INTERSECTION**

The Board approved the Intersection Signalization Construction Agreement with The Viera Company and Dean Mead for the Viera Boulevard and Holiday Springs Intersection; authorized the Chair to execute the Agreement; and approved any necessary Budget Change Requests associated with this request.

**RESULT:** ADOPTED [UNANIMOUS]  
**MOVER:** Curt Smith, Commissioner District 4  
**SECONDER:** Jim Barfield, Commissioner District 2  
**AYES:** Pritchett, Barfield, Tobia, Smith, Isnardi

**ITEM F.8., APPROVAL, RE: RIGHT-OF-WAY USE AGREEMENT WITH ASHLEY MANOR ASSOCIATION OF OWNERS, INC.**

The Board approved and authorized the Chair to execute the Right-of-Way Use Agreement with Ashley Manor Association of Owners, Inc. to permit irrigation to be installed and maintained in a portion of the Sheridan Road right-of-way.

**RESULT:** ADOPTED [UNANIMOUS]  
**MOVER:** Curt Smith, Commissioner District 4  
**SECONDER:** Jim Barfield, Commissioner District 2  
**AYES:** Pritchett, Barfield, Tobia, Smith, Isnardi

**ITEM F.9., APPROVAL, RE: RESOLUTION AND FLORIDA POWER AND LIGHT, COMPANY (FPL) UNDERGROUND EASEMENT (BUSINESS) FOR THE SOUTH CENTRAL WASTE WATER TREATMENT FACILITY**

The Board adopted Resolution No. 18-101, and executed Underground Easement with FP&L for South Central Waste Water Treatment Facility.

**RESULT:** ADOPTED [UNANIMOUS]  
**MOVER:** Curt Smith, Commissioner District 4  
**SECONDER:** Jim Barfield, Commissioner District 2  
**AYES:** Pritchett, Barfield, Tobia, Smith, Isnardi

**ITEM F.10., APPOINTMENT, RE: COMMUNITY ACTION ADVISORY BOARD**

The Board appointed **Verdell Shackelford** to the Community Action Board with said term to expire December 31, 2021.

**RESULT:** ADOPTED [UNANIMOUS]  
**MOVER:** Curt Smith, Commissioner District 4  
**SECONDER:** Jim Barfield, Commissioner District 2  
**AYES:** Pritchett, Barfield, Tobia, Smith, Isnardi

**ITEM F.11., APPROVAL OF CONTINUANCE, RE: URBAN COUNTY AGREEMENTS AND RE-QUALIFICATIONS FOR FISCAL YEARS 2019, 2020, AND 2021**

The Board approved and authorized Urban County Agreement Re-Qualifications with the U.S. Department of Housing & Urban Development (HUD) to receive Community Development Block Grant (CDBG) and Home Investment Partnership Program (HOME) funds; authorized the continuance of Cooperative Agreements with the applicable municipalities for Fiscal Years 2019, 2020, and 2021 per Section 6.(b).; and approved and authorized the County Attorney to sign the mandatory letter for submittal to HUD.

**RESULT:** ADOPTED [UNANIMOUS]  
**MOVER:** Curt Smith, Commissioner District 4  
**SECONDER:** Jim Barfield, Commissioner District 2  
**AYES:** Pritchett, Barfield, Tobia, Smith, Isnardi

**ITEM F.13., AUTHORIZATION, RE: REJECT ALL PROPOSALS UNDER (RFP) P3181402018 AND RENEW VISION CARE PLAN WITH DAVIS VISION**

The Board authorized Human Resources Director, Jerry Visco, to reject all proposals received under RFP-P31814-0-2018, and renew the Vision Care Plan with Davis Vision, the incumbent provider, effective January 1, 2019; and authorized the Human Resources Director to bind this coverage upon the Board's approval.

**RESULT:** ADOPTED [UNANIMOUS]  
**MOVER:** Curt Smith, Commissioner District 4  
**SECONDER:** Jim Barfield, Commissioner District 2  
**AYES:** Pritchett, Barfield, Tobia, Smith, Isnardi

**ITEM F.14., AUTHORIZATION TO RENEW, RE: LIFE, SHORT-TERM, AND LONG-TERM DISABILITY INSURANCE EFFECTIVE JANUARY 1, 2019**

The Board authorized the award of Life, Short Term and Long Term Disability Insurance under RFP 3-18-15 with The Standard Life Insurance Company, effective January 1, 2019; and authorized Human Resource Director, Jerry Visco, to bind this coverage.

**RESULT:** ADOPTED [UNANIMOUS]  
**MOVER:** Curt Smith, Commissioner District 4  
**SECONDER:** Jim Barfield, Commissioner District 2  
**AYES:** Pritchett, Barfield, Tobia, Smith, Isnardi

**ITEM F.15., IMPLEMENTATION, RE: 2018 CROUP HEALTH PLAN CHANGES**

The Board approved a Plan Change to the Group Health Insurance Program for CY2018 as recommended by the Office of Human Resources/Employee Benefits and the County's Employee Benefits Insurance Advisory Committee (EBIAC) to implement a co-pay for Telemedicine services currently paid at 100 percent of cost by employees, immediately upon approval by the Board.

**RESULT:** ADOPTED [UNANIMOUS]  
**MOVER:** Curt Smith, Commissioner District 4  
**SECONDER:** Jim Barfield, Commissioner District 2  
**AYES:** Pritchett, Barfield, Tobia, Smith, Isnardi

**ITEM F.16., APPOINTMENTS/REAPPOINTMENTS, RE: CITIZEN ADVISORY BOARDS**

The Board appointed/reappointed **Jimmy Mutter** to the Planning and Zoning Board as an alternate with said term to expire December 31, 2018.

**RESULT:** ADOPTED [UNANIMOUS]  
**MOVER:** Curt Smith, Commissioner District 4  
**SECONDER:** Jim Barfield, Commissioner District 2  
**AYES:** Pritchett, Barfield, Tobia, Smith, Isnardi

**ITEM F.4., WAIVER OF SUBDIVISION PERIMETER BUFFER RE: ABOCOS TOWNHOMES - 18SP00015/18WV00014**

Tad Calkins, Planning and Development Director, stated this Item is a request to waive section 62-2883(d) which requires a 15-foot perimeter buffer tract along the perimeter of residential subdivisions; this for an application containing five town home units on a half-acre of land on A1A, approximately a mile and a half south of Eau Gallie Boulevard; and this request comes in conjunction with a site plan approval for that town home development.

Commissioner Barfield stated his concern with this is by regulations the neighbors do not have to be notified of any of this.

Mr. Calkins responded he is correct.

Commissioner Barfield stated there are town homes that could be looking down in someone else's yard; he would recommend the Board table this; and then to notify the neighbors of what is going on.

Mr. Calkins asked for clarification if the Board wants this to come back at the August 14, 2018, meeting.

The Board approved waiver to Section 62-2883(d) that requires a 15-foot perimeter buffer tract along the perimeter of a residential subdivision for Abacos Townhomes, 18SP00015/18WV00014, as requested by Bruce Moia.

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

**ITEM F.12., ACCEPTANCE APPROVAL, RE: DONATION FROM ESTATE OF MR. OWEN CHARLES GALLAGHER - SOUTH MAINLAND PUBLIC LIBRARY**

Commissioner Barfield stated a lot of times the County ends up getting donations for libraries; he thinks it is more appropriate to thank them in public rather than placing it on the Consent Agenda; and he asked Jeff Thompson to explain it.

Jeff Thompson, Library Services Director, stated the library did receive a behest from a patron of the South Mainland Public Library, Mr. Owen Gallagher, who passed away in January 2018; Mr. Gallagher was a patron of that library and clearly loved it; he left the library a substantial amount of money; Library Services has received a number of these in the past few years and every time this happens, those in Library Services are deeply humbled and appreciative because they are quite amazing; and it shows how much people appreciate the library.

The Board approved allowing South Mainland Public Library to accept the partial disbursement of \$70,000 received from the Estate of Owen Charles Gallagher; authorized you, or your designee, to accept any additional disbursements received from Mr. Gallagher's Estate; and authorized the County Manager to approve all necessary Budget Change Requests for the South Mainland Public Library to receive the funds.

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

**ITEM H.1., APPROVAL, RE: FINAL PUBLIC HEARING OF THE FISCAL YEAR 2018-2019 HOME CONSORTIUM ANNUAL ACTION PLAN**

Chair Pritchett called for public hearing for approval of the FY 2018-2019 Annual Action Plan for the Brevard County HOME Consortium.

Ian Golden, Housing and Human Services Director, stated what is before the Board is a second and final public hearing for annual action plan and a requirement from HUD; they have a 30-day public comment period that has ended at 5:00 P.M. last evening; they have received no public comments so this action is to request the Board conduct a public hearing and approve multiple actions in accordance with their needs for federal funding; and among those are authorizing the Chair to sign the federal forms SF-424, authorizing the County Manager, or his designee, to execute program grant agreements and disbursement agreements with their partner cities, and sign contractual agreements and amendments for projects identified in the action plan; and authorize the Department as contract administrators to use competitive processes to ensure those actions and activities take place.

There being no comments or objections, the Board conducted the second and final public hearing; approved the FY 2018-2019 Annual Action Plan; executed Certifications and the SF-

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424 Applications for Federal assistance from the U.S. Department of Housing and Urban Development (HUD); authorized the County Manager, or his designee, to execute the Community Development Block Grant (CDBG) Program and HOME Investments Partnership Program Grant Agreements, and Disbursement Agreements with the four Brevard County HOME Consortium member cities upon approval from HUD; authorized the County Manager, or his designee, to sign contractual agreements and amendments for projects identified in the Action Plan, including any associated budgetary changes, and after approval from Risk Management and the County Attorney's Office; and authorized your Department, as contract administrators, to use the competitive processes to secure contractors to complete the proposed projects and services.

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

**ITEM H.2., ORDINANCE, RE: ECONOMIC DEVELOPMENT TAX EXEMPTION - PROJECT RAINBOW**

Chair Pritchett called for public hearing to consider Economic Development Tax Exemption ordinance for Project Rainbow.

Frank Abbate, County Manager, stated this is a follow up to the Board action from the prior meeting for Economic Development Tax Exemption ordinance that was recommended by the Economic Development Commission (EDC) for Project Rainbow.

Commissioner Isnardi stated this only involves an 80 percent tax abatement, it does not involve any cash; this is what the voters approved when they allowed for the Board to grant tax abatements; she appreciates the diligence of County staff making sure they are living up to their promises of jobs, etc.; this does not mean the County is giving them any cash dollars; and she wanted that stated for the record.

There being no further comments or objections, the Board adopted Ordinance No. 18-17, granting an Economic Development Ad Valorem Exemption to Project Rainbow, specifying the items exempted; providing the expiration date of the exemption; finding that the business meets the requirements of chapter 196.1955(16) F.S.; providing for proof of eligibility for exemption; Project Rainbow; and providing for an effective date.

<b>RESULT:</b>	<b>ADOPTED [4 TO 1]</b>
<b>MOVER:</b>	Curt Smith, Commissioner District 4
<b>SECONDER:</b>	Kristine Isnardi, Vice Chair/Commissioner District 5
<b>AYES:</b>	Rita Pritchett, Jim Barfield, Curt Smith, Kristine Isnardi
<b>NAYS:</b>	John Tobia

**ITEM H.3., PUBLIC HEARING AND APPROVAL, RE: SUBSTANTIAL AMENDMENT TO THE 2016-2020 COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG)**

Chair Pritchett called for public hearing and approval for Community Development Block Grant (CDBG) Program Substantial Amendment.

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Ian Golden, Housing and Human Services Director, stated this is a substantial amendment to the five-year consolidated plan with HUD; the Board approved the one-year annual plan; the five-year plan is the structure that hangs off of it; HUD has a requirement, whenever a change is made that it be brought before the Board for public hearing; there was also a 30-day public comment period which ended July 16, with no comments; and the change being requested is to add an activity to the list of activities that can be conducted with the federal funds. He advised the activity is to be able to pay for water and sewer hook-ups for low income families in unincorporated Brevard and in their partner cities through the Urban County Agreements.

There being no comments or objections, the Board conducted a public hearing, as required by U.S. Department of Housing and Urban Development (HUD), for the purpose of receiving public comments on a substantial amendment to the CDBG funding allocation in the current 2016-2020 Consolidated Plan; and approved the aforementioned Plan amendment for submission to HUD.

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

**ITEM H.4., APPROVAL, RE: PROPOSED FISCAL YEAR 2018-2019 AD VALOREM MILLAGES**

Frank Abbate, County Manager, stated this Item is requesting the Board set the Fiscal Year 2018-2019 proposed millage rates; on June 29, staff received certified property values from the Property Appraiser's Office which started the clock ticking on TRIM requirements; Florida Statute requires that within 35 days of the certification of value, August 3, the taxing authority must inform the Property Appraiser of several items, the prior year's millage, current year proposed millage rate, the current year roll back rate, and the time, date, and meeting place of the tentative budget hearing; and within 55 days after the certification of value, which is August 23, the Property Appraiser is required to mail the TRIM notice which notifies taxpayers of the tentative millage rates and also serves as the announcement for the first public hearing in September. He continued the first public hearing will be held on September 11, 2018, at 5:30 p.m.; at that meeting the Board will adopt the tentative millage and the tentative budget; within 15 days after the tentative budget hearing, the taxing authority advertises its intent to adopt a final millage and budget; and that will be done in the *Florida TODAY*. He went on to say the taxing authority is required to advertise a notice of proposed tax increase if the tentative adopted millage rate is greater than the roll back rate in the aggregate; if the tentative adoptive is equal to or less than the roll back rate the advertisement is headed as Notice of Budget Hearing; under the proposed millage rate, as submitted as part of this agenda today, there would not be a Notice of Proposed Tax Increase issued as part of the TRIM notice; and that is because the aggregate millage is at the rolled back rate for aggregate millage. He stated on September 25, the final public hearing will be held at this meeting for each of the 25 Taxing Districts and the Board will discuss the percent increase in millage over the rolled back rate; it will adopt the millage rates and the budgets by separate votes; adopt resolutions by announcing each taxing authority rolled back rate, the percentage increase, and the millage rate that is going to be levied; the Agenda attachment provides the Board with specific details on the 25 individual taxing Districts that Brevard County is the taxing authority over; and the proposed millage rates that are included in the Agenda this morning have been established consistent within the Brevard County Charter, Florida Statutes, and a voter approved rate structure for voter approved millages. He went on to say while the majority of operating rates are proposed at

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the rate that increases the Ad Valorem by 2.13 percent, changing the CPI, and that is with the exception of new construction that is consistent with and in conformity with the County Charter and five voter approved taxing districts have been proposed within the voter approved and statutorily allowed limits. He expressed his appreciation to the Board for the guidance and direction to assist staff in putting together the Fiscal Year 2018-2019 proposed budget; he added a special thanks to Budget Director, Jill Hayes, and her staff for their dedication and efforts, as well as Assistant County Managers John Denninghoff and Jim Leisenfelt; and he expressed appreciation to the Department Directors, Office Directors, and staff who worked diligently to help put this proposal before the Board.

Commissioner Tobia stated he has a couple quick questions for Budget Director, Jill Hayes; and he inquired if the notice that will be potentially put in the paper due to this action, will be similar to last year or if will it be different from last year.

Jill Hayes, Budget Office Director, noted the action at this meeting actually adopts the millage rates that the County provides to the Property Appraiser which will be included in the TRIM notices; if these are the millages the Board adopts as the tentative Budget hearing, that is what determines what will be advertised in the paper; and under this proposal it would be a Notice of Budget Hearing.

Commissioner Tobia asked if that is different from last year.

Ms. Hayes responded in the affirmative.

Commissioner Tobia asked what the difference from last year is.

Ms. Hayes explained last year the County was required to advertise a Notice of Proposed Tax Increase under Florida Statutes because the aggregate tentative rate was higher than the aggregate rolled back rate.

Commissioner Tobia asked if the Board were to approve this, if this Budget, unlike last years, would not be a tax increase.

Ms. Hayes stated according to Florida Statutes that is correct; and the County would not have to advertise the Notice for Proposed Tax Increase.

Commissioner Tobia inquired why the Environmentally Endangered Lands (EELs) District requires a super majority vote.

Ms. Hayes stated under Florida Statutes in the Truth in Millage requirements, the County is required to calculate maximum millage levy for each individual taxing district; the way the maximum millage is calculated is it looks at the maximum tax rate that can be levied and comes up with a rolled back rate; the County is allowed to increase that by the change in per capita income, which provides the simple majority rate; that can be increased by 10 percent which gives the super majority rate; and that is the rate being proposed for EELs in order to maintain its current service level.

Commissioner Tobia asked her to provide a rough estimate of the delta between the super majority and the regular majority in revenue collected.

Ms. Hayes replied it is about \$220,000.

Commissioner Tobia inquired if the difference in revenue, the \$220,000, if collected through a different voter approved Recreation District, would be eligible to appropriate to astro-turf.

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Ms. Hayes stated in order to shift that delta into another Recreation Taxing District, they would need to adjust what is in the debt millage for that particular Recreation District; and then those funds could be appropriated, as directed by the Board, for any operating or capital associated with referendum projects.

Commissioner Barfield stated he would like to thank staff again for doing an excellent job putting this all together; he has had some very good discussions about the budget and will probably have some more; and he noted he just wanted to thank staff because there is a lot to it. He commented he has worked with budgets quite a bit and this is very well done; the reading and the front of it is very well explained; he thinks it is good for the public too; and with that he made a motion to adopt the proposed 2018-2019 Ad Valorem Millages.

Chair Pritchett commented the things being done are now starting to work; the economy is recovering; a lot of that has to do with tourism that has been enticed into the area, which is increasing businesses; if this continues, people will be able to enjoy lower property taxes; and the only twist on that would be the property values will be going up, which is a good thing, but people will have to pay more taxes on property values. She continued to thank the Board and staff members who worked so diligently on the tourism projects and getting the economy back to where it should be.

There being no further comments or objections, the Board approved the FY 2018-2019 proposed Ad Valorem Millages for the purpose of notification to taxpayers by the Brevard County Property Appraiser; and directed the County Manager to complete the Florida Department of Revenue's Certifications of Taxable Value, Forms DR-420.

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

**ITEM J.3., RESOLUTION, RE: ALLOW A REFERENDUM SEEKING APPROVAL OF THE ELECTORATE TO APPROVE AUTHORITY FOR THE CHILDREN'S SERVICES COUNCIL TO ANNUALLY LEVY UP TO A .33 MILL OF ASSESSED VALUATION OF PROPERTIES**

Judge Kelly McKibben stated she serves as the Chair of the Children's Services Council of Brevard; the Council membership as mandated by Statute, is made up of appointed, elected, and hired persons or position that all have expertise in child welfare; and she asked that all the members please stand as she introduces them. She continued Bunny Finney is the Vice Chair and she was appointed by the Governor; next is Secretary Treasurer, Bart Gaetjens who was also a Governor appointee; fellow Commissioner Kristine Isnardi; Andy Ziegler as an elected official of the Brevard County School Board; Tracy Klinkbeil with the Department of Children and Families; Dr. Desmond Blackburn has been serving on the Council in his capacity as the Brevard County Public School Superintendent; and the three additional members appointed by the Governor, Adrian Laffitte, Todd Morley, and Sharon Underill. She advised she is asking the Board for the approval of the proposed ballot language for a referendum in which they seek to place before the Brevard County citizens; the Council respectfully requests the opportunity to present their case to the voters to fund and invest more resources into the children, especially those ages birth through five; the Council knows the Board has many responsibilities, and it has to make many critical decisions as County Commissioners; there are obviously many challenges facing the community and many competing priorities; however, they believe the children should be placed at the top of the list. She went on to say as they review the County

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Ordinance that created the Council, and Florida Statute which authorized counties to invest more in their children, their understanding is that the electorate, the people, hold the authority to decide on funding this independent governing body; as noted in Section 6 of the Ordinance, they are simply seeking review by the Board of the referendum ballot language to ensure it is in order and to authorize putting the issue before the voters; and they firmly believe they can do better for the children, and they should have the opportunity for more services so that they may thrive. She added she has spent a majority of her career in child welfare; first as an attorney for the Department of Children and Families for 11 years, then she was assigned to preside over the dependency division for two and a half years as a Circuit Judge, and during this experience she has seen heart breaking family situations and tragedy, many that could have been avoided if the Children and Families had received preventive and increased services; there is definitely a need; the Council has done extensive research and had many thoughtful discussions to develop a plan that is detailed in the Agenda Report presented to the Board; and they are not asking the Board to improve or endorse the document, however, they sincerely hope the Board allows the Council the opportunity to present its plan to the voters. She asked Ms. Finney to address the Board with the children needs in Brevard County in the four priority areas that the Council has discussed and approved.

Bunny Finney, Vice Chair of Children Services Council, stated she moved to Brevard in 1963 and met her husband here; much of her community service has been in the children's arena and the CSE appointments have been by Governors Jeb Bush, Charlie Crist, and Rick Scott; in 2016, Council began exploring public funding options for Children's Services, as outlined in Ordinance 90-41; they did their homework by considering data regarding existing systems of care and gaps in services; they listen to Brevard County's many great children's organizations, considered local, State, and national trends and data, reviewed the signs around early brain development, and considered reports from Harvard University to the U.S. Chambers of Commerce; they were and continued to be cognizant that Brevard is a conservative County and they are a conservative Council; they have concluded there is a real cost to taxpayers for not investing in prevention and early intervention services; and existing providers cannot reach many at-risk children due to limited and decreasing resources. She continued with secured dedicated funding, services and systems of care which are currently unfunded or underfunded can be provided; the Council has submitted a report to the Board with today's request; page three outlines the current needs and planned responses; in 2016, there were 106,000 children in Brevard County and 21.5 percent of them were living in poverty; in 2017, over 8,000 children were involved in child abuse cases; and behind every single one of those numbers is the face of a child looking for help. She mentioned the Council has determined four priority funding areas; on page 5 of the report is focus A, children will begin life healthy and thriving; they will enhance and better integrate services for children pre-natal through three; fact is, there is one premature baby born to an uninsured mother and it can cost taxpayers millions of dollars in Medicaid Services; page six focus B, is children will start school ready to learn and succeed; and they will increase and improve quality childcare with a focus on Kindergarten readiness. She went on to say focus C, children will be safe and connected outside of school, they will provide early delinquency prevention, and expand out of school time initiatives for elementary and middle school children; focus D, children will be socially and emotionally secure, they will build capacity and expand services for children with physical, intellectual, and/or emotional challenges including mental health; a fact, teens receiving early mental health counseling may be diverted from expensive taxpayer provided mental health services in the County jail; and regarding public opinion, local polling results support the bills position that a vast majority of Brevardians want to see something done. She advised CSC's are a proven model; Florida Statute calls for CSC's to be reauthorized every 12 years, which State-wide voters have overwhelmingly supported at 76:85 percent; beyond the millions of much needed dollars in new and expanded services for children, they are equally excited about the potential the Children's Services Council Team will serve as a central point of coordination for data and planning, while bringing government business and not-for-profit organizations together in a way they have not experienced; and she

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stated Bart Gaetjens will provide information about the proposed council structure, transparency, and accountability.

Bart Gaetjens stated he was appointed to the Council in April by the Governor and he was appointed by the Council to be the CSC's secretary and treasurer; when he came on board he was impressed with the amount of work and research already completed by this Council; he is involved in many community organizations and he felt he had a good understanding of the needs in this community; however, since joining the Council his eyes have been opened to a much deeper need than he previously realized. He continued with the Council fully constituted on April and with all the heavy lifting already done, they have been able to make several key decisions; as Judge McKibben noted, the Council voted to seek funding through a referendum; as Bunny mentioned, the Council established its four funding priorities; next the Council had discussions around the taxing authority, as Florida Statute permits Councils to seek taxing authority up to one-half mill of Ad Valorem property taxes; Council recognized the conservative nature of the community, and mindful of the current tax structure, proposed not a half-mill, but voted to limit its authority to one-third mill; and furthermore, the Council is committed to limiting the initial levy to no more than one-quarter of a mill which would be just over \$8.6 million based on 2017 property tax valuations, this equates to approximately \$6 per month or one Starbuck for an investment in the children. He went on to say with these decisions made, the Council determined to establish an independent structure as opposed to contracting with an existing entity; the Council was able to build a projected budget which was detailed in page 18 of the Agenda Package; as everyone knows, they researched the Children's Service Council in Martin and St. Lucie counties due to similar size and build of their budget, and proposed staffing based on their examples; they visited both of those organizations to get a clear sense of the tasks and requirements; after the visit the Council decided on having the lowest administrative cost of any Council in the State; and they propose a smaller staff than either of the sister councils of Martin or St. Lucie. He stated when they talk about administrative cost it is not all overhead; included in the budget, are planned and coordination of services or program costs; what most people would call overhead, management in general, would only be approximately four percent; to provide full accountability and transparency they know that the Board and the voters will demand, the Council has developed an executive timeline on page 20; if on the ballot and funded the Council would build its staff and put together a comprehensive request for proposal application package; the Council will establish an independent citizen's review team to help score the proposals; the Council is committed to investing in tax dollars judiciously and wisely; additionally, the accountability and transparency measures will be in place as required by any taxing district including Sunshine laws, TRIM meetings, etc.; and per County Ordinance, the Council is required to provide an annual report to the Board on details of funding and results. He mentioned they know the voters may want to give themselves an additional tax relief by supporting Amendment one and because of recent tax reforms, nearly everyone is receiving more money in their paychecks; it is the Council's hope that if allowed to make their case, voters will consider reinvesting some of that tax relief into the children; the Council is prepared to meet the needs of the children in the future to make Brevard County an even greater place for everyone to live and work.

Judge McKibben respectfully asked the Board to approve the ballot language and let the Council make its case to the voters on November 6, and to put Brevard's kids first.

Frank Abbate, County Manager, stated he handed out to the Board a revised resolution; yesterday evening it came to their attention that there was an error on the resolution that was included in the initial Agenda Package; that has been corrected both online and hard copies for the Board; and it changes the ballot language from a half mill to a third of a mill, .33 mills.

Marcus Hochman stated he comes before the Board to speak on its permission to place Put the Kids First Referendum on the ballot; as a current ESE teacher, a former mental health

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counselor, former assistant and interim director of a school, who has worked and continues to work with children with mental health diagnosis, mental health exceptionality, and mental health issues; he completely understands the need for this referendum; he believes in the four proposed investments or as he likes to call them, the four values; they include support the health of newborns in their early development, ensure children are prepared to learn at school and achieve their greatest potential, provide positive activities and promote self-worth for children and youth, and help youth live healthy lifestyles and make positive choices; these investments will help the children in community and school; and they will help him teach students that have been invested in. He continued no matter what the Board's opinion is on this funding levy referendum he asked it to please let this decision to go to the voters because this is also the responsibility of the Board's constituents; he stated he hopes it will vote yes, not just because this will help kids, but more importantly this is about respecting the Democratic process; investment now and see the pay off in the future; and he thanked everyone involved in the CSC and Put Brevard's Kids First because they have taken ownership and responsibility in this. He went on to say sometimes it is the right of people to be Democratic in the Republic for which they stand for.

Dr. Kim Deffebach stated she has lived, worked, and volunteered in this County for 25 years; she serves on the Board of Directors for Club Esteem as well as the Women's Center, and she and her husband are active philanthropist in this County; the lack of children's services and the increasing needs of children in Brevard County are clear; the County staff and the Board have reviewed the CSC documents and they have and will hear from more community organizations; and everyone already knows that children's services in Brevard are extremely under-funded compared to other counties in the State. She continued the Board also knows from her emails and hearing from others that if a child threatens to kill themselves or kill their classmates in Brevard County there is no low cost or free outpatient services provided by a licensed mental health counselor in this County anywhere; what the Board may not know is the reactions of the constituents as they have been out talking to people over the last several months about the lack of services in the County; first of all, most of the citizens think there are services and when they find out that there is no mechanism in place for funding, frankly they are pretty shocked that a County of this size, the education, and the income level does not take care of its most vulnerable citizens; many of the constituents think this is morally wrong and many are scared because they know turning a blind eye to this today and not addressing this will affect everyone; it affects the kids safety in school, it affects whether the children in this County will grow into productive citizens that can enter the workforce, or whether these children will become dependent on the government in adulthood because they are not getting the services they need today during their childhoods; this issue affects everyone no matter who needs the services or who does not; and the people of Brevard County know that. She went on to say most importantly the Board's constituents do not want the government to make this decision for them, they want their voices to be heard; while she was out talking to people and when she told them that the Board is not voting on whether to fund this, it is merely voting to put this on the ballot, and a lot of people did not know that; they did not know this had to be approved for the ballot, they assumed their voices would be heard; if this goes to ballot there will certainly be people who will vote against it, but there will be many, many people who will vote for it as these people care about this County and the children; and she asked the Board to please allow it on the November ballot and to let the residents decide for themselves whether they would like to fund it.

Don Herndon stated he and his wife support quite a few non-profits here in the area; he is a father and a grandfather; he came to Brevard County in 1964 and his wife was born here so they feel very dedicated to this County; he is on the board of Junior Achievement and AMI Kids, and past chair for AMI Kids; he and his wife are involved in many other community development things for children and they support readily with their own funds; at AMI Kids they serve young kids ages 13 to 18 and the average children are sent to them by the Department of Juvenile

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Justice and they come with an average of 15 felony arrests; and he feels that had these children had some services earlier in their lives they would not be in the program or in the penal system. He continued most of these boys grow up without any structure and need guidance from responsible adults, which he feels like the CSC would certainly do that for Brevard County; and he asked the Board to allow the citizens of Brevard to decide this, it is not something that they are asking the Board to vote on to raise taxes.

Sky Beard stated she is the Executive Director of the Early Learning Coalition in Brevard County; and she thanked the Board for allowing her to speak about what she clearly does as a positive impact to local Children's Services Council could have on Brevard's children. She went on to say each day the Early Learning Coalition hears from families of young children in need; these are families who are working, going to school, and many times doing both to try to provide for their families; however, childcare is costly and for many low to moderate income families it is difficult to maintain employment to get to those college classes if a person cannot afford or do not have access to childcare; and that is where the School Readiness Program comes in. She added it is incredibly valuable for the 3,400 children each month that are being served in Brevard County; unfortunately as of yesterday there is a waiting list of about 584 additional children waiting for access for those same services; she reiterated the School Readiness Program serves families who are working, going to school, who are disabled, and those who receive cash assistance, grandparents and great grandparents raising their grandchildren, homeless and domestic violence shelters, are also referred to them; and she noted also many of the children are referred to them through Department of Children and Families. She went on to say families pay a portion of the cost of the care based on a sliding fee scale; it is important that they do that and the eligibility is determined through their office; the families have the access to the services which allows them to continue to go to work and school, which has an economic benefit to the community, as well as children enrolled in programs that they would not otherwise have access to do so; of all the families they serve the consistent trend they have seen over the past few years is about one-third of all those children are determined at risk; and many of those children including those who are just infants have experienced significant trauma in their lives, and there are lots of little ones with developmental delays and concerns where they are able to connect them with other community resources because starting early is the key. She stated she shares what is happening in the early learning world just as an example of what could be served through a Children's services Council; it is important that any agency or program that would be funded to be vetted through a rigorous, competitive, procurement process, and she fully support further community conversations about which programs would be funded through CSC; for example, serving some of those additional children on the waiting list having social emotional services for children serving families they are not able to serve now, like young school aged children would be extremely helpful for the community; and any dollars contributed to the School Readiness Program like through CSC are leveraged and matched as well at an additional \$16.67 on the dollar so their ability to serve more families, as many other agencies are able to do as well; and she appreciates the Board's consideration.

John Weiler stated he is there to ask the Board to do its job; part of that job is to make this decision and to not throw it off to the taxpayers who come to the polls in the fall unprepared; the Board is prepared and it knows this is not a good resolution; one of the problems with this resolution is it will create a bureaucracy that goes on forever once it is approved; the Board will no longer have any say so as to how much it will be funded by; and it will go on and on forever and will have created a new bureaucracy that this County does not need. He continued there are many agencies that care for children in this County; there is room for other non-profits; and his suggestion to the people that proposed this would be to go create a non-profit for this situation. He added there are many wealthy people in this County who have been very generous for non-profits that really have a purpose; once that purpose has been explained, he is sure many of the Board is included in that wealthy group, they would donate generously to make it happen; the advantage of that is when they do not perform correctly people can

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withdraw their funds by the year; what this does is makes it an ongoing future problem for all of the community; and last but not least, he asked the Board to not put this on the ballot in the fall, there are so many important things on there, and this one is going to just complicate the situation. He noted people will not have enough time to decide on the ballot because there is just too many things; and he requested the Board do its job and reject putting this on the ballot because it will affect retirees and all taxpayers in the future; he mentioned he heard early that people got a little bit ahead because of the tax relief from the federal government, but he just read last week in *Florida TODAY* that all of the properties will be going up about nine and a half percent in their appraised value; so the taxes are automatically going to go up; therefore, that little bit people received will be taken away with the increased property taxes. He continued even if the millage stays the same people will individually pay more taxes.

Jeff Keil stated he is co-chair of Put Brevard Kids First; he got involved in assisting the Children's Services Council as a result of his exposure in the gaps that exist between critical needs and the availability of resources for the children; Brevard County population has increased 8.4 percent since 2010 and is expected to increase another 6.5 percent by 2025; and through his knowledge as an involved citizen and business leader, along with his exposure to the due diligence performed by the CSC, he has learned organizations providing services in the four outline focus areas obtained funding through three primary sources, federal and State funding, grants, and fund raising activities. He continued in some non CSC counties like Jacksonville and soon to include Orange County, the county budgets funding these programs within their General Fund Budget, this of course does not exist in Brevard County, the reality is the federal and State funding continues to be under siege which results in significantly increased competition for grants; everyone knows Brevard is a generous community, and he knows the Board has organizations that it is passionate about and donates money too; however, he hopes the Board is aware that giving back to the community has changed as the age profile of the community shifts, as this is a national trend. He mentioned many younger residents are more inclined to roll up their sleeves and offer services that way; if people are closely involved in the non-profit world they would recognize the success these days it is often defined as fund raising being flat the prior year; times are changing, this is a reality, and it must be dealt with; and in summary, population trends have been and will continue to increase, the need for social services support is trending with population trend and maybe faster, and available resources and funding sources are not keeping pace. He went on to say the choice the community has is to put their heads in the sand and hope it gets better; he is sure everyone has heard the adage that hope is not a strategy; regardless of the Board's personal view point as a Statute provides for, he asked the Board to please allow the community to have this important discussion between now and November and allow them to decide if the CSC is funded; and if after that conversation, the Board and other voters decide to vote no that is everyone's right, but he asked the Board to please allow the community to make that decision.

Nick Tomboulides inquired if any of the Board members are familiar with Project Suds America because right now as political insiders are here asking the Board to launder \$130 million into their slush fund, Project Suds is doing a different type of laundry; they are doing laundry for homeless veterans; every Tuesday at Flamingo Laundry on Wickham Project Suds volunteers to do laundry for veterans, the vets get a hot breakfast, they get clean clothes and hygiene products, an occasional haircut, and most importantly they get treated with dignity and respect; Project Suds does not have a fat cat CEO, a \$10 million building, or even a paid staff, but they do not need any of that because they have heart; Project Suds symbolizes the private charities that get forgotten when government becomes a piggy bank for the well-connected; and they are an example of individuals sacrificing for a cause they believe in. He went on to say that is real generosity unlike the Children's Services Council which is only generous when it comes to other people's money; the first question to ask is why can they not raise the money on their own, this group has been around for 30 years, longer than Bill Nelson has been a Senator; for 30 years they have taken their pitch to Brevard County citizens and people still have not opened up the

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checkbook; and now the CSC wants to bypass the tedious job of persuading people to write them checks, they would rather wave a magic wand to make taxpayer money appear, however, that is not how this works and failing to raise the money on their own is a red flag. He noted to look at the counties where this already gets funded, the results are a dumpster fire; six figure pay for executives, car allowances, a \$17 million building, and the Palm Beach version spent half a million on a duo of Canadian consultants whose recommendation was coaching employees on how to reduce their foreign accents which is not only wasteful, but racist; it is not hard to see why James Madison once said, "The charity is no part of the duty of government" or why last week the Orange County Mayor killed a similar proposal because in her words, " she did not know how the money would be spent"; and finally to address the notion that it is just letting the voters decide, it sounds reasonable, but it is disingenuous, if this were about giving voters a choice then the Board would vote right now to put a competing choice on the ballot to allow voters to repeal the half-cent Lagoon Tax or the half-cent School Tax. He went on to say that will not happen because if voters had the choice to repeal taxes, they would do so in a landslide; to be real, this is not about children it is about the unchecked self-interest of adults using children as political props so they can draw big paychecks from government, and it is repulsive; if they really want to help children he can offer a solution, to allow families to keep more of what they earn; and he stated the people do not need more taxes, and they do not need more welfare, what people need is for the government to admit it is not the solution to the problems.

Kathryn Rudloff stated in addition to the many urgent matters that will come before the Board from County staff or Legislature mandates that it is required to follow, it hears from a wide range of concerned citizens about why their issues and their problems should be the Board's priority; this Board has the unenviable job of making tough decisions about where the County's general resources will be spent; every decision it makes today will be impacted by decisions that came before it, like the County's Charter Cap, and the decisions that will happen in the future; the Board is all looking into Amendment one and what it will do to the County budget, should it pass this fall; and the fact is, it is never easy for any local elected official to raise taxes. She continued perhaps that is the reasoning behind Florida Statute that outlines the framework for an independent body to look out for the health and well-being of the most vulnerable citizens who do not appear at the ballot box to vote; it grants the authority to fund this Council directly to the voters; Legislators understood that while it can be hard for local politicians to prioritize spending its limited General Revenue tax dollars on services for children that the voting public will recognize the need and necessity and be willing to personally invest; and the polling backs this up. She noted a survey of over 400 Brevard County voters show that 65 percent support funding the CSC in Brevard County; furthermore, the successful results in every single county where a CSC has come up for reauthorization, every 12 years by Statute, has passed with over 70 percent, and some into the 80 percentile; clearly they are doing something right and have the support of the community; and currently Florida ranks in the bottom 10 in the nation for child welfare. She went on to say today the Board has heard from other service providers articulating the growing need in Brevard County, much like local environmentalists concerns about the Lagoon; they raised concerns about the Lagoon for years before the 2015 fish kill, and the local welfare activists are sounding the alarm that this County has a growing problem, their social safety net is being stretched thin, and children are beginning to fall through the cracks; as the Board has heard, unreliable funding and increased competition for donors and grants is a major reason why local service providers cannot increase their funding and are unable to keep up with demand; and too often they see children's programs used as political pawns at the State and Federal level during budget negotiations. She stated CSCs are an established form of government designed specifically to make sure caring for kids does not have to compete with funding for roads and public safety; a funded CSC will dedicate local tax dollars to care for local children overseen by local advocates and local elected officials; and CSCs are designed to remove the burden of taxation from the Board and place the question directly before the people.

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Robert Johnson stated he has two kids who he raised in Brevard County; his kids have had the benefit of a safe stable supportive family; for the past 17 years he has served as the Executive Director of Brevard County Legal Aid; one of their most important priorities at Legal Aid is representation of children, legal advocacy for kids, abused and neglected kids, and kids who have been removed from the custody of their parents because they are in danger; he knows what it is like, first hand, to represent foster kids and kids of all ages, and those kids that have physical and intellectual disabilities that are caught in a legal system they do not understand without the benefit of a family system with support and stability; and he also comes from the perspective, having lived and worked for over a decade in a County that has a CSC, and knowing firsthand what an incredible difference it makes in the lives of kids. He continued the Board has polling data before it that demonstrates how deeply the voters, the constituents, care about this issue; it has a unique opportunity to just let the constituents decide; and he asked the Board to please give them a chance, and to give the kids a chance.

Trevor Howard stated he moved to Brevard County in 1992 after Hurricane Andrew devastated Homestead and South Miami; his mom made \$18,000 a year working part-time jobs taking care of him and his older brother, who has schizophrenia; when they moved to Brevard County things changed for his family because people gave them an opportunity to do things differently; he watched his mother and brother have M-16 rifles pointed at their heads because people decided to have drugs in a location where they should not have had them; due to everybody being suspects it traumatized him; he suffered at the hand of physical and emotional abuse; and he mentioned he grew up in some tough times. He went on to say Brevard County gave him a chance; people representing the community gave him a chance and as a result he graduated from Palm Bay High School in 2001; he went to college and earned four college degrees in four and a half years; he is a married man now with three children, one in college, one graduating high school, and a five-year old who attends Holy Trinity; he commented he has never been arrested and even has a 725 credit score; he was a teacher in Brevard County for three years at Palm Bay High School from 2006 to 2010; and he served as Education Coordinator for Brevard County Boys and Girls Club. He stated he traveled County-wide to make sure the kids had education; and he served as the Teen Health Advisor at a behavioral health clinic for three years which he now proudly serves as the Director. He added they serve kids whose parents make less than \$24,000 a year, 95 percent of them; 75 percent come from families who have single-parent households who are raising multiple children like his mother did; none of the kids they serve at his center have been arrested, none are gang affiliated, and tallying the grades, 34 percent make As and Bs; the grade point average is 2.65; one thing he has learned living in this County and living in poverty, is when giving people a chance or a choice they will choose the better; people may not understand the ins and outs but as everyone can see he is the only African-American male in the room; and he feels these kids need a chance, just as he was given a chance. He asked the Board to give the community a chance by having this on the ballot.

Lois Lacoste stated so here it is again, deciding whether taxes should go up again for Brevard residents to fund a charity, the Children's Services Council; she lived in Broward County for 31 years, so she is very aware of the taxpayer dollars being spent on extravagant salaries and huge sprawling oversized buildings there for the Children's Services Council; what has happened in Broward and West Palm Beach County has not worked out very well; she and her husband moved to Brevard County 14 years ago and they love living here; however, in the last four years they have seen two sales tax hikes, a property tax hike, and increases on stormwater, trash, ambulance transfers, and fire assessments. She continued the answers always seem to be increase taxes rather than working within the existing budget; she is retired and lives on a fixed income; her cost of living increase is a joke; almost half of her property taxes goes towards taxes for school; she advised everyone in the audience to pull out their property tax bill for 2017 to see how much of their property taxes goes toward school; she asked what they are doing with that money and stated now they want more money; for the gentleman

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who announced it is only \$6 more a month, she already paid \$890 this past year for schools; and she does not appreciate the consideration of wanting to raise her taxes again especially for a charity. She went on to say those who want to give to a charity should do so, but taxpayers should not be mandated to pay taxes for the benefit of the CSC charity; whether people call it taxes, charity, millage, or assessments, the bottom line it always means the taxes are going up again; she also believes if people are homeowners and over the age of 65, they should no longer be required to pay school taxes; she paid her fair share for the past 40 years; she asked when parents are going to raise and be responsible for their own children; and she commented for the gentleman who mentioned Starbucks, she has not bought a Starbucks since she retired.

Nancy Peltonan stated she is in support of allowing the voters the opportunity to decide whether they will invest much needed funds to support critical children's services in Brevard County; one of the largest concerns she hears from the business community today, is the growing shortage of skilled workers; the U.S. Chamber of Commerce Foundation published a paper called Workforce of Today, Workforce of Tomorrow, the Business Case for High Quality Child Care; the report found that one root problem is the underestimation of the importance of the earliest years of life; since the societal norms have changed to women working in the workforce, childcare is mostly in the hands of early childcare facilities; the report found a strong relationship between world class childcare and a world class workforce; and 45 percent of children who attended VPK programs in Florida did not pass the test of readiness for kindergarten in 2017. She went on to say Florida VPK has the second highest enrollment rate in the Country and ranks in the bottom 10 nationally for funding the program; when children attend school it establishes a set of skills and abilities that raises the productivity of all subsequent human capital investment; essentially tax dollars spent on early childhood development provides extraordinary returns compared with investments in the public and private sector; economists at the Federal Reserve Bank of Minneapolis found that investments in early childhood resulted in more effective public schools, improved public health, less crime, and more educated skilled workers; extraordinary development occurs from birth to age five forming the bedrock for life long health, intellectual ability, emotional wellbeing, and social functioning; and business leaders have long understood the importance of a well-educated workforce to support a strong economy, keep America competitive globally, and ensure a vibrant democracy. She added high quality childcare is a wise investment in America's future; the nations prosperity tomorrow rests in the young children who are in childcare today; and she stated she believes Brevard citizens should have the opportunity to vote on this critical issue.

Cheryl Lankes stated there are several reasons why she believes the Board should not vote to add another tax to the November ballot; first she does not believe it is the job of the government to interject itself into a family in the name of Children's Services, it is the mothers and fathers job to raise and discipline their own child; if the Board were to do anything it should be to support and honor the family unit; no one can replace the love of the father and the mother; children need to be taught to respect their parents, not to look for a government handout; and the same group of people have been used to promote the last two taxes, the half-cent sales tax used for the Lagoon and the half-cent sales tax used for the schools. She commented please do not think, the people have not noticed they are being recycled to beg for more money from the public; this system of wealth redistribution is not the job of government; the Board's job is not one of choosing which organizations the people's tax dollars should help; the November ballot is already crowded with amendments that are multi-faceted making it a tough ballot to vote; adding one more item will complicate the process beyond reason; and she asked the Board to not bring the drama to the forefront, when it has not done the real work of fulfilling the needs of the County. She went on to say CSC is another layer of government that oversees other layers of government that are already working for the betterment of the children; it coordinates, leverages, ensures, determines, and plans, it also monitors, strategizes and invests, prioritizes, and claims the best uses of taxpayer dollars; she can tell the Board wholeheartedly the best use of her tax dollars is leaving them for her to spend; she is a stay at home mom who volunteered

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12 years to the Girl Scouts, 12 years to homeroom mom, and she worked with other people's kids; there is not enough money to have a heart for children, dollars do not buy that; and she asked the Board to please not vote for this unnecessary tax.

Diana Schemmer stated she does not think it is the job of the County Commissioners to determine to take her money to give to the charity of its choice; her charitable contribution should be hers and hers alone; she should not be dictated to about that or coerced into making contributions to charities; and she thinks the County Commission should never entertain pleas from any charity ever. She went on to say if the Board really thinks the children need more help, then more should be put in the budget for school counselors to work with; right now they are talking about \$130 million over 12 years, this is real money and this is big money; they are talking about the United Way being the administrator of all of this money; and the president of that, Rob Rains, his current salary, if the Internet is to be believed, is \$179,000 a year, she suspects he will increase his salary based on an additional \$130 million coming in the next 12 years, and that he will hire a bunch of his friends at whatever high salaries; and she asked how much of that money will really go to the kids, she thinks very little. She continued to say she thinks it is taking away her personal discretion with her own personal income; she thinks the Board has been doing it with a lot of charities; and she reiterated she does not think that is the Board's job. She stated this discussion should not be happening.

Lilly Donoghue stated she is very familiar with the needs of the children living in this County; she reminded the Board that no one is asking for the Board to vote in favor of a tax; however, they are asking the Board not to impede the rights of citizens to vote for or against this by placing it on the ballot.

Connie Smith stated she is not going to go through the whole thing about charities; she pulled up an eight page list that Brevard County has supporting family and child charities if anyone would like to see them; the United Way is definitely on there; everybody supports their favorite charities in their own way, some donate monetarily others donate their personal time; and people do not want the County setting a precedent to fund these charities through property taxes. She noted she realizes the CSC would like the people to vote on their referendum, but it seems they did not go out and canvas the Brevard County citizens for signatures; that is what they should have done; they should have brought the Board a petition with a percentage of citizen signatures to put the referendum on the ballot; they did not do that, they came to the Board to do it, and that is wrong; and she asked the Board to please not vote to put this referendum on the ballot.

Commissioner Isnardi stated she has gotten some emails and calls; she is a member of the CSC; it is by State Statute that the Commission appoint a member to that Board, but she is not an advocate nor a detractor of the mission of that Council; it does put her in an awkward position because she goes to these meetings; she would not share her opinion one way or another with the newspaper, because she believes that is meant for meetings, not something to be put out in the public early on; and she struggles with this because she does care about kids and she appreciates everything that these people do because they have a passion and a heart for the children. She continued to say the Board was elected to decide; that Council was put in place in 1990, and it is up to the Commission to appeal that board; by doing that it has allowed the CSC to present its case to the Board or to collect signatures; what she takes issue with is the lack of oversight and accountability; while the CSC is required to submit that budget to the State, it is also allowed to set a budget to choose the programs it wants to fund without any input from an elected body; therefore, the Board would have no say for 12 years on how the money is spent, it would be up to the CSC. She went on to say it is over \$8 million, \$7.6 million that can be implemented; she thinks this is the largest form of taxation without representation; she thinks that is why the Board members were elected; if people do not like what the Board is doing then they vote the Board Members out of office; and she has issue with the CSC hiring a

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pack to push their agenda. She stated that is disturbing to her because everyone knows how that works, there is a force of mostly wealthy people that can afford this tax and then there is a 75-year old person with a single, fixed income that has no say where the money is going, who was just given a tax by the City of Palm Bay for a stormwater increase of \$177 per year; and that is the responsibility that this Board is tasked with. She noted it is the Board's responsibility whether or not to put this on the ballot; she gave the referendum to her 19-year old to read and what he got from it was he was unclear that this was a separate body and that the ultimate responsibility did not fall on the Board of County Commissioners; and she does not want voters to have to look at a ballot item and not be sure where the accountability ultimately resides. She added she thinks the CSC is asking voters to decide on an issue that only affects homeowners; there are a lot of people who vote in an election that do not pay those taxes; they will vote for services that will either directly benefit them or that will not and she does not think that is fair; and she believes ultimately it is the Board's responsibility. She stated this is a republic, this is not California and the Board does not arbitrarily put things on the ballot because people come out and think it is the Board's responsibility or that it is owed the right to vote; it is not the people's right to vote for these things, it is the people's right to vote for a Board, and it ultimately decides; she gave the County Attorney some items to look at putting on the ballot and it is like an act of congress for a Board to get an item on the ballot; it takes months, notification, oversight by three independent legal counsel, Board approval, and a Charter review, it is not just someone saying they have a right to vote on this; and she mentioned this is not against kids and it is not for kids it is what she was elected to do. She continued on by saying she thinks the CSC should have gotten the signatures; it has been 28 years; in 1992 it was denied and the Council has had 26 years since then to state its case and push its cause; and she noted she will not be supporting this and does not believe it should be on the ballot.

Commissioner Barfield asked County Attorney, Eden Bentley, to explain to him based on Florida Statute 125, what control the County has on this as far as audit, billing financials, and all that.

Ms. Bentley stated it is an Independent District, therefore, the Board has very little authority; and the CSC would set its own budget. She asked if that is what Commissioner Barfield needed.

Commissioner Barfield asked if the funding would come within the County Budget.

Ms. Bentley noted it would not be counted towards the Charter Cap because it is a separate, independent body.

Chair Pritchett stated this one is hard; she has listened to everyone who spoke and the audio of the CSC meeting; the compassion is overwhelming; she has some heartburn and the reason why is because people count on the Board, and when it decides to place something on the ballot people think that means the Board agrees with it; if a petition would have been done, then it may be different; if she votes to okay this, people are going to think she has done her due diligence and that she is comfortable with it; and she wanted to be comfortable with it, the CSC did a lot of work trying to appease some of the criteria she was struggling with, but there are some things she is still struggling with. She noted one of them is taxation without representation; if the Board is going to be taxing people with this amount of taxes she thinks it would have been better to fall under the Board because its members get voted out if people do not like what it does; and there is representation with the Board that people have control over. She went on to say Commissioner Isnardi had a few good points with the Independent District, there really is not any control; she noted she does love children and she does believe there is an issue in the United States with people not giving away more of their discretionary funds but that may be something that needs to be changed as a society; and she works in a church so she knows, as they are very dependent upon other people's generosity. She stated from listening to the audio she was concerned when one of the members mentioned .33 and after it gets through the Commission it can be raised; she does not know about the amount of funds being looked at;

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she knows it is about \$8 million, but the economy is growing and it could be substantially larger; the Lagoon Fund did the same thing; if there was an elected body watching over, she would feel better about this; and the plan the CSC brought is still so broad. She continued there is \$8 million, and \$913,000 going just to the United Way, but she does not know the specifics of that; another concern is a lot of these entities are already receiving money from federal tax funds, and it is substantial; and she would have liked a target, like addressing children's mental health issues, because that is a big problem and had it been isolated for three years, then there would be a number of funds to get in and out and fix it, then she would probably have been able to handle it a little better. She reiterated she is really struggling with this and she does not think she will be able to support this today. She noted she does appreciate these people's heart and she believes people have to do more to reach out to the children, train the parents, and fix this family system because in this society, people are no longer raising their kids, they are being given to the school systems, organizations, and there is a lot of work to do, but she does not know how to fix it. She went on to say there is an area of concern that she has influence over and there are some areas that she does not; and she stated this is really hard for her.

Commissioner Barfield stated what people need to understand is Florida Statute 125.901, which specifically gives the Board the authority to decide to place this on the ballot; that is what this is all about; Statute also tells the Board that can be done as a CSC and that they have the authority through the district to fund it; and he is the one who is going to put it out there, but it may not receive a second.

Motion by Commissioner Barfield to adopt the resolution to allow a referendum seeking approval of the electorate to approve authority for the Children's services Council to annually levy up to .33 mill of assessed valuation of property.

The motion dies due to lack of a second.

The Board considered a resolution to allow the voters of Brevard County to vote on whether to fund the Children's Services Council to provide services to Brevard County children including prevention, development, treatment, and rehabilitation services, but took no formal action.

The Board adjourned at 10:34 a.m. and reconvened at 10:47 a.m.

**ITEM 1.1., RESOLUTION, RE: QUALIFIED TARGETED INDUSTRY WAGE WAIVER - PROJECT RAINBOW**

Frank Abbate, County Manager, stated this Item deals with Project Rainbow; it is a requirement to request a waiver of reduction for the qualified target industry resolution that the Board will be discussing as the next Item; the average salary for this project is \$46,000; while it is higher than the average salary for this particular wage area it is below the State average, therefore, it needs a waiver for the \$46,000; and it was recommended through the Economic Development Commission (EDC) for the Board's consideration so they could have the available grants that come through the State for the Qualified Target Industry program. He explained in that program it is an 80/20 match; and the County went through a tax abatement to give up to 20 percent, as long as they meet the targets that the State establishes through that program.

Commissioner Tobia inquired if there was anyone from the EDC in attendance to address his questions.

Mr. Abbate stated he knows someone was there earlier but he does not see him in the room right now.

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Commissioner Tobia noted he has some questions dealing with State Statute on this and in the absence of the EDC he would like to motion to table this for a later date.

Chair Pritchett advised she is going to table to the end of the meeting and see if staff can find someone to answer Commissioner Tobia's questions.

**ITEM J.1., LEGISLATIVE INTENT AND PERMISSION TO ADVERTISE, RE: CHANGES TO TOURIST DEVELOPMENT TAX BUDGET PLAN**

Eric Garvey, Space Coast Office of Tourism Executive Director, stated this Item is coming as a recommendation from the Tourist Development Council (TDC); it is a change to the Brevard County Tourist Development Tax Budget Plan Ordinance to allow a portion of funds from the beach improvement fund, which received 25 percent of the Tourist Development Tax, to be used on Indian River Lagoon (IRL) related projects; the ability to use Tourist Development Tax revenue, which is local option sales tax on short term lodging, primarily paid by tourists to the area, was enabled by recent change to the State Statute and signed into law this past session by Governor Rick Scott; this change enables a tourism Lagoon Plan, which an outline was provided to the Board in the Agenda Packet; and the change in Plan makes available up to \$1 million per year of Tourist Development Tax for IRL related projects compliant with the State Statute in having tourism impact. He continued beginning in the upcoming Fiscal Year \$1 million per year will be available; he has worked in conjunction with the Save Our Indian River Lagoon Plan (SOIRLP), Virginia Barker, and the IRL National Estuary Program, Duane De Freese in developing this Plan outline; the annual amount of \$1 million is subject to full funding of the first priority in this fund, which consists of beach improvement and maintenance projects that have inherent and uncertainty related to the weather events; the IRL project funding allocation may not be used to finance a project with multi or debt obligation because of that; up to 10 percent of the funds may be used for communications related to IRL specific tourism marketing and public information; projects that were \$50,000 require matching funds at a minimum ratio of 1:3 or 300 matched from non-County sources; and this is consistent with the leverage that the current beach improvement funds generate through Federal and State programs. He went on to say a competitive grant program utilizing these funds will be established on the TDC's beach committee, with an annual approval by the TDC of Grant Policy Procedures and Project Grant Awards; projects with awards greater than \$100,000 must be approved by the Board; and projects must demonstrate the benefits of the health of the IRL and a positive impact to Brevard County tourism. He advised the focus of the projects will be shoreline restoration and protection, shoreline causeway and litter control, improved and sustainable recreation access, support for sport fishing and wildlife viewing through marine life monitoring and habitat restoration, water quality testing related tourism, promotion and special events, and public information and education by leveraging with matching funds. He stated the plan has a potential for \$40 million in IRL projects for the next 10 years; and the match provides that leverage. He noted the Board may have heard last week that Congressman Posey's Office announced \$1.5 million in federal funds available for national estuaries in need, in which the IRL is one of three; he expects to be able to match with those federal funds; in addition, they have had conversations with Florida Inland Navigation District and expect some projects to be able to be matched with those State funds; and even at a recent ICAST trade show they had interest from corporate sponsors about participating in some projects with those private dollars as they seek to demonstrate their commitment to sustainable fisheries and outdoor recreation. He advised the TDC unanimously approved this change on Friday, July 13; this action requested today is to approve the advertisement of Legislative Intent for the ordinance change; and it requires a simple majority vote for this action and comes back after weeks to the Board for full authorization which will then require a super majority vote to enact the changes.

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Laura Lee Thompson stated she is the Chair of the Beach Committee; it is that fund that the money will be coming out of; the committee is made up of professionals from the scientific community and community leaders; they have been talking about this prospect for over a year; she has been talking about it for 19 years; she wanted to be able to use beach money for the Lagoon ever since she stepped her foot in the door; and she is really glad this opportunity has come up. She went on to say they are proud of the proposal. She advised she would like to address some of the criticism that has been directed at the TDC for the last year; she commented it has been insinuated that they are selfish, greedy, and do not want to do anything to help the Lagoon; people can have their opinions and think what they want, but to say that they do not want to do anything to help clean the Lagoon could not be further from the truth; clean water is the foundation for the economy and Brevard County's way of life; and the County is fortunate enough to have a targeted response to deal with decades of accumulated pollution. She added the half-penny Lagoon tax generates \$40 to \$50 million a year for Lagoon improvement projects; an estimated 30 percent of that money comes from visitors to the County; the Tourist Development Tax collects \$15 million a year; and by law just under half of that money is to be spent on marketing the County which ensures that visitors keep on coming and the other half is spent on staff salaries, community projects, the Zoo, cultural projects, and making sure the County has good beaches. She mentioned beaches are critical for protection from storm events and for sea turtle nesting; Brevard County has the number one beach in the world for Loggerhead Sea Turtles; and they do not nest in sand dunes because they cannot climb up eroded escarpments to nest, there has to be decent beaches for sea turtle nesting. She asked if the Board really wants to take money away from the zoo and cultural partners and stop doing projects to keep tourism strong in the County; she stated she is not an economist or a math expert, but to her it makes no sense to do anything that will negatively impact the \$2 billion source of income from tourist in order to take a little bit of money that could potentially be used on the Lagoon; she thinks the County would be much better off allowing tourism to do its job contributing 30 percent of the half penny IRL tax than to pick the Tourist Development Tax apart; they initially opposed the changes to the Tourist Development Tax because of the rhetoric and the way the tourism community was attacked and being insinuated that all the money could be used for sewer repairs, which is simply not true; and they support this version and hope the Board will move this forward.

Commissioner Tobia stated he has a few questions for Commissioner Smith regarding an article in *Florida TODAY*; Commissioner Smith mentioned Representative Randy Fine as being short-sided and long-winded and that he does not know what he is talking about; Commissioner Smith also commented that he believes Representative Fine is trying to direct money away from tourism related capital projects that were vetted by Brevard County TDC and that Mr. Fine would be discouraging tourist from coming to the Space Coast; and he also commented that Representative Fine should stay in his own lane and deal with State-wide issues in Tallahassee rather than interfere with the local tourism industry. He asked Commissioner Smith if he still stands by those comments.

Commissioner Smith replied he said them and he does not take them back; and he inquired if Commissioner Tobia has any more questions.

Chair Pritchett interjected that Commissioner Smith and Commissioner Tobia will not have a back and forth dialogue.

Commissioner Smith stated he made the motion; Commissioner Tobia is not Perry Mason; he is not a criminal; and he is not on trial. He advised he thinks the Board needs to move on with this.

Chair Pritchett stated the Board will finish comments; and she advised the Board to not get personal and to stay on topic.

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Commissioner Tobia noted he did intend to get personal, that he was just citing what was reported in the paper. He stated Mr. Ridenour referred to this act by Representative Fine as criminal, then he came back and apologized for that, which he thought was very big of him; he hopes that Commissioner Smith with changing his opinion 180 degrees pays the same respect to Representative Fine that the hardworking Mr. Ridenour did to Mr. Fine by recognizing that in fact his efforts to fund the Lagoon is what is allowing this to take place.

Chair Pritchett stated she is glad the Board is able to have discretion and Home Rule of being able to change funds if it wants to recommended by the TDC; she is not sure that she would have enjoyed moving some of the funds off of capital projects because they stimulate tourism which Ms. Thompson gave a good overview of \$2 billion into the economy; that is quite a bit of money keeping the County from having to pay State taxes and other types of taxes that the people enjoy not having to pay; and she is thankful for what Representative Fine has done as far as changing that, but she does not know that she would have voted against the TDC's recommendation for the capital projects.

Commissioner Smith thanked the people for recognizing the personal attacks that he continues to receive by Commissioner Tobia; it has been going on for nearly two years and he suspects it will continue for another five or six weeks; and he apologized to the audience for that. He went on to say he has a real passion for the IRL and he is extremely happy that the TDC has worked with him to come up with this plan; he thinks the IRL Plan is a strong one, and staff is doing excellent things with it; to add another \$1 million to the till with matching funds will benefit everyone, tourism, the IRL, and all of the citizens; and he is extremely happy. He thanked the TDC for everything they do for Brevard County, as this is just one more example of how hard they work.

Commissioner Tobia inquired why Commissioner Smith is asking the Board to enshrine the Lagoon into the Code of Ordinances as a second tier priority.

Chair Pritchett inquired who he is directing his question to.

Commissioner Tobia clarified he is directing it toward Commissioner Smith as he said he worked hard on this; and he reiterated his question.

Commissioner Smith stated he is not going to answer that; that he will not indulge in these personal attacks because it is beneath him; and if one of the Commissioners wants to be childish then he can do it by himself.

Chair Pritchett advised the Board will take a five minute break.

The Board adjourned at 11:04 a.m. and reconvened at 11:08 a.m.

Commissioner Tobia stated had he known that asking tough questions would have gotten the Board a break he would have been doing that a long time ago. He mentioned on page two of the ordinance, which is in black and white, it reads, "this will come as second priority," and he questioned why.

Chair Pritchett stated she asked Mr. Garvey to explain it.

Mr. Garvey stated in trying to craft this Plan, in deliberations through the Beach Committee and the TDC, it was recognized the original intent of this fund was to take care of the beach maintenance projects, which are quite significant; these are the only local funds used for that purpose and to enable that match for the State and Federal governments; without those beach funds there are no other beach programs; therefore, it had to be protected as the original

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purpose of this fund; also there is great uncertainty with those projects given the weather; and it is simply to recognize that those beach funds were the original purpose of this allocation and that without those the County does not have a beach improvement program. He continued it also recognizes that the IRL through the half penny sales tax has a core program that works around \$40 million a year; and this \$1 million a year, even though it is leveraged to be potentially \$4 million a year is still much smaller than that and it is complimentary to this program.

Commissioner Tobia stated he has one final question; he asked Mr. Garvey to explain the restrictions that are put on this if the Board truly wants to make this a second tier, and why the three to one match on this and the various other requirements that are not on the other expenditures.

Mr. Garvey stated the three to one match was a lengthy discussion at TDC level and it was brought out that if they were redirecting the beach improvement funds, which are generally leveraged at that ratio, three to one the federal government pitches in basically half and the State pitches in half and the TDC half, it is a three to one leverage; that it would be prudent to maintain that leverage if they are redirecting those beach funds to other projects; and that was their thinking in requiring that three to one match.

Commissioner Smith called the question.

Chair Pritchett stated she wants to make a comment; there is not a beach in District 1, but it has significant shoreline where the District likes to play and it is being lost from wave action from the river; and she is excited that they are able to do this.

Mr. Garvey stated he would like to acknowledge the hard work of Mike McGarry who manages the beach program; he is extremely skilled at working with the Army Corp of Engineers; the only reason this was possible is because of his work to leverage project timing based on recent storm events; it saved them a ton of money; and Mr. McGarry's Financial Director, Paula and Mr. Garvey's, Stacy Delano, worked together to get the numbers set to enable this project so he wanted to make sure they are recognized for their hard work as well.

The Board approved legislative intent and granted permission to advertise the proposed changes to the County's Tourist Development Tax Budget Plan, Section 102-119, Brevard County Code, for public hearing; and the recommended changes will provide up to \$1 million per year of Tourist Development Tax revenue to be used for Indian River Lagoon related projects.

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

**ITEM I.1., RESOLUTION, RE: QUALIFIED TARGETED INDUSTRY WAGE WAIVER - PROJECT RAINBOW (CONTINUED)**

Commissioner Tobia inquired if requesting the waiver is in accordance of Florida Statute 288.106.

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Greg Weiner, Economic Development Commission, stated there is a procedure and in general the procedure is to seek Qualified Target Industry (QTI) incentives and there is a wage rate that is less than 125 percent of the current, which is the Brevard County Minimum and then 125 percent of that, there is a pathway to ask the State to provide a wage waiver.

Commissioner Tobia he asked for clarification if Mr. Weiner said 125 percent; he stated he is looking at what he has in the staff analysis and it looks like 115 percent; and he inquired if it is 125 percent or 115 percent.

Mr. Weiner stated he has to it by memory; the file he had with him earlier when he thought this matter had concluded he took back to the office then he ran out; it is either 115 or 125; the point of the matter is, the stated wage is insufficient to generate QTI in the absence of a waiver; the precise amount is of less functional importance here; there is a wage rate that requires a waiver in order for the project to be eligible for QTI; and whether it misses by a dollar or \$9,000 does not matter functionally.

Commissioner Tobia advised he thinks Mr. Weiner is misinterpreting State Statute; State Statute 288.106 says, that is the first part, but the second part reads, "or it is below the State average wage," and he inquired if it meets the State average wage, then there is no need for a waiver.

Mr. Weiner interrupted that is not his understanding. He stated he is not an attorney; in the past this has come up, and the guidance they have received from Enterprise Florida who administers the program, is that if it does not meet the threshold requirement then they must seek a wage waiver; and he inquired if the State average wage is probably 43 and some change.

Commissioner Tobia responded that is your job.

Mr. Weiner inquired what point he was trying to make.

Commissioner Tobia stated his point is very simple; he read F. S. 288.106, "The Legislature further finds higher wage jobs reduce the State's share of hidden costs such as public assistance and subsidized health care associated with low wage jobs. Therefore, the Legislature declares that it is Policy of the State to encourage growth of high wage jobs and diverse economic base provided State refunds to qualified targeted Industries business that originate or expand in the State or relocate to State." and "State Statute may pay an estimated average wage equal to or at least 115 or the average private sector wage in the area where the business is to be located."; he noted he is trying to help Mr. Weiner out to do his job better; and he noted he does not need a waiver. He continued to say he takes this very serious, enough that he stays and does not leave when there are multiple things on the Agenda; he understands that if it meets the Statewide average, then there is no need for a waiver and the State does not have to grant that waiver; and he inquired if this is above the Statewide average as outlined in State Statute.

Mr. Weiner commented his question is why the State is saying they need it. He advised he did not come prepared to debate the merits of the Statute, but the tenets of the Statute; the State has told them they need to get a waiver on this; he understands what Commissioner Tobia stated in the Statute, and he feels he is at a slight disadvantage because he did not bring every file from the office; he advised there are lots of numbers to remember, if he really needs it he can look it up because memorizing does not score any points or close any deals; he inquired functionally what does it matter here; and he asked Commissioner Tobia to tell him what the essence is here.

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Commissioner Tobia responded he agrees that Mr. Weiner did not come prepared on this one. He stated Mr. Weiner's numbers are completely off, the ones he fictitiously makes up, and the ones that he asked for Mr. Weiner does not have; he is trying to help Mr. Weiner out by reading the State Statute; and he understands neither one of them is an attorney. He added he is just trying to help Mr. Weiner out because the State does not have to grant this waiver; if there is a way to get this business and these incentives without going through the process of this waiver, he would think this would help out the folk who are trying to receive this money.

Mr. Weiner stated from a functional standpoint his project work is a non-event, these things normally go simultaneously; they do not make up the rules, they work with the State; when the State says a waiver is needed, they get the waiver; and he does not try to play pull out the Statute and argue the merits of it. He stated Commissioner Tobia may be correct, he is not saying he is incorrect.

Commissioner Tobia advised he is 100 percent correct; he is just reading Statutes; he is not making up numbers; and he stated he is more than willing to share Statutes with Mr. Weiner.

Mr. Weiner stated the way this works is either the Board is supportive of the waiver request or it is not; if the Commission decides not to support it, the State will not go forward; based on what Commissioner Tobia is saying, if the Board chooses not to support it then they will report it back to the State and the State will act accordingly; and they will not talk the State out of what it tells them needs to be done.

Commissioner Tobia stated he did not receive the State's documentation.

Mr. Weiner interrupted saying Enterprise Florida.

Commissioner Tobia corrected himself by saying Enterprise Florida's demand or mandate on this waiver; and he inquired if Mr. Weiner has a copy of that.

Mr. Weiner stated these are conversations that take place and that they do not approach each other with lawyer's letters.

Commissioner Tobia asked if he has zero documentation, when he has a Statute that reads they can get around this waiver, but the best Mr. Weiner has is that he got call from Enterprise Florida; and he inquired who Mr. Weiner spoke with at Enterprise Florida.

Mr. Weiner stated they discuss each project as it impacts the request for State Statute; they have their rules; he will look at it when he gets back to the office; and he stated he does not know what the Commissioner is looking for from him.

Chair Pritchett asked Commissioner Tobia if she could ask him a question.

Mr. Weiner asked if Commissioner Tobia wants him to concede the point.

Chair Pritchett asked Mr. Weiner to hold on. She inquired if Commissioner Tobia is saying this will qualify even if the Board did not give the waiver.

Commissioner Tobia stated he is just reading Statute which clearly the EDC has not.

Chair Pritchett asked if that is what Commissioner Tobia is thinking; and if that is his end position.

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Commissioner Tobia stated that is absolutely correct; he clarified he was asking the simple question because it says, "may pay an estimated annual wage equaling at least 115," not 125 and Mr. Weiner should probably memorize it, "in the area where the business is to be located or the Statewide private sector average wage"; he noted if this \$46,000 is above the Statewide private sector wage they would not need, and Mr. Weiner is mentioning this is the first time they have done it, well it needs to be right the first time.

Mr. Weiner commented this is not the first time they have asked for a wage waiver; this is the first time this has come up with this level of detailed questions; and it is not a frequent occurrence but it has happened in the past.

Commissioner Tobia explained that there is no guarantee that the State has to accept this waiver; if it does, his reading of Statute is if it does, the Board does not have to placate them this waiver, it automatically meets the qualifications; he is trying to help Mr. Weiner out; and clearly it was not.

Mr. Weiner inquired if Commission Tobia is supportive of this company receiving the QTI.

Commissioner Tobia explained how it works is he asks the questions and Mr. Weiner does his best to try and answer them by doing his due diligence. He stated he does not mean this as insulting, but he is requesting for this to be tabled to give Mr. Weiner more time to do his due diligence, speak with someone who can explain State Statute to him, get some averages, and bring this back so it can be looked at in a way that the Board may not have to go forward with this waiver.

Chair Pritchett inquired if that was a motion.

Motion by Commissioner Tobia, seconded by Commissioner Isnardi to table request for resolution of QTI wage waiver for Project Rainbow.

<b>RESULT:</b>	<b>DEFEATED [2 TO 3]</b>
<b>MOVER:</b>	John Tobia, Commissioner District 3
<b>SECONDER:</b>	Kristine Isnardi, Vice Chair/Commissioner District 5
<b>AYES:</b>	John Tobia, Kristine Isnardi
<b>NAYS:</b>	Rita Pritchett, Jim Barfield, Curt Smith

(CONTINUED)

Commissioner Smith asked for clarification that the State asked Mr. Weiner verbally either in person or on the phone to meet this requirement.

Mr. Weiner responded in the affirmative.

Commissioner Smith stated that is the end of story; it is not Mr. Weiner's opinion; the State asked so that is why he is there; and he knows Mr. Weiner is not there because he likes to be beat up, it is because the state asked him to proceed. He stated to proceed and made the motion to approve the waiver.

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Chair Pritchett inquired if the Board approves or does not approve it will not make a difference, and that it is probably just a safety to do it; and she inquired if it would hurt anything to do it today.

Mr. Weiner stated if it turns out that they did not need the waiver it would not make any difference.

Chair Pritchett stated this just keeps it moving forward.

Mr. Weiner responded exactly.

Commissioner Isnardi stated she is not opposed to the waiver, she just wishes it was a little more organized; and that maybe Mr. Weiner was not prepared for the Board to ask questions.

Mr. Weiner noted he was not prepared to have detailed discussions about this particular Statute.

Commissioner Isnardi explained she is a little surprised that Mr. Weiner does not know what the average wage is in the private sector being with the EDC.

Mr. Weiner stated it is hanging up on his wall, he does not necessarily memorize it; he thinks the average way for the State is \$43,000 and some change; Brevard County's average wage is slightly higher than that; and he believes Enterprise Florida's interpretation of the Statute referred to, is it is not so much the State but the average way in the County. He added so what they have to do is get the 115 percent of the County wage; and that may be an invalid interpretation of the law, but that is what Enterprise Florida has always put forward.

Commissioner Isnardi stated it would be nice to know either through legal opinion or some sort of more complete evidence whether or not the Board needs to do this especially since he does not have it in writing; and she just wants this to be clean.

Mr. Weiner stated the Board is not granting the wage waiver, it is expressing its support should the State decide to agree to it. He reiterated the Board is not providing the wage waiver; and he just wanted to make sure that is clear.

Commissioner Isnardi stated she just wishes it was more organized with better answers.

Mr. Weiner stated he does not know how much longer they have; he does not find this as humorous as Commissioner Tobia; there are thousands of numbers, they are relatively small staffed, and he focuses on what matters; there is not a test on whether it is \$43,323 or \$45,624; and in the scheme of things it does not really matter in terms of getting projects done.

Commissioner Tobia stated he takes this very seriously and that is why he did his homework; yes, he did chuckle, and he apologized because he is a teacher and if he had a quarter every time he heard someone say they did not do their homework he would be a very rich man; and he is used to his students doing it, but not used to people coming to the Board asking, CSE was there and they did their homework.

Mr. Weiner interrupted Commissioner Tobia admitting he did not know two of the answers to his questions; and he stated he is drawing conclusions that he does not necessarily agree with.

Commissioner Smith asked Chair Pritchett to call the question; he stated this is absolutely ridiculous; and that this Board is getting out of control.

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Commissioner Tobia commented he just remembered \$1.4 million went to this organization for not being prepared with basic Statute, 115 versus 125, what statewide average is; all he is doing is pointing that out; and he seconded Commissioner Smith's motion to call the question.

The Board adopted Resolution No. 18-102, QTI wage waiver for Project Rainbow.

**RESULT:** ADOPTED [3 TO 2]  
**MOVER:** Curt Smith, Commissioner District 4  
**SECONDER:** Jim Barfield, Commissioner District 2  
**AYES:** Rita Pritchett, Jim Barfield, Curt Smith  
**NAYS:** John Tobia, Kristine Isnardi

**ITEM I.2., RESOLUTION, RE: QUALIFIED TARTED INDUSTRY - PROJECT RAINBOW**

Frank Abbate, County Manager, stated this is the Qualified Target Industry (QTI) resolution.

The Board adopted Resolution No. 18-103, QTI benefiting Project Rainbow.

**RESULT:** ADOPTED [4 TO 1]  
**MOVER:** Jim Barfield, Commissioner District 2  
**SECONDER:** Curt Smith, Commissioner District 4  
**AYES:** Rita Pritchett, Jim Barfield, Curt Smith, Kristine Isnardi  
**NAYS:** John Tobia

**ITEM J.5., FINAL PLAT APPROVAL, RE: TRACT O VIERA NORTH PUD FINAL PLAT (17SDM00001)**

Ben Wilson, Associate Corporate Council for The Viera Company, stated he is there if the Board has any questions about the plat.

Tad Calkins, Planning and Development Director, stated this is a request in accordance with Section 62.2841(1), that the Board of County Commissioners grant final plat approval and authorize the Chair to sign the final plat for Tract O at Viera North PUD; this approval comes to the Board with a condition that is a little different than what they typically have, this was in an effort to facilitate some of their development needs; and that condition is the completion to the repairs to the existing sidewalk are made as applicable prior to the plat being recorded.

The Board granted final plat approval; and authorized the Chair to sign the Final Plat for Tract O Viera North PUD, subject to minor engineering changes, as applicable, and developer responsible for all other necessary jurisdictional permits.

**RESULT:** ADOPTED [UNANIMOUS]  
**MOVER:** Curt Smith, Commissioner District 4  
**SECONDER:** Jim Barfield, Commissioner District 2  
**AYES:** Pritchett, Barfield, Tobia, Smith, Isnardi

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**ITEM J.2., DISCUSSION AND BOARD DIRECTION, RE: RESOLUTION VALKARIA AIRPORT PENDING REVISION TO BOARD POLICY BCC-79; SUBLEASING ACTIVITY; AIRCRAFT OWNERSHIP REQUIREMENTS**

Frank Abbate, County Manager, stated back on April 26, 2018, he asked the County's internal auditors, RSM, to perform an audit of the Valkaria Airport that was in response to a variety of complaints and concerns that had been raised over the prior several months; the results were submitted to the Board immediately upon receipt, within the next day or so back on June 6; among the items in the report and recommendations, staff began both the airport Manager and the Assistant County Manager over the airport, Mr. Denninghoff, began to address a variety of the concerns that were raised; and staff member, Cathy Wall also became involved trying to address a variety of issues out there. He continued there were several issues that required additional attention beyond what they started to do; this included potentially looking at whether or not staff should make modifications to the Board's Policy and controlling documents; there are also issues related to the waiting list and all things that were under consideration and are currently under consideration; and of those, in addition to that, there were two items that staff believed needed to be brought before the Board to get everything else in the package for Board consideration in terms of controlling documents, the Board Policy relating to the Airport, and those two areas of the airport involve subleasing as it relates to the current existing lease agreement and tenant aircraft ownership related to the lease. He noted he is going to turn this over to John Denninghoff, Assistant County Manager, who has worked extremely long hours to try to address this and have a complete picture for the package that they had put together for the Board to look at all the options that were there; and so staff could have a very clear direction on how to put a package together for the Board's consideration with any modifications or updates that may be appropriate.

John Denninghoff, Assistant County Manager, stated several of the items intermingle or intertwine with one another, therefore staff needed Board direction so that it could all be sorted out; regarding the first of the two issues that staff needs direction on, is about subleasing; currently the leases themselves prohibit subleasing by any of the tenants; over time there were some examples of subleasing that had evolved; and almost all of those have been straightened out and have been corrected with one exception. He continued to say the issue of subleasing is an important one for a variety of reasons and they are listed in Exhibit A in the Agenda Report; he wanted to go over a couple of those; in order to properly evaluate those he sought the County Attorney for input as well as bond counsel input; the reason for bond counsel input is necessary is because the hangar construction cost has been leveraged through the issuance of bonds, municipal tax free bonds; with that bond issue there is about \$20 million worth of other debts that have nothing to do with the airport and those are all mingled together; and this becomes an important issue that they qualify for the tax-free status of those bonds, therefore, they needed the bond counsel input. He went on to say when they described the issue to him, he was concerned and expressed those concerns, which is also attached as an exhibit to the Agenda Report; the best they could get him to say is it may not be or it may be a problem with the IRS; if the IRS were to determine that was a problem then it would require the County to be liable for the tax costs for all the bond holders as well as penalties and interests for the full \$20 million bond, not just the portion for the Valkaria Airport; and the reason it is a big issue for the bonds is because the requirement for the tax-free was the hangars would be reasonably available to the public. He added subleasing is not controlled by the County but controlled by the tenant, therefore, the public does not have access to occupy a hangar through that mechanism; the mechanism used is the wait list; with the wait list being circumvented by subleasing it calls into question the reasonable availability to the public; and thus the Bond question becomes an issue. He

stated in addition to that, there is a concern under FAA rules about accessibility of the public being able to have leases at the hangars, which is through grant assurances; in recent years they have had about \$20 million worth of grants that the County has received from the FAA,

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there are grant assurances which include the reasonable availability of the public to get leases; in order to qualify for that basically the leases become 30-day leases and can be terminated in a 30-day time period so there are not any long term leases of the hangars; there are other issues that come up if there is subleasing that become an issue with the FAA revenue diversion if there is profit being made by a lease holder through sub tenants that the profit is not coming to the airport which violates the FAA rules; and there is rule that says they have to keep the time short for the public to be able to get a hangar. He noted that does not mean they will throw somebody out, it means the public will have to wait their turn, but they have to have a turn which goes back to the waiting list; the last things are the lack of control of activities at the airport and insurance liabilities associated with those activities, as there are liabilities associated with activities on any County properties; and the County normally requires \$1 million worth of liability insurance for every tenant and they have discovered that sub-tenants may not have that million dollar Policy. He added it would be very hard to maintain control of that. He went on to say there are also security issues that have come up. He stated what they have done is boil all that down into three options; obviously there is a fourth option which would be Board direction; the first option would be to borrow any sub-leasing and try to create an opportunity for existing sub-tenants to become tenants; the problem with this approach is it could still subject the County to the same problems that he already outlined; clearly it would not be as bad as if they were to allow it to go on wholesale throughout the airport on all the hangars, but it still has some of the very same issues; the second option would be to have the County enforce the existing rules and existing lease and compel the violators or the unauthorized activity to vacate the airport; and another option would be to allow the sub-leasing, but then it would have all the issues it just had and it would be fairly severe. He continued on that he did not bring up is it would be an outside or third party discrimination against the County that it was disregarding the wait list and allowing other people preferential treatment through the circumvention of the wait list; and that would not be through the FAA, although it could be, but it could be a complete third party. He noted those are the options the Board has as far as subleasing; the other associated question is the hangar aircraft ownership; the ownership of the aircraft, if it is not owned then people must be leasing it or subleasing it and then that questions comes up; and they are just looking for direction regarding that as to whether to enforce the rules the way they are or have some sort of tolerance at some level for that ownership.

Commissioner Tobia asked how many hangars there are at the Grant/Valkaria Airport.

Mr. Denninghoff responded there are 71 hangars currently available for leasing.

Commissioner Tobia asked how many are on the waiting list and roughly how long someone towards the end of the list would have to wait to get one.

Mr. Denninghoff stated currently they have the 71 hangars that are available; in several months there will be another 24, but there are 274 slots currently in the waiting list; they could have more if people signed up; there are no vacancies at this point; they have had people who have waited between seven and nine years to get a hangar; and he does not know the latest one, but it could be pretty lengthy.

Chair Pritchett stated she just wants to make one quick statement; she talked to the County Attorney, Eden Bentley, about this; she knows there are FAA problems and she has big heart burn over the bond issue that the County put out, somebody subleasing, and someone running a business in there; and the IRS might not, but they are not bad guys they just want their tax funds and that is a very critical issue moving forward.

Joseph DePinto stated he is a retired New York City firefighter, 911 survivor, and he was hurt and put on Disability due to injuries that occurred that day; as far as some questions about the list, he has been on the list for five years and just recently obtained a hangar; he has two aircraft

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in there; the list works, but as far as the subleasing his complaint would be that it would force the people on the list to wait longer. As far as the FAA and all the other restrictions that is something for the Board to decide; Steve Borowski, in his mind, is a very fair and honest individual; he encourages a lot of community minded events; he noted he is the one who runs the Valkaria radio controlled race track at the airport which encourages families to enjoy some time together in hobbies; and there are RC Planes, boats, helicopters, and FPV's along with the Boy Scouts, and Canoeing. He continued on to say he feels leasing to other individuals is not fair to the people on the list; he knows people, who are all friends of his, that are for and against this subject; Piero is looking to sublease it and they run a business out of there; whether or not that is something legal or not is none of his concern; he does not think that anyone should be in there subleasing a hangar because it jeopardizes the rest from having the opportunity to lease one; and other than that, the improvements in the airport, he has been there since December 2007, are phenomenal; the amount of money that has been brought into the area to renovate it and bring more revenues is second to none; and he thinks Mr. Borowski has done a tremendous job managing the airport and he hopes that he continues on path to bring more updated equipment and better the facility.

Walter Hewett stated if the Board decides any other option than line item 2, that it will end up costing the County which he does not want to see happen because it comes out of his pocket as well; the FAA will have complaints because of the unfairness to the people on the wait list; that will lead into the IRS problem; with that said, he does not know how the Board can vote in doing anything other than that; there is no option at this time, but maybe going forward and advising people who go on the list afterwards can be changed, but at this time it would open up the County to a lot of liability; and he advised it will happen.

Bruce Black stated the airport is a great place and the improvements Valkaria/Grant Airport Manager, Steve Borowski, has made it a want to be airport, that is why there are 250; he likes the waiting list other than fact that it is going to take four or five years to get into a hangar; there are people of various backgrounds and economic status; there is a president of an airline that has a hangar there as well as just some ordinary people, so it works; by changing this, he was surprised to see a pending decision of a revision, the hangar in question is a large hangar, bigger than almost every one there, and it requires more dollars so maybe he is having trouble paying his rent so he wants to sublease; and there has been a sublease problem, but he does not think the County should reward bad behavior and change it to allow the existing situation continue. He added there are rules and if people do not want to follow the rules then they need to do something to change it whether that means get petitions, or whatever it is, but to outwardly award that individual for his bad behavior does not seem right to him; and he thinks there needs to be more hangars there. He went on to say all those projects have been funded by the airport not the General Fund; he would hope the Board would not reward bad behavior, keep it there, and he like the provision of having aircraft ownership, then it would not have the problem of people doing something in trying to run another business out of there; he wants to keep it an aviation community.

Wes Yockey thanked the Board and the County for its efforts in managing the Valkaria Airport; he and other pilots based at Valkaria Airport and those who use it like the direction Mr. Borowski has taken the airport; there is a new terminal building in process and all that will come with that, there are new hangars being built and the updating and paving of runway 1432; the airport is growing and the airport staff is doing a great job managing the property in a positive way ethically and during a very challenging environment; and he noted Valkaria Airport is much different now than it was five years ago. He added with the changes that are happening it will become a showcase for Florida aviation. He went on to say in regards to subleasing, he would strongly recommend the Board support the current language in the current lease not allowing subleasing or co-leasing; subleasing of hangars is discriminating to those on the hangar wait list and it also creates numerous pitfalls for airport security and safety; it is obvious that there is

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high demand for hangars as the wait list is extensive, and there are no tie-down spaces; there is a great flying community at Valkaria Airport; and it is his hopes that Valkaria Airport will remedy the subleasing hangar wait list situation by not allowing the practice.

Chris Larsen stated he is a hangar leasing tenant and owner of a small business based at Valkaria Airport; he has a relationship with a large number of other tenants as well as others who frequent the airport allowing him the advantage to hear firsthand nearly every individuals opinion related to the subject at hand; he has or has had personal and business relationships with the very visible parties in attendance today, including that he was a past member of the Aero Valkaria Flying Club whom has a legitimate complaint for being evicted for subleasing while others on the airport have not; interestingly he is also a current aircraft rental customer of Piero who has individuals representing them here today; and in listening to the information for many months, as late as last night, he continued to wonder how and why this topic has been on the table for so long. He mentioned all of the tenants at Valkaria Airport including himself read and signed a hangar lease agreement which is typical, reasonable, and fair; an execution of that lease agreement, everyone agreed to the parameters of that document; given all of the options from the parties involved with the subject, he believes and will respectfully submit today that the position of Brevard County is not difficult; and as complicated as some of the parties who made this, he respectfully submits to the Board that the County's position can be simple, it does not need to be the good guy or the bad guy in this case, it does not need to align with any party or choose sides, and it should just enforce its lease agreement that every hangar tenant agreed to when they signed the lease. He noted that it would be reasonable and fair to everyone involved and it would reflect to the parties that have already been rightfully evicted for subleasing that Brevard County does not discriminate or show favoritism to any group or individual, that the County takes these lease agreements seriously, and that it will enforce the parameters of these agreements if necessary; and if apparently a vote on the Board is in fact required, and to be completely honest he is not sure why that is, he believes the only fair and reasonable choices are a vote on Option 2 for the sublease and Option 1 that the aircraft ownership satisfies the parameter of the airport lease in its entirety.

Michael Freeman stated he last gentleman stated everything he wanted to say; and he advised he supports the leases as they are which does not allow for subleasing.

Frank Gallagher thanked the Board, the County Manager, and Valkaria Airport Manager for their efforts in making Valkaria Airport a truly wonderful place; he has been affiliated there since 2003 and he is the owner of Aero Club Valkaria which he established in 2010; because of the facility it allows them to do their aviation activities there, but more importantly it has made the facility a real resource for the County; 10 years ago the situation was a little different when they fought for the airport; and it is a facility that everyone is proud of. He continued his flying club consists of 20 to 30 members and between four to five aircraft; the biggest problem he has is growing because of the lack of hangars; this next row of hangars being put up is very much appreciated; he wrote a letter, Exhibit F.1., about a situation that occurred about forcing subleasing; a gentleman in a hangar had a personal hangar and he put one of his club aircraft in there; he was not aware that he was subleasing but after the County conducted an inspection back in January or February, he was informed by the Airport Manager that he was subleasing; he removed his aircraft; and what he found since is Piero has been allowed to continue subleasing. He requested the Board enforce its current rules which is stated in paragraph 2, subparagraph B, this allowance subleasing at the airport; looking through the Agenda Items for today, there is the Audit by RSM, and County Legal stating that there are good reasons why the County does not want to do subleasing and he supports all of those; he asked the Board to follow the guidance that has been presented and not to allow the subleasing.

Greg Hish stated he is the perpetrator of choice and from Piero the ones being claimed to be subleasing Hangar 71; the problem is the County has been given a disservice by the individuals

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on the panel saying there are 71 hangars at Valkaria, which there are but only five large hangars that can accommodate more than one aircraft; he asked how many people in this room can afford more than one aircraft to put in a particular hangar; and he asked how they accommodate that; he answered that question by stating there is only one and it is the person who spoke before him; and he noted that gentleman would be the benefactor of him having to leave. He advised he moved into that hangar the minute it was built; it was offered by the VAA; he is a VAA Board member, a voting Board member, and co-owner of Piero; what he is experiencing is a letter he wrote to the Board on March 17 dictating 20 allegations of potential problems with Valkaria Airport with pictures and since then he has been harassed, terminated on the lease, had a hangar broken into by the assistant manager, and he has to deal with the constant harassment from current management; and he noted he has been locked out of the airport for two solid weeks. He went on to say not one of his renters nor his pilots could get into the hangar space at all to rent an airplane; that is wrong; they cannot get a gate key code to get into the airport for qualified aviators to fly an airplane, ATP pilots who have side of clearance cannot even get a badge into this airport because that man will not allow it; and he cannot operate a business in Brevard County with these types of restrictions. He went on to say he is not asking for subleasing to be allowed at Valkaria Airport; these are five big hangars; one belongs to Mosquito Control, and subleasing is allowed in that hangar; and he asked why these five are not separated out from the rest of them and being treated like an entity like they should be.

Christopher Niles stated he is an instructor pilot at Valkaria Airport for the local flying club and also many of the private aircraft owners on the field; he earns his sole living at Valkaria Airport as he earns his hours of hopefully being a commercial airline pilot; right now he is opposed to subleasing, any other arrangement, or any other political language that might not sound like subleasing but is; and furthermore, those in violation of subleasing at this time should be handed there notice of violation with no grace period provided.

Thomas Rodabaugh stated he has been an aviator for 40 years and has had the opportunity to fly out of Valkaria Airport, which he believes is a true asset to the County; it is a terrific airport mostly because of the actions of the airport manager and the assistant manager who have improved it and the conditions for promoting aviation in a safe and collegial manner; he is opposed to subleasing or co-leasing as it is unsafe; no one knows who is in those facilities or what is going on in those facilities; it is also unfair because it subverts the wait list; and he does not even know why this is an issue, the Policy should be enforced.

Dominic Campisan stated he is a private pilot for over 30 years; he met Mr. Borowski about 15 years ago; he put his name in the lease for over 10 years before he had a hangar in Valkaria; unfortunately when he hears this news he becomes upset because people get skipped or jumped over; and he does not agree to subleasing the hangars because it is not safe.

Linn Walters stated he is a T Hangar tenant at Valkaria Airport and he has been since the first hangar building was constructed; he comes to speak today on the VAA pancake breakfast and changing T Hangar lease requirements governing leasing, subleasing, and any other scheme to circumvent the wait list; aviation is his hobby; he is addicted to building and flying his airplanes and using the privileges of his pilot's license since 1973; he was aware that there were discussions about safety of aircraft and personnel using the airport operation area during the pancake breakfast held on the third Saturday of the month; and he was not privy to any of the documentation about the breakfast until yesterday when he received the email from the Assistant County Manager. He added he really appreciated the information; he mentioned it appears to him that the pancake breakfast was a violation of multiple rules and regulations from the FAA and it just was not safe where it was being held; many pilots from surrounding airports and local residents alike, miss those breakfasts; and he awaits their return. He continued the subject of changing the T Hangar lease really baffles him; the links to the Agenda attachments

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provided a wealth of information which causes him to wonder why this subject is here wasting peoples times; he asked why it was not sufficient for the airport manager or the Assistant County Manager to assess that same information that he read and make a decision; this appears to be the same old politics from the airport's past, but he will digress; he would love to offer space in his hangar to the highest bidder; there are those with large disposable incomes that would pay far more than the airport is charging to just get their expensive aircraft under shelter and out of the elements, however, for him that would be morally and ethically repugnant; and he mentioned he has friends on that waiting list and he would hate to see them discriminated against in the future. He stated he has been a victim of subleasing in the past but he was powerless to do anything about it; he does not wish to see that happen at this airport; when he first started renting his T Hangar many years ago, it was from those leases and surrounding airports and requirements for a tenant or tenants to own the aircraft and be named on the lease; and he does not like many provisions of his T Hangar lease but he does understand them and he knows why they are there. He added it never occurred to him to get like-minded hangar tenants to go on a letter writing campaign to have the Board overrule the Airport Management and change the lease to fit his wants and needs; and he is satisfied that he has a hangar and can enjoy his activities without having to ask for special privileges.

George St. Pierre stated he retired in Brevard County four years ago because it was close to the Valkaria Airport; getting to learn the management and the things that have gone on in the past and the improvements, he really wanted to get involved; he signed up to get a hangar and was 60 on the list; he is now 24, and with a new building going up he may have a shot of getting number 24; if subleasing goes through all that goes out the window; and he therefore, he objects to the subleasing. He thanked Mr. Borowski for all the work he has put into that airport because it has changed drastically in the past four years, and for the better.

Arthur Irvine stated he is rather baffled because last Thursday evening while on vacation he got a call that there was an email floating around promoting a response to this particular Agenda Item which he had not been advised of; he did not really know the content of the meeting until yesterday and he is the bad guy; he is the President of the Valkaria Aviation Association a 501(c)3 educational charity; the VAA signed not one but two leases and they had no choice in the lease from what the terms were; he was told he could have the hangar to do his charitable duties; the way they did that was sign the lease four and a half years ago; and then another lease a year and a half ago. He continued the VAA is there for the purpose of doing things like sponsoring of civil air patrol youth organization, two Boy Scout entities, and the purpose of that hangar was not only to do that but also to do special events that were community supportive, and that is what has been done, at least until not too long ago when the opportunities were cut off; and he is baffled listening to folks he has known for years say how they have personally benefited from hangar 71. He went on to say they are principally enjoying the pancake breakfast, and enjoying the financial benefits of the earnings they have had; he does not sublease; they are one of four hangars that are special in that they are commercial grade size; three of them are for profit businesses and no one has questioned the ownership of the aircraft they provide services for, but they do question the service of storage that they provide, they have to own the hangars they store and that is a discriminatory practice; and he does not support subleasing changes as they make no sense, they were never part of the discussion, and he does not understand how they ended up being the issue that most people are talking about today. He went on to say he does support provisional changes that make sure the VAA can continue its work at its current location; they store aircraft, they make no profit from that storage, they use the money to pay the bills; and that is it; and he asked the Board to make certain whatever is done allows them to stay in operation.

Tim Watson stated he lives across the street from the airport; he is a member of Aero Valkaria; he flies in and out of Valkaria regularly; he is not really sure why everyone is here or what the discussion is about; if it is being proposed to change it to allow subleasing he does not agree;

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he believes that would be unfair to those on the hangar waiting list; and it is also unsafe as it gives away access to who is currently allowed on the airport property, because they would not know who is in those spaces.

Commissioner Isnardi stated this was brought to her office several months ago; the airport resides in Commissioner Tobia's District and after reaching out to his office he was okay with her office taking the lead on it because for some reason everyone started contacting her office; she is not sure if a previous Commissioner has a relationship with the airport or what the deal was but she does not mind taking it on; it has been a very long, arduous, insane process; she is stating that with every bit of respect, however there has been a lot of little things that have gotten in the way of what the intentions were of what they were doing over there; and the email has been blowing up. She advised she has a question; she noted she will offer her opinion on what she thinks the Board should do but first she has a question about the VAA; and she asked if the Board were to go with Option 2 where the lease is enforced, what would that mean for the VAA in reference to ownership being a non-profit that rents a hangar.

Mr. Denninghoff stated currently to his knowledge the VAA does not own any aircraft.

Commissioner Isnardi stated that is all she needs for that; she is sure the Commission has done its homework and staff has helped; her staff she cannot thank enough; she has met with several of the people who have spoken today and dealt with them on the phone or in person; she would recommend based on the information she has, for the subleasing direction, she would go with Option 2; she thinks there is existing leasing contracts in place where the County does not allow for subleasing, and it is very clear in the contracts; and as an added suggestion if the Board agrees, maybe it could give them 60 days to get out and rent another hangar for those who are subleasing. She went on to say she thinks subleasing is grossly unfair; on a side note, the responsibility ultimately resides with the County and the County failed because for years it was allowed to go on; she is glad they are making improvements at the airport and she is glad all the tenants are happy; the subleasing that went on for many years and allowed by the County should have never happened; with that being said, the County takes ownership for it; and now the County is enforcing the rules that are in place and making sure it is in compliance with FAA and not risking the bond covenants. She continued it makes the most logical sense but it is not going to please everyone; the majority of the emails, pilots, and tenants there want the Board to just enforce what it agreed to; it is not perfect, the County messed up, and given the audit that was generated between discussions with management and the several problems at the airport, all this little drama, the fight over the pancake breakfast, people with cards, and the waiting list, will be fixed; people on the waiting list will not get missed due to the measures being put in place for transparency; and she appreciates the amount of time staff has put into this and she knows the Manager, Mr. Denninghoff, and the Airport Manager have put an enormous amount of time into it; and she advised the Board cannot go back, it cannot blame, and it cannot complain, so she wants it down right. She again suggested Option 2.

Chair Pritchett inquired if that was a motion.

Commissioner Isnardi responded it is but there is one more thing as far as the ownership goes; it is the second item; and she inquired if those should be addressed separately.

Eden Bentley, County Attorney, responded it can be done either way.

Commissioner Isnardi stated it should do that; for subleasing direction she would make a motion that the Board go with Option 2 to strictly enforce the existing prohibition on any subleasing and where they provide 60 days for existing tenants to get any sub-tenants out of their hangars.

Commissioner Smith seconded the motion.

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Commissioner Tobia stated he has one quick question but he does not know if it would be the County Attorney or Mr. Denninghoff; he inquired if with the whole bonding, IRS issue if that 30-60 days is going to make a difference in their opinions; he noted he has no problem with the 60 days, however, if it triggers anything with the IRS stuff, that would really scare him.

Mr. Denninghoff stated he does not know the answer to that question; it is unlikely that it would happen that quickly, so they are probably safe, however, the IRS is a harsh task master.

Commissioner Tobia advised he is more concerned with the County's liability with the \$10 million than a few folks that may have to look to get out of there in 30 days as opposed to 60; and he inquired as the Assistant County Manager, over that area, and waiting for Board direction, would he feel more comfortable if it was 30 days rather than 60 days.

Mr. Denninghoff stated the lease actually provides for a 30-day termination of a lease, so if they are in violation of the lease, they have 30 days to come into compliance; and to implement something other than 30 days would sort of disregard what the lease has in it, but he does not know if there is a horrible situation if it goes 60.

Commissioner Barfield stated he does not even know why the Board is taking a vote on this; it just needs to enforce the lease and enforce the rules, bottom line; they talked about the one organization that does not have aircraft there or whatever; and he inquired if under FAA requirements it says it has to meet FAA requirements for an aeronautical activity.

Mr. Denninghoff stated his assessment is that absent subleasing, and since they do not own aircraft, by the FAA's definition, it is a non-aeronautical activity and should probably not be on the airport; and on the other hand if they have an aircraft then they come into compliance.

Commissioner Barfield stated he is for enforcing the law, but, truly, those who had the lease know they are not supposed to sublease, so he thinks they need to get out immediately, as that is what the lease says.

Chair Pritchett noted she is almost with him on that; she stated she is kind of interested because this did come to the Board because she thinks it is something that should have probably just been done in house and taken care of the situation; she thinks she would be a little concerned about the IRS issues; she thinks the Board should do what it typically would do; her thoughts because people are waiting on this would be big hangar and you are going to rent it out to everybody else, she does not know how much money they had coming in, they are paying \$1,100, and on an entity that is run by the government to help give opportunity, it is just wrong in so many ways. She questioned Commissioner Isnardi that this was allowed to go on for years.

Commissioner Isnardi replied affirmatively.

Mr. Denninghoff stated it has taken place for some time, he does not know exactly how long.

Chair Pritchett inquired if staff has known about it and not done anything about it.

Mr. Denninghoff stated he thinks there was confusion early on with the Piero/VAA relationship that could have been interpreted that the VAA actually had some interest in the Piero aircraft; when they did the aircraft hangar inspection, quite frankly, under his direction, Mr. Borowski did a more thorough inspection and reported back, and part of that was to check on the ownership of the aircraft in compliance with the leases; and that was actually done prior to many of the allegations that came up, and they needed to check the leases and the hangars for compliance with the lease, and it was determined from that they verified from the available records, that none of the aircraft in hangar 71 were under the ownership of the tenant, which made them all in

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his view sub-tenants, or sub-leasers, and so the issues started to bubble up from that. He advised that is when they knew for sure that they had the issue that is before the Board today.

Chair Pritchett stated she would not like it if as a government they were not enforcing the contracts; she thinks it is really important that they do that; she will probably not support a 60-day, probably would handle a 30-day; but she does not think this is okay.

Commissioner Isnardi stated she would be willing to amend her motion; the only reason why she suggested the 60 days, is because regardless of what staff is saying, this has been going on for years; people have complained about it for a very, very long time; whether the County chose to turn a blind eye, whether the Board chose to bring it up, she thinks starting to enforce the rules and enforce those leases now is on this Board; and do not be fooled this has been going on and the Board has known about it. She went on to say the problem is, it has never been an issue, it has never been a problem, but because these people are complaining and bringing it to the Commission's attention and people are complaining about the manager, and it is like a big soap opera, but the bottom line is the Board needs to enforce its lease agreements so she is okay and will amend her motion, if that is okay.

Chair Pritchett asked if she is amending it as a whole.

Commissioner Isnardi stated she is amending the motion to make it within 30 days.

Commissioner Barfield inquired if this is an issue at this airport; he thinks the Board needs to do an analysis of other airports to make sure they do not have this situation there.

Chair Pritchett called for a vote on the Motion.

The Board approved subleasing Direction Option 2 to strictly enforce the existing prohibition on any subleasing; and provided up to 30 days for existing tenants to get any subtenants out of their hangars.

<b>RESULT:</b>	<b>ADOPTED [UNANIMOUS]</b>
<b>MOVER:</b>	Kristine Isnardi, Vice Chair/Commissioner District 5
<b>SECONDER:</b>	Curt Smith, Commissioner District 4
<b>AYES:</b>	Pritchett, Barfield, Tobia, Smith, Isnardi

(CONTINUED)

Commissioner Isnardi stated there is a second motion for aircraft ownership options; she is open for options; obviously the Board will probably agree that the person should own an aircraft to rent and be the attendant of a hangar; and she inquired what kind of time-frame, because there was some concern and issues with people possibly snow birding.

Mr. Denninghoff stated right now there are two snow bird tenants; they are gone for much of the year, four, five, maybe even six months at a time; one of the questions is if they consider that as not storing an aircraft; obviously when someone is out flying an airplane, there is no airplane in the hangar, so they have some hours of vacancy versus six months; somewhere in there they need to be able to draw a line; and for some people that are high on the waiting list they want that lease because the people are gone for that long. He mentioned they were looking for some guidance from the Board on how it might want to try to handle that.

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Commissioner Isnardi stated if someone is renting a hangar, and they own an aircraft, it should make no difference if they are parking in there six months out of the year or ten months out of the year, if they are paying for it, and they legally are allowed to lease it under the terms; she does not see what the issue would be; and she inquired if that would that be Option 3.

Mr. Denninghoff advised Option 3 would allow a tenant to have up to six months of vacancy; one of the things that also allows this to be done, is that an aircraft could be flown to another location to get work done on it and it might be gone for several weeks or a couple months of that scenario of being repaired or modified; in any event, if he has some guidance on the time frame, he can draw a hard line and then have that as a requirement that he can work into a little standard lease that he could bring back sometime in August; he would that so any tenant is aware of the time limit and then there would be no surprises; and he would be able to deal fairly with everyone, including those on the wait list.

Mr. Abbate stated the additional language in their states that six month time period would also provide the opportunity for a current tenant who sells an aircraft, to replace an aircraft and that specific language is included there in Option 3.

Commissioner Tobia inquired if the voluntary contract that these folks signed, does it say aeronautical purposes; the second part to that question is, the Board talked about the time-frame with the IRS bonds and the subleasing, are any of those provisions triggered when it comes to this aeronautical ownership, or is the Board safe for none of those triggering on any of these options potentially.

Mr. Denninghoff stated if they own the aircraft and are using it, the FAA does not have specific rules about how long it could be vacant from the hangar, although it does specify that it has to be used for aeronautical activities or use; they have 12 different categories of use, that qualify for aeronautical uses; this one is principally storage of aircraft; they are allowed a certain amount of latitude on what they would allow for a vacancy; and he thinks the question is, is it fair. He continued on to say he thinks it is okay if it is defined in the lease; whenever there is a suggestion on a lease change, it is run through to bond counsel to make sure he does not have a problem with it and if he does, then a modification can be made to make him happy; in this case, if it was six months, if it was less than six months, he would go to the less than six months, when it is brought back to the Board and the reason for the less than six months, assuming that is the direction the Board gives, it would say because it better be more like three months; and he just does not know right now where he is going to draw that line, because they have not attempted to go there.

Commissioner Tobia stated he thinks the Board is concerned about the IRS issue; he would hate to say six months up here and then find out bond counsel says anything over 90 days; he certainly trusts staff to make that decision; he understands there is generally new leadership here in Brevard County that he is very thankful for; he really appreciates Mr. Denninghoff for riding the ship here on what was astray for it sounds like many, many years, when he was working hard on paving roads and had no mindset on what was going on in the airport; and he inquired if Option 5 would be to leave this to an administrative decision, so the Board does not have to deal with this again in three weeks when bond counsel comes back with something that the Board directed. He made a motion to direct staff to make the decision in the fairest amount of time as possible without getting the County in any problem with the Federal bonds that are currently out there.

Attorney Bentley stated she agrees with Mr. Denninghoff; the lease provisions are very broad; it would be good to clarify them and tighten those up a little bit; and using the process that Commissioner Tobia suggested is a great idea.

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Commissioner Tobia made a motion to leave this administrative decision to the County Manager and staff to make sure the County is in compliance with the bond counsel's recommendation.

Commissioner Isnardi suggested they try to aim for the six months, if possible, unless told otherwise.

Commissioner Tobia stated he will amend the motion to give the County Manager up to six month.

Mr. Abbate stated they are going to target six months.

Commissioner Tobia said to go as long as possible not to exceed six months as long as it gets the okay from the bond authority.

Commissioner Isnardi stated the only reason this was brought back to our Board was because of so many moving parts, it was not because of the manager, or County Management did not want to enforce the rules, or enforce our leases, there was just a lot going on; what they are looking for was Commission direction to make sure this is what was wanted; for all they knew, the Board would have been okay with subleasing and would take the risk; obviously this Board is not willing to do that, but these people have been allowed to do this for a long time, and now the Board is coming in and now saying these are the new rules; and they just wanted to make sure the Commission was aware of it.

The Board directed staff to make the decision on aircraft ownership, not to exceed six months, as long as the Bond Counsel is in agreement.

<b>RESULT:</b>	<b>ADOPTED [UNANIMOUS]</b>
<b>MOVER:</b>	John Tobia, Commissioner District 3
<b>SECONDER:</b>	Jim Barfield, Commissioner District 2
<b>AYES:</b>	Pritchett, Barfield, Tobia, Smith, Isnardi

**ITEM J.4., CITIZEN REQUEST BY KEVIN PANIK, RE: COUNTY MOWING OVER ROADSIDE LITTER**

Kevin Panik stated he made some charts and he thinks he is having a problem communicating so he will probably deviate from the charts to make it more simple; he thinks when he brings too many things at once his message is getting mixed; he is going to stick with number one; he announced he was at the podium August 2016, when he brought an Item to this Board about routine mowing over roadside litter being a standard practice in Brevard County; and at that time he thought he was going to be able to work with the government, he tried working with the government and to have meetings but he failed miserably. He continued on then in 2017 he came back and brought it back again; he met with Commissioner Pritchett; he was probably pretty frustrating to her as it was for him when they had their 15 minutes; he is trying to communicate more clearly; he is not going to introduce a new challenge about them throwing things in people's front yards in bags that are a week out of date; and to try to be clear, he picked the mission statement for Brevard County, this beautiful County that everyone loves. He read, that is to contribute to enhancing and ensuring Brevard's quality of life today and always; he stated going down there are some incredible words about openness in government and honesty, leaving something for the children; he has not found an avenue on how to get his head around how mowing over roadside litter is supporting this vision; he also wanted to try to nuggettize because in the beginning he thought someone would go off and fix this; and he

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actually came to the Commission when he heard a thing about resources jumping to the end game. He went on to say he tried to come to the Board meeting to educate himself on project management and the three legs; if someone does not understand the technical aspect of something, then there is no grasp of the resources or schedule, they are all interlinked; the nugget he tried to make for today is just to help with some transparency, ask staff to look into it, and one of the first questions he would ask is if all the 67 counties are mowing over roadside litter; and if that is a standard practice in the State of Florida. He went on to say if it is, then sounds like this is a State problem not a County problem; he has put up a chart to say he wants to help and be part of the solution; he does have a full time job and trying to do other things, but this is important to him, the County, and the children; and he asked the Board to issue a one page report to show that maybe in 30 days, that they are looking into things, or send it to him and he will put it on Facebook. He stated this is his second year since he brought this issue to the Board; he thinks some of the things he saw today were to not bring a problem without a solution; he thinks the solution here is the County needs to divest itself from staff work and do the political things; and there is just so much work and it is just going to keep on getting more.

Commissioner Barfield stated he Andy Holmes, Public Works Director, and John Denninghoff, Assistant County Manager, talked about this the other day, looking into getting inmates or the Sheriff's organization to clean before the mowing; he thinks it would be nice to at least make the contact to see if that is a resource that could be used.

Mr. Holmes, stated he received that suggestion from both Commissioners Barfield and Smith; he has reached out to the Brevard County Sheriff's Office (BCSO) to discuss whether there are any resources available in that area that the County can use in coordinating with the mowing activities to try and alleviate some of the mowing over the trash.

Chair Pritchett advised she would like to do a Countywide campaign to keep people from littering; when she grew up there was a slogan "Give a Hoot Don't Pollute" and she thinks it helped for a little while; the Board just probably needs to get people more responsible to not throw garbage out the window; she would love to be able to fix the problem; and she wishes it came with pain.

#### **ITEM K., PUBLIC COMMENTS**

Jim Kohlbrand stated he has worked 24 years at the Space Center as a Senior Safety Environmental Engineer, so he pretty much knows what he is talking about; his speech is titled, Lack of Brevard County Resident's Concerns; he has been in Brevard County since 1972; he sees holes in the road and he sends them to Commissioner Barfield; he and another resident filled one in and put things on there; luckily a few days later the County did show up and the police even showed up; the long and short of this, the County is in bad shape; and if someone just walked, looked or rode around, it is there and it is ugly. He continued these are hazards just waiting for people to sue when someone gets hurt; he is very passionate about this; and he is a huge proponent for kids, veterans, the affirmed, and lastly the elderly. He stated his wife was diagnosed with Cancer and it is pure hell for all parties; the CDC, back then, identified the Satellite Beach area as a cluster; for those who do not know, a cluster is a large quantity of cancers clustered in a small region; jump ahead 30 years, today he lives directly across from Patrick Air Force Base; the CDC has identified Satellite Beach as a cluster once again, but it is promising for the health point that the federal government, maybe the County he does not know, is taking action by testing all water sources in Satellite beach; his current residence across from Patrick Air Force Base recently had an algae bloom, small fish kill, and more importantly numerous dead horseshoe crabs; he has learned a lot about the horseshoe crab; these beautiful creatures have been on earth for more than 440 million years; and their blood is retrieved and sold to big pharma for roughly \$15,000 per pint because it is really rich in iron. He

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noted big pharma uses it and these crabs are dying, they are dead. He asked the Board to explain the finding as read in publication in a local newspaper. He continued 135 shuttles were launched in a 30 year period He commented as far as the library goes, he does not know when the last time he was at a library, he does not even know where there is one located on Merritt Island; and he stated he would to recommend seven repositories, one for each District. He went on to say by copious amounts of computer equipment, example for toddlers, children, teens, elderly, and etc. he is sure the majority, because computers come and go could be donated by NASA, the County, Lockheed, etc. He stated this is the first time he has been to a Board meeting and with the banter on the Board he is kind of embarrassed as a resident of Brevard County, because of what he is seeing; he noted it is not from the majority, but he thinks people know who he is talking about; and he heard someone needs to do their homework.

Commissioner Pritchett advised Mr. Kohlbrand his time is up; and she wished his wife well during her illness.

**ITEM L.5., JOHN TOBIA, COMMISSIONER DISTRICT 3, RE: REPORT**

Commissioner Tobia stated according to Politic Fact, several local jurisdictions in the State have been considering sanctuary cities and sanctuary County policies; in fact, just yesterday the City of Orlando approved a policy that was applauded by left-winged groups for protecting illegal immigrants from law enforcement; he believes Brevard County can do better by making it clear that it respects Federal Law, enforcement, as well as legal immigration; and as such it is his hope to have something on the next Board Agenda which would solidify Brevard County as a law-abiding and rule-following County rather than a sanctuary County and one that respects lawful immigration systems. He advised he will have something ready; according to newspaper articles, the Board does have a say in this; and he thinks it is very important to outline that.

**ITEM L.3., RITA PRITCHETT, COMMISSIONER DISTRICT 1, CHAIR, RE: REPORT**

Chair Pritchett stated she has no report, but she watched a movie and heard a clever quote she would like to share. She quoted, "Those who never change their minds never change anything."

The Board recessed for an Executive Session for Brevard County, Masci General Contractor, Inc. v. Brevard County, Florida; Case No. 05-2015-CA-046973.

Upon consensus of the Board, the meeting was adjourned at 12:48 p.m.

ATTEST:

\_\_\_\_\_  
SCOTT ELLIS, CLERK

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