

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 October 7, 2014 at 9:00 AM in the Government Center Commission Room, Building C, 2725 Judge Fran Jamieson Way, Viera, Florida.

CALL TO ORDER

Attendee Name	Title	Status	Arrived
Robin Fisher	Vice Chairman/Commissioner District 1	Absent	
Chuck Nelson	Commissioner District 2	Present	
Trudie Infantini	Commissioner District 3	Present	
Mary Bolin Lewis	Chairman/Commissioner District 4	Present	
Andy Anderson	Commissioner District 5	Present	

INVOCATION

Reverend Ivan Corbin, Grace United Methodist Church, Merritt Island, provided the invocation.

PLEDGE OF ALLEGIANCE

Commissioner Mary Bolin Lewis led the assembly in the Pledge of Allegiance.

APPROVAL OF MINUTES

The Board approved the August 7, 2014 Zoning Meeting Minutes and the August 19, 2014 Regular Meeting Minutes.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Trudie Infantini, Commissioner District 3
SECONDER:	Andy Anderson, Commissioner District 5
AYES:	Chuck Nelson, Trudie Infantini, Mary Bolin Lewis, Andy Anderson
ABSENT:	Robin Fisher

ITEM I.A., RESOLUTION AND PRESENTATION, RE: 2014 LAUNCH THE VOTE STUDENT ART CONTEST AWARD PRESENTATION FOR THE 1ST, 2ND, AND 3RD PLACE WINNERS

Commissioner Nelson read aloud, and the Board adopted Resolution No. 14-181, congratulating the 2014 Launch the Vote Student Art Contest First, Second, and Third Place Winners and Honorable Mention Winners.

Lori Scott, Supervisor of Elections, stated the students did a great job and their art work was so good; they could not have done this contest without their partners Chick-fil-A; and the art work will be displayed in the Supervisor of Elections Office and in the Brevard County Chick-fil-A locations.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Chuck Nelson, Commissioner District 2
SECONDER:	Andy Anderson, Commissioner District 5
AYES:	Chuck Nelson, Trudie Infantini, Mary Bolin Lewis, Andy Anderson
ABSENT:	Robin Fisher

ITEM I.B., RESOLUTION, RE: PROCLAIMING OCTOBER 5-11, 2014, AS NATIONAL 4-H WEEK IN BREVARD COUNTY

Chairman Bolin Lewis introduced Addison Duncan, Linda Seals, Andy Thompson, Vanessa Spero-Swingle.

Chairman Bolin Lewis read aloud, and the Board adopted Resolution No. 14-182, proclaiming October 5-11, 2014, as National 4-H Week in Brevard County.

Vanessa Spero-Swingle expressed her appreciation to the Board for the Resolution. She stated it is National Youth Science Day this week for 4-H; Wednesday they are launching their Science Day, which is a rocket program targeting four sites in Brevard County beginning at Golfview Elementary; and there is also the Brevard County Fair. She went on to say their big highlight is November 1, 2014, which is the Market Poultry Auction and Social.

Addison Duncan stated he has always had a passion for horses and that is what got him into 4-H to begin with; 4-H is giving him opportunities to explore what he wants to be; and he definitely thinks 4-H is a very influential part of a lot of youths lives. He stated he has made a ton of friends, taught him of how to take responsibility for his actions, taught him humility, and to make life choices.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Chuck Nelson, Commissioner District 2
SECONDER:	Mary Bolin Lewis, Chairman/Commissioner District 4
AYES:	Chuck Nelson, Trudie Infantini, Mary Bolin Lewis, Andy Anderson
ABSENT:	Robin Fisher

ITEM I.C., RESOLUTION, RE: RECOGNIZING OCTOBER 2014 AS DOMESTIC VIOLENCE MONTH IN BREVARD COUNTY

Commissioner Anderson read aloud, and the Board adopted, Resolution No. 14-183, recognizing October 2014 as Domestic Violence Month in Brevard County.

A representative from the Brevard County Domestic Violence Task Force expressed her appreciation to the Board for the Resolution.

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RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Andy Anderson, Commissioner District 5
SECONDER:	Chuck Nelson, Commissioner District 2
AYES:	Chuck Nelson, Trudie Infantini, Mary Bolin Lewis, Andy Anderson
ABSENT:	Robin Fisher

ITEM I.D., RESOLUTION, RE: PROCLAIMING THE WEEK OF OCTOBER 5-11, 2014, AS FIRE PREVENTION WEEK

Chairman Bolin Lewis read aloud, and the Board adopted, Resolution No. 14-184, proclaiming October 5-11, 2014, as Fire Prevention Week.

Brevard County Fire Marshall Frank Scates stated he knows several people who had fires and they did not have smoke detectors that worked; there is an event at the Merritt Square Mall over the weekend; and he expressed his appreciation to the Board.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Chuck Nelson, Commissioner District 2
SECONDER:	Andy Anderson, Commissioner District 5
AYES:	Chuck Nelson, Trudie Infantini, Mary Bolin Lewis, Andy Anderson
ABSENT:	Robin Fisher

ITEM I.E., RESOLUTION, RE: RECOGNIZING AND CONGRATULATING HONOR AMERICA, INC. ON THEIR 40TH ANNIVERSARY

Chairman Bolin Lewis read aloud, and the Board adopted, Resolution No. 14-185, recognizing and congratulating Honor America, Inc. on their 40th Anniversary.

Stephanie Eley stated she would like to invite the Board to its Patriot Dinner; and it will be held at the Rialto Hilton.

John Tice expressed his appreciation to the Board for the Resolution.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Andy Anderson, Commissioner District 5
SECONDER:	Chuck Nelson, Commissioner District 2
AYES:	Chuck Nelson, Trudie Infantini, Mary Bolin Lewis, Andy Anderson
ABSENT:	Robin Fisher

ITEM II.A.1., DESIGN AGREEMENT WITH THE DEPARTMENT OF THE ARMY, RE: DESIGN OF THE MID REACH SEGMENT OF THE SHORE PROTECTION PROJECT

The Board authorized the Chairman to execute the Design Agreement, substantially in the form of the draft, subject to the County Attorney and Risk Management approval; approved for the County Manager to authorize payment of local cost share as required to complete design work; and approved any necessary budget change requests.

RESULT: ADOPTED [UNANIMOUS]
MOVER: Andy Anderson, Commissioner District 5
SECONDER: Chuck Nelson, Commissioner District 2
AYES: Chuck Nelson, Trudie Infantini, Mary Bolin Lewis, Andy Anderson
ABSENT: Robin Fisher

ITEM II.A.2., INTERLOCAL AGREEMENT WITH TOWN OF GRANT-VALKARIA, RE: IMPLEMENTATION OF THE TOWNS STORMWATER PROGRAM

The Board authorized the Chairman to execute Interlocal Agreement with the Town of Grant-Valkaria, and any subsequent amendments, as necessary, for implementation of the Town's Stormwater Program, subject to County Attorney and Risk Management final approval; and authorized any necessary budget change requests.

RESULT: ADOPTED [UNANIMOUS]
MOVER: Andy Anderson, Commissioner District 5
SECONDER: Chuck Nelson, Commissioner District 2
AYES: Chuck Nelson, Trudie Infantini, Mary Bolin Lewis, Andy Anderson
ABSENT: Robin Fisher

ITEM II.A.3., PERMIT FEE REDUCTION, RE: SURFACE WATER PERMIT NOX. 14BC04618 AND 14BC07512 - CUSTOM DOCKS MARINE CONTRACTORS, INC.

The Board approved reduction of tow After-the-Face (ATF) surface water permit fees, 14BC04618 and 14BC07512, as requested by Custom Docks Marine Contractors, Inc.

RESULT: ADOPTED [UNANIMOUS]
MOVER: Andy Anderson, Commissioner District 5
SECONDER: Chuck Nelson, Commissioner District 2
AYES: Chuck Nelson, Trudie Infantini, Mary Bolin Lewis, Andy Anderson
ABSENT: Robin Fisher

ITEM II.A.4., PRELIMINARY PLAT/FINAL ENGINEERING APPROVAL, RE: MATANILLA REEF AT AQUARINA - ARMANDA US, INC.

The Board approved preliminary plat/final engineering approval for Matanilla Reef at Aquarina Subdivision, subject to minor engineering changes, as applicable, and compliance with the approved site plan; and the developer responsible for obtaining all other necessary jurisdictional permits.

RESULT: ADOPTED [UNANIMOUS]
MOVER: Andy Anderson, Commissioner District 5
SECONDER: Chuck Nelson, Commissioner District 2
AYES: Chuck Nelson, Trudie Infantini, Mary Bolin Lewis, Andy Anderson
ABSENT: Robin Fisher

ITEM II.A.6., SIDEWALK EASEMENT, WARRANTY DEED (RIGHT-OF-WAY), AND SANITARY SEWER/FORCE MAIN/GRAVITY SEWER EASEMENT FROM SUNTREE VIERA PROPERTIES, LLC; SIDEWALK EASEMENT AND WARRANTY DEED (RIGHT-OF-WAY) FROM IMPERIAL SOUTH, INC.; BELL SOUTH TELECOMMUNICATIONS SUBORDINATION OF UTILITY INTERESTS; AND FLORIDA POWER & LIGHT (FPL) SUBORDINATION OF UTILITY INTERESTS, RE: PROPERTY LOCATED ON WICKHAM ROAD AND PINEDA COURT

The Board accepted Sanitary Sewer/Force/Gravity Sewer Easement from Suntree Viera Properties, LLC, Sidewalk Easement and Warranty Deed (Right-of-Way) from Imperial South, Inc., and Subordination of Utility Interests with BellSouth Telecommunications; and executed Subordination of Utility Interests with Florida Power & Light (FPL) for property located on Wickham Road and Pineda Court.

RESULT: ADOPTED [UNANIMOUS]
MOVER: Andy Anderson, Commissioner District 5
SECONDER: Chuck Nelson, Commissioner District 2
AYES: Chuck Nelson, Trudie Infantini, Mary Bolin Lewis, Andy Anderson
ABSENT: Robin Fisher

ITEM II.A.8., APPROVAL, RE: PERMISSION TO QUOTE MATERIALS AND SERVICES FOR ROAD AND BRIDGE CONSTRUCTION PROJECTS

The Board granted permission to utilize written quotations to acquire construction materials or services on a job-by-job basis; and authorized the County Manager, or his designee, to award to the lowest responsive quotation through September 30, 2015, for materials and services on annual bid that contracted vendors are not able to provide during this time, or when the market conditions or public safety concerns prohibit formal bidding.

RESULT: ADOPTED [3 TO 1]
MOVER: Andy Anderson, Commissioner District 5
SECONDER: Chuck Nelson, Commissioner District 2
AYES: Chuck Nelson, Mary Bolin Lewis, Andy Anderson
NAYS: Trudie Infantini
ABSENT: Robin Fisher

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ITEM II.A.9., REQUEST FOR WAIVER, RE: DRIVEWAY SETBACK OF INTERSECTING RIGHT-OF-WAYS FOR 942 JACARANDA DRIVE, BAREFOOT BAY

The Board approved Mr. And Mrs. Barbour's request to allow them to keep the widened portion of their driveway that was constructed in the County right-of-way without a permit for property located at 942 Jacaranda Drive in Barefoot Bay.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Andy Anderson, Commissioner District 5
SECONDER:	Chuck Nelson, Commissioner District 2
AYES:	Chuck Nelson, Trudie Infantini, Mary Bolin Lewis, Andy Anderson
ABSENT:	Robin Fisher

ITEM II.A.10., TASK ORDER NO. 9 WITH REISS ENGINEERING, INC., RE: MIMS WATER TREATMENT PLANT DISTRIBUTION SYSTEM IMPROVEMENTS EVALUATION

The Board executed Task Order No. 9 with Reiss Engineering, Inc., in the amount of \$115,000, for water distribution system improvements evaluation of the Mims Water Treatment Plant (WTP); and approved associated budget changes.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Andy Anderson, Commissioner District 5
SECONDER:	Chuck Nelson, Commissioner District 2
AYES:	Chuck Nelson, Trudie Infantini, Mary Bolin Lewis, Andy Anderson
ABSENT:	Robin Fisher

ITEM II.B.2., LOW INCOME POOL AGREEMENTS WITH FLORIDA AGENCY FOR HEALTH CARE ADMINISTRATION, RE: BREVARD COUNTY HEALTH DEPARTMENT

The Board executed Low Income Pool Agreements with State of Florida Agency for Health care Administration for the Brevard County Health Department.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Andy Anderson, Commissioner District 5
SECONDER:	Chuck Nelson, Commissioner District 2
AYES:	Chuck Nelson, Trudie Infantini, Mary Bolin Lewis, Andy Anderson
ABSENT:	Robin Fisher

ITEM II.B.3., APPROVAL, RE: FY 2014-2015 COMMUNITY ACTION BOARD COMMUNITY-BASED ORGANIZATIONS (CBO) RECOMMENDATIONS

The Board approved the recommendations of the Community Action Board (CAB) to provide \$510,200 in funding to 10 community-based organizations (CBO); and authorized the Chairman, and/or County Manager, or his designee, to execute subsequent modification and amendments to the agreements, upon review and approval by the County Attorney and Risk Management.

RESULT: ADOPTED [UNANIMOUS]
MOVER: Andy Anderson, Commissioner District 5
SECONDER: Chuck Nelson, Commissioner District 2
AYES: Chuck Nelson, Trudie Infantini, Mary Bolin Lewis, Andy Anderson
ABSENT: Robin Fisher

ITEM II.B.4., COOPERATION AGREEMENT THE TOWN OF MALABAR AND EEL PROGRAM, RE: MALABAR SCRUB NATURE SANCTUARY

The Board executed Cooperation Agreement with Town of Malabar with the intent to reduce the potential design and construction costs of the Town Hall and the County's Management and Environmental Education Center, through the use of a common A&E and construction firm.

RESULT: ADOPTED [UNANIMOUS]
MOVER: Andy Anderson, Commissioner District 5
SECONDER: Chuck Nelson, Commissioner District 2
AYES: Chuck Nelson, Trudie Infantini, Mary Bolin Lewis, Andy Anderson
ABSENT: Robin Fisher

ITEM II.B.5., BILLBOARD LEASE AGREEMENT #13728 WITH CLEAR CHANNEL OUTDOOR, INC., RE: SCOTTSMOOR FLATWOODS SANCTUARY

The Board executed Billboard Lease Agreement #13728 with Clear Channel Outdoor, Inc. For the billboard located at Scottsmoor Flatwoods Sanctuary.

RESULT: ADOPTED [UNANIMOUS]
MOVER: Andy Anderson, Commissioner District 5
SECONDER: Chuck Nelson, Commissioner District 2
AYES: Chuck Nelson, Trudie Infantini, Mary Bolin Lewis, Andy Anderson
ABSENT: Robin Fisher

ITEM II.C.2., AWARD OF CONTRACT, RE: INTERNAL AUDITING SERVICES RFP #P-3-14-18

The Board executed Contract with selected firm of McGladrey LLP and Carr, Riggs & Ingram, LLC for Internal Auditing Services, RFP #P-3-14-18.

RESULT: ADOPTED [UNANIMOUS]
MOVER: Andy Anderson, Commissioner District 5
SECONDER: Chuck Nelson, Commissioner District 2
AYES: Chuck Nelson, Trudie Infantini, Mary Bolin Lewis, Andy Anderson
ABSENT: Robin Fisher

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ITEM II.C.3., APPROVAL, RE: TOURIST DEVELOPMENT COUNCIL (TDC) FY 2014-2015 ADVERTISING MEDIA PLAN AND PURCHASE ORDERS FOR AD PLACEMENT, PRODUCTION, AND PROMOTION COSTS OVER \$100,000

The Board tabled consideration of Tourist Development Council (TDC) FY 2014-15 Advertising Media Plan and Purchase Orders for Ad Placement, Production, and Promotion Costs Over 100,000, to the October 21, 2014, Board meeting.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Trudie Infantini, Commissioner District 3
SECONDER:	Andy Anderson, Commissioner District 5
AYES:	Chuck Nelson, Trudie Infantini, Mary Bolin Lewis, Andy Anderson
ABSENT:	Robin Fisher

ITEM II.C.4., APPROVAL, RE: EXPENSES IN THE AMOUNT OF \$8,992.15 TO IGNITE SALES AND MARKETING (ISM)FOR FY 2013-2014 CONTRACTED SERVICES, TERMINATION OF CONTRACT WITH ISM, AND COMMENCEMENT OF NEW CONTRACT WITH DAVID MCKEE ASSOCIATES LIMITED FOR EUROPEAN SALES AND MARKETING

The Board tabled consideration of expenses in the amount of \$8,992.15 to ISM for expenses exceeding \$100,000 for current year services to represent the TDC in Europe, terminating the Contract with ISM, to the October 21, 2014, Board meeting.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Trudie Infantini, Commissioner District 3
SECONDER:	Andy Anderson, Commissioner District 5
AYES:	Chuck Nelson, Trudie Infantini, Mary Bolin Lewis, Andy Anderson
ABSENT:	Robin Fisher

ITEM II.D.1., AGREEMENT WITH FEDERAL GOVERNMENT/PATRICK AIR FORCE BASE (PAFB), RE: EMS TRANSPORT SERVICES FOR PAFB

The Board executed Agreement with the Federal Government/Patrick Air Force Base (PAFB) for EMS Transport Services for Government beneficiaries and general population on PAFB.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Andy Anderson, Commissioner District 5
SECONDER:	Chuck Nelson, Commissioner District 2
AYES:	Chuck Nelson, Trudie Infantini, Mary Bolin Lewis, Andy Anderson
ABSENT:	Robin Fisher

ITEM II.D.2., INTERLOCAL AGREEMENT WITH CITY OF CAPE CANAVERAL/CANAVERAL PORT AUTHORITY, RE: E-911 DISPATCHING SERVICES

The Board executed Interlocal Agreement with City of Cape Canaveral/Canaveral Port Authority for E-911 Dispatch Services and Automatic Aid.

RESULT: ADOPTED [UNANIMOUS]
MOVER: Andy Anderson, Commissioner District 5
SECONDER: Chuck Nelson, Commissioner District 2
AYES: Chuck Nelson, Trudie Infantini, Mary Bolin Lewis, Andy Anderson
ABSENT: Robin Fisher

ITEM II.D.3., AGREEMENT WITH CAPE CANAVERAL VOLUNTEER FIRE DEPARTMENT, INC. (CCVFD), RE: E-911 DISPATCHING SERVICES AND FACILITY USE FOR A BCFR AMBULANCE

The Board executed Agreement with Cape Canaveral Fire Department, Inc. For E-911 Dispatching Services and facility use for a BCFR ambulance.

RESULT: ADOPTED [UNANIMOUS]
MOVER: Andy Anderson, Commissioner District 5
SECONDER: Chuck Nelson, Commissioner District 2
AYES: Chuck Nelson, Trudie Infantini, Mary Bolin Lewis, Andy Anderson
ABSENT: Robin Fisher

ITEM II.D.4., INTERLOCAL AGREEMENT WITH CITY OF ROCKLEDGE, RE: E-911 DISPATCHING SERVICES

The Board executed Interlocal Agreement with City of Rockledge for Dispatching Services, Automatic Aid, and facility use for a BCFR ambulance.

RESULT: ADOPTED [UNANIMOUS]
MOVER: Andy Anderson, Commissioner District 5
SECONDER: Chuck Nelson, Commissioner District 2
AYES: Chuck Nelson, Trudie Infantini, Mary Bolin Lewis, Andy Anderson
ABSENT: Robin Fisher

ITEM II.D.5., INTERLOCAL AGREEMENT WITH TOWN OF MALABAR, RE: E-911 DISPATCHING SERVICES

The Board executed Interlocal Agreement with the Town of Malabar for E-911 Dispatching Services.

RESULT: ADOPTED [UNANIMOUS]
MOVER: Andy Anderson, Commissioner District 5
SECONDER: Chuck Nelson, Commissioner District 2
AYES: Chuck Nelson, Trudie Infantini, Mary Bolin Lewis, Andy Anderson
ABSENT: Robin Fisher

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ITEM II.D.6., INTERLOCAL AGREEMENT WITH CITY OF INDIAN HARBOUR BEACH, RE: AUTOMATIC AID AND E-911 DISPATCHING SERVICES

The Board executed Interlocal Agreement with City of Indian Harbour Beach for E-911 Dispatching Services and Automatic Aid.

RESULT: ADOPTED [UNANIMOUS]
MOVER: Andy Anderson, Commissioner District 5
SECONDER: Chuck Nelson, Commissioner District 2
AYES: Chuck Nelson, Trudie Infantini, Mary Bolin Lewis, Andy Anderson
ABSENT: Robin Fisher

ITEM II.D.7., APPOINTMENTS/REAPPOINTMENTS, RE: CITIZEN ADVISORY BOARDS

The Board appointed **Steve Ranieri** to the Parks and Recreation South Service Sector Advisory Board, with term expiring December 31, 2015.

RESULT: ADOPTED [UNANIMOUS]
MOVER: Andy Anderson, Commissioner District 5
SECONDER: Chuck Nelson, Commissioner District 2
AYES: Chuck Nelson, Trudie Infantini, Mary Bolin Lewis, Andy Anderson
ABSENT: Robin Fisher

ITEM II.D.8., APPROVAL, RE: BILLFOLDER

The Board approved the Billfolder, as submitted.

RESULT: ADOPTED [3 TO 1]
MOVER: Andy Anderson, Commissioner District 5
SECONDER: Chuck Nelson, Commissioner District 2
AYES: Chuck Nelson, Mary Bolin Lewis, Andy Anderson
NAYS: Trudie Infantini
ABSENT: Robin Fisher

ITEM II.A.5., BINDING DEVELOPMENT PLAN, RE: LGH GROVE, LLC AND HARVEY'S INDIAN RIVER GROVES, INC.

Commissioner Infantini stated this is a binding development plan for Harvey's Groves; this is where the Board voted to approve a housing development with greater density than many of the people in the community wanted; there is an item in the binding development plan that states that the roadway will be limited to not more than one entry on Hall Road and not more than one entry on Courtenay Parkway, and it does not say at least one entry. She stated her concern is they may have no entries to the development on Courtenay Parkway, which would make the primary entrance and exit onto Hall Road which is already congested. She asked the words to be changed to 'not more than' and 'at least' so that there are access points on both roads.

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Kim Rezanka, Dean Mead, stated she represents Titan Realty Corporation, the applicant in this matter. She stated this binding development plan was before the Board on October 7, 2014, and prior to that in May; the Code requires there be two access points; and there will be two access points. She went on to say they have showed the Board a conceptual plan that shows the main access is off of Courtenay; the developer has no intent in putting the main access off Hall Road as it makes no sense; and there is only a small number of houses down there. She asked the Board to approve the binding development plan as presented.

Commissioner Infantini inquired since it is Ms. Rezanka's desire that there will be one access on Courtenay Parkway and one on Hall Road what the harm would be in adding those two words 'at least'; stated that will not change the intent; and the change to the term does nothing for their intent. Ms. Rezanka replied it is not necessary; it is a further delay to something that has already been delayed two and one-half months; and that is their problem with it. She stated there is no way to put two entrances on Hall Road based on the design of the land. Commissioner Infantini stated then she will not mind changing the wording to add 'at least'. Ms. Rezanka stated they do mind because it will further delay the project; and it has to go back to all the signatures and reviews by both the County staff and County Attorney. Commissioner Infantini stated even if it takes two weeks to limit, she does not think Ms. Rezanka has made a valid argument.

Commissioner Nelson inquired if the Code requires the two accesses to the subdivision. Robin Sobrino, Planning and Development Director, replied it probably would from a fire rescue standpoint; and it is not in the Land Development Code.

Mel Scott, Assistant County Manager, stated as a point of procedure, if the Board would add that proposed language to the BDP they would have to go back to the public hearing process because it would be a departure from what the Board voted on; and they would at least have to notice the neighborhood because there would be a potential for access to be different from what they saw when the Board adopted this.

Commissioner Anderson stated Ms. Rezanka has put it on the record, as far as he is concerned. He stated he is not willing to slow it down.

Commissioner Infantini stated that was staff's and the County Attorney's interpretation of what was said during that meeting; at the meeting the Board agreed that there would be one access point on Courtney and one access on Hall Road; and this says not more than, which is not what was agreed for the binding development plan. She noted she is all for progress but this violates what was agreed to.

Commissioner Nelson stated the issue was if the veterinarian has a shared access; it was stated in testimony it would be determined by Florida Department of Transportation because it is its road; and it comes down to whatever FDOT will actually permit. He stated from a practical perspective, having a single entrance does not make sense to the lay of the project.

Ms. Sobrino stated the North Merritt Island Board made the recommendation for this language, and it was the motion of the Board to accept their recommendation.

Commissioner Infantini stated sometimes when people take recommendations, they do not always look with the same critical eye that can be viewed by an outside individual; when she read it the first time, she read it like Ms. Rezanka portrayed it; but when she read it the second time, she realized there was a loophole. She sent an email to the residents letting them know there is a loophole in this program.

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Commissioner Nelson stated he is comfortable they represented they are doing the two entrances; staff is aware it is the desire of the Board to have two accesses; and moving forward will achieve what Commissioner Infantini is trying to achieve without a delay.

RESULT:	ADOPTED [3 TO 1]
MOVER:	Andy Anderson, Commissioner District 5
SECONDER:	Chuck Nelson, Commissioner District 2
AYES:	Chuck Nelson, Mary Bolin Lewis, Andy Anderson
NAYS:	Trudie Infantini
ABSENT:	Robin Fisher

ITEM II.A.7., RESOLUTION, RE: SUPPORTING SPACE COAST TRANSPORTATION PLANNING ORGANIZATION'S (TPO) EFFORTS TO COORDINATE THE APPLICATION FOR A CONTINUOUS QUIET ZONE EFFECTED BY ALL ABOARD FLORIDA GRADE CROSSINGS (COUNTYWIDE)

Commissioner Infantini stated Commissioner Fisher in the previous meeting said she was wrong on her resolution; she said he had taken it out of context; she will place the resolution on her County website; and those who are interested, can look. She is concerned about a continuous quiet zone; she is not excited to have quiet zones throughout the County and never have a train sound or horn; she represents Barefoot Bay and it scares her to think they will have crossings without the advance warning of a horn; and she requested this be tabled until more information is provided.

Motion by Commissioner Infantini to table the item to a future Board meeting. Motion died due to lack of a second.

Commissioner Anderson stated it is inevitable that All Aboard Florida is coming through Brevard County; from his experience, not having the quiet zones is a detriment to the quality of life of the residents; and they have to put upgraded safety equipment and other things into the crossings through the quiet zones agreement.

Commissioner Infantini stated Commissioner Anderson stated he was concerned the trains would be blowing their horns every 15 to 30 minutes; and she inquired if it is his concern that there is going to be so much train traffic that every 15 or 30 minutes there is going to be trains crossing. Commissioner Anderson replied that has been his experience with the railroad that he encountered when he was in Ohio on vacation that it was 15 to 20 minutes, 24 hours a day; and in the event it is the case in the future, he does not want to listen to a train once an hour. He stated it ensures there is not harm to property values; when there is excessive noise, it is hard to show a house; and every city has approved this.

Commissioner Nelson stated quiet zones are the highest level of safety that can be achieved; it is silly to think honking horns from about a mile away is something to savor; and in the end there will be multiple decisions that need to be made.

Commissioner Infantini stated the trains do not run along Merritt Island, but they do run along U.S. Highway 1; when a person hears a horn, he or she knows something is about to happen; it happens well before the crossing arms come down; and it gives a person increased notification of how to react. She stated she represents an elderly population; she is fine with the quiet zones at night; but during the days, there are already traffic fatalities. She stated Commissioner Anderson is talking about the quality of life for the residents because of the constant trains, she

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is worried about the quality of life for the residents; and she does not understand why there is no support from the Board to do some sort of push back to All Aboard Florida.

Commissioner Anderson stated quite frankly from what he learned over the past six months, the Board has little say so of whether it goes through or not; it is a private property and private funding; and it falls under the jurisdiction of State and federal. He pointed out if the residents he represents found out the Board had an opportunity to lessen the noise associated with something such as All Aboard Florida and it did not take action, they would be very upset.

Commissioner Nelson stated at intersections they also have bells; he hopes the seniors are not walking on the railroad track because it would be illegal; and at the crossings the horns are localized to the intersection as opposed to on the train itself.

Commissioner Infantini stated the residents she is most concerned of are the ones crossing the railroad tracks in their wheelchair; and a person actually got caught on the tracks in a wheelchair. She stated that is why she is so concerned.

The Board adopted Resolution No. 14-186, supporting Space Coast TPO's efforts to coordinate the application for a continuous quiet zone affected by All Aboard Florida grade crossings.

RESULT:	ADOPTED [3 TO 1]
MOVER:	Andy Anderson, Commissioner District 5
SECONDER:	Chuck Nelson, Commissioner District 2
AYES:	Chuck Nelson, Mary Bolin Lewis, Andy Anderson
NAYS:	Trudie Infantini
ABSENT:	Robin Fisher

ITEM II.B.1., RESOLUTION AND AGREEMENT WITH STATE OF FLORIDA, DEPARTMENT OF HEALTH, RE: OPERATION OF THE BREVARD COUNTY HEALTH DEPARTMENT FOR FY 2014-2015

Commissioner Infantini stated this deals with some of the things that the Health Department regulates along with the State of Florida; one of the problems she has is there is an aerator inspection for people that have aerated septic systems; those systems have to be inspected every two years; and then they are not allowed to make their own repairs. She stated she thinks the State should monitor the aerator systems.

Commissioner Nelson stated the State does monitor that; it is called the County Health Department but they are a State Agency. He stated when a person puts one of these systems in, he or she agrees that is okay when they receive their permit.

Commissioner Infantini pointed out people move in with those systems already in place; they are not aware they will be subjected to bi-annual permitting and the increased regulations on that type of system; and most of the people who have those system are unaware of the pitfalls. She stated she wants to get of the fee on that.

Commissioner Nelson stated there are a lot of things required, and if a person is buying a home, he or she needs to know those things.

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Commissioner Infantini stated most of the people on aerator systems do not come close to the Lagoon; she supports the Lagoon; and she inquired why are so many millions of dollars poured into the North Brevard Economic Zone rather than funneling that money to the Lagoon.

Commissioner Nelson stated Commissioner Infantini cannot get through a meeting without bringing up that topic.

The Board adopted Resolution No. 14-187, and executed Agreement with Florida Department of Health for operation of the Brevard County Health Department for FY 2014-2015.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Chuck Nelson, Commissioner District 2
SECONDER:	Andy Anderson, Commissioner District 5
AYES:	Chuck Nelson, Trudie Infantini, Mary Bolin Lewis, Andy Anderson
ABSENT:	Robin Fisher

ITEM III.A., RESOLUTION, RE: PETITION TO VACATE PART OF A PUBLIC DRAINAGE EASEMENT IN HIDDEN HOLLOW SUBDIVISION, MERRITT ISLAND - LARRY G. CLARK

Chairman Bolin Lewis called for a public hearing to consider a resolution to vacate part of a public drainage easement in Hidden Hollow Subdivision in Merritt Island.

There being no comments or objections, the Board adopted Resolution No. 14-188, to vacate part of a public drainage easement in Hidden Hollow Subdivision in Merritt Island, as petitioned by Larry G. Clark.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Chuck Nelson, Commissioner District 2
SECONDER:	Andy Anderson, Commissioner District 5
AYES:	Chuck Nelson, Trudie Infantini, Mary Bolin Lewis, Andy Anderson
ABSENT:	Robin Fisher

ITEM III.B., ORDINANCE, RE: ECONOMIC DEVELOPMENT AD VALOREM EXEMPTION FOR PROJECT TRANSOM

Chairman Bolin Lewis called for a public hearing to consider an economic development ad valorem tax exemption for Project Transom.

Stockton Whitten, County Manager, stated this is a request for an economic development tax exemption for Project Transom; Project Transom is considering locating at Bertram Way, Merritt Island; and should they move forward, they plan on creating 380 new jobs with an average wage of \$45,000 and an investment of \$16.2 million in capital expenditures.

Commissioner Nelson stated Bertram Way is not going to be there; this abatement is actually going to be \$70,000 less per year but create 159 more jobs; and it is certainly a good project.

Commissioner Infantini stated the problem with this tax abatement is it will be given to the property owners, however all of the taxes that would have been collected on that piece of

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property will still go into the Merritt Island Redevelopment Agency (MIRA); it will come out of the General Fund, even though tax dollars are not coming into the County; tax dollars will be leaving the County General Fund to go into the MIRA; and she asked the Board to amend the motion to state no taxes will be going from the General Fund into MIRA since they will not be being paid to the County.

Commissioner Nelson stated the Board did not do it for Harris Corporation or others involved; if jobs are going to be encouraged, to do just that; and the fact this happens to be in MIRA is coincidental and it will happen from time to time.

Commissioner Infantini inquired where the money is going to be gotten to pay that tax abatement to MIRA; and what items will be cut from the budget for the extra money. She stated these individuals just bought this property a couple years ago for \$6 million; she does not think they spent the money anticipating getting this tax abatement; but a couple of weeks ago, the Board approved expanding the MIRA boundaries to include this specific piece of property.

Commissioner Nelson stated the motion to expand the boundaries almost two years ago; and he asked to just move on.

There being no further comments, the Board adopted Ordinance No. 14-31, providing Economic Development Ad Valorem Exemption for Project Transom.

RESULT:	ADOPTED [3 TO 1]
MOVER:	Chuck Nelson, Commissioner District 2
SECONDER:	Andy Anderson, Commissioner District 5
AYES:	Chuck Nelson, Mary Bolin Lewis, Andy Anderson
NAYS:	Trudie Infantini
ABSENT:	Robin Fisher

ITEM V.C.1., RESOLUTION AND LEASE AGREEMENT WITH TOM GOODSON, RE: OFFICE SPACE IN BREVARD COUNTY GOVERNMENT CENTER NORTH

The Board adopted Resolution No. 14-189, allowing the non-competitive lease of County property, office space in the Brevard County Government Center North to Representative Tom Goodson; and executed Lease Agreement providing office space for an initial term of 24 months, beginning November 13, 2014, for the nominal lease amount of \$1 per year, plus prorated share of the utilities, operation, and maintenance monthly in the amount of \$450 (\$5,400 per year).

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Andy Anderson, Commissioner District 5
SECONDER:	Chuck Nelson, Commissioner District 2
AYES:	Chuck Nelson, Trudie Infantini, Mary Bolin Lewis, Andy Anderson
ABSENT:	Robin Fisher

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ITEM V.E.1., RESOLUTION, RE: AUTHORIZING ORANGE COUNTY INDUSTRIAL DEVELOPMENT AUTHORITY TO ISSUE BONDS TO REFINANCE PROJECTS LOCATED IN THE COUNTY FOR TH BENEFIT OF THE CENTRAL FLORIDA YMCA

Stockton Whitten, County Manager, stated this Item is a request to approve a bond resolution authorizing the Orange County Industrial Development Authority to issue bonds to refinance projects located in the County for the benefit of the Central Florida YMCA; and that is through an interlocal agreement with the Orange County Industrial Development Authority. He went on to say Michael Weiner who is the attorney on this issue is present to answer questions if the Board has any.

Michael Weiner stated this will be issued by the Orange County Industrial Development Authority; it is a multi-jurisdictional financing; the YMCA of Central Florida is located in the Counties of Brevard, Seminole, Osceola, Marion, and Orange; the projects that are before the Board today to refinance are in Titusville and Melbourne; and they are asking for approval of the resolution and an interlocal agreement to authorize Orange County Industrial Development Authority to finance the bonds and to approve the public hearing held by Orange County for purposes of the purposes of the Tax Code.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Trudie Infantini, Commissioner District 3
SECONDER:	Andy Anderson, Commissioner District 5
AYES:	Chuck Nelson, Trudie Infantini, Mary Bolin Lewis, Andy Anderson
ABSENT:	Robin Fisher

ITEM V.F.1., APPROVAL, RE: PRECINCT LEGAL DESCRIPTIONS - ALTERED AND ADDED

The Board approved the revised precinct legal descriptions for the changes to existing precincts due to annexations by the City of Melbourne.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Chuck Nelson, Commissioner District 2
SECONDER:	Andy Anderson, Commissioner District 5
AYES:	Chuck Nelson, Trudie Infantini, Mary Bolin Lewis, Andy Anderson
ABSENT:	Robin Fisher

ITEM V.F.2., APPROVAL, RE: REQUISITION OF FISCAL YEAR 2015 BUDGET - BREVARD COUNTY SHERIFF'S OFFICE

The Board approved to requisition one-twelfth of the Fiscal Year 2015 budgeted funds at the first Board meeting in October 2014, one-sixth budget in January 2014, and equipment (capital) budget.

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RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Trudie Infantini, Commissioner District 3
SECONDER:	Chuck Nelson, Commissioner District 2
AYES:	Chuck Nelson, Trudie Infantini, Mary Bolin Lewis, Andy Anderson
ABSENT:	Robin Fisher

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

Commissioner Infantini stated Stockton Whitten, County Manager, presented something at the last meeting where when she made a statement about some property, she was misleading in the wording; it lead the listeners to believe the Board spend \$13 million on property the County was leasing to this individual for the cattle lease; and that was not the case. She went on to say she would never intentionally mislead the public. She apologized for the misstatement.

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

Commissioner Anderson stated there is going to be a joint groundbreaking, ribbon cutting for the St. Johns Heritage Parkway on January 13, 2015, at 5:30 p.m.; and he is sure although they will no longer be Commissioners, Commissioners Bolin Lewis and Nelson will be there. He commended everyone who helped put together the Melbourne Air and Space Show at the Melbourne Airport, it was fantastic; he stated Friday night privileged to go to a VIP event, the Thunderbird Pilots were there; the pilot he talked to had been an F-16 mechanic and went to officer candidate school to move up to be a Thunderbird; and he reiterated it was a great event.

ITEM VII.G., COMMISSIONER MARY BOLIN LEWIS, DISTRICT 4

Commissioner Bolin Lewis stated she also attended the air show; it was well-attended and the traffic was hard to handle; and it was very well presented.

By census of the Board, the meeting adjourned at 10:07 a.m.

ATTEST:

MARY BOLIN LEWIS, CHAIRMAN
BOARD OF COUNTY COMMISSIONERS
BREVARD COUNTY, FLORIDA

SCOTT ELLIS, CLERK