

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, 2012 at 9:03 AM in the Government Center Commission Room, Building C, 2725 Judge Fran Jamieson Way, Viera, Florida.

CALL TO ORDER

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

INVOCATION

Invocation by Pastor Jim Lilley, West Melbourne Community Church, West Melbourne.

PLEDGE OF ALLEGIANCE

Chairman Chuck Nelson led the assembly in the Pledge of Allegiance.

ITEM I.A., EMPLOYEE LONGEVITY PRESENTATION

Howard Tipton, County Manager, read a brief synopsis about each employee who were receiving a Longevity Award.

The Board recognized and presented Employee Longevity Recognition Plaques to the following employees: Gregory Lugar, Merritt Island Redevelopment Agency; and Timothy Hilton, Solid Waste Management Department, for 35 years of service; James Bell, Facilities Department; Diana Vosatka, Library Services Department; Tim Herron, Mosquito Control Department; and Judy Lewellen, Transit Services Department, for 30 years of service; and James Neviasher, Fire Rescue Department; Brenda Gray, Library Services Department; Thomas Stewart, Natural Resources Management Department; David Breadon, Parks and Recreation Department; James Fender and Johnny Roggenkamp, Public Works Department; and John Barnes, Utility Services Department, for 25 years of service.

ITEM I.B., RESOLUTION, RE: CONGRATULATING BREVARD ZOO FOR BEING RANKED ONE OF THE TOP TEN ZOOS IN THE COUNTRY

Commissioner Bolin Lewis read aloud, and the Board adopted Resolution No. 12-147, congratulating the Brevard Zoo for being ranked one of the top zoos in the Country.

Mike Carus, Brevard Zoo Board President, expressed his thanks to the Board for the Resolution.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Mary Bolin Lewis, Commissioner District 4
SECONDER:	Andy Anderson, Vice Chairman/Commissioner District 5
AYES:	Chuck Nelson, Andy Anderson, Mary Bolin Lewis, Trudie Infantini

ITEMS PULLED FROM CONSENT AGENDA

Howard Tipton, County Manager, stated Item III.A.3., Final Platt Approval, Re: Walkabout Golf Course, SD0606003 - Florida Land and Title Corporation, needs to be moved and heard with Item V.A., Resolution, Re: Petition to Vacate Public Ingress/Egress Easements and Wellsite Easement, Walkabout, Section 1, Township 21 Souty, Range 34 East - Masteller, Molers, Reed & Taylor, Inc.

Chairman Nelson pulled Item III.A.5., Resolution, Re: Authorizing Advertisement of Public Hearing to Consider Vacating a Portion of London Boulevard (FKA Roosevelt Avenue), Map of Kelly Park/Zvonimir Matkovic, Radovan Cvetkovic, Keith Notary, and A.C. Notary.

Commissioner Infantini stated she will be voting nay on Item III.B.1., Approval, Re: Budget Change Requests; and she will be voting nay on Item III.C.1., Resolution to Consider a Qualified Targeted Industry Tax Refund with High-Impact Sector and Cash Local Financing Support (LFS), Re: Project Planet.

ITEM III.A.2., INTERLOCAL AGREEMENT WITH CITY OF SATELLITE BEACH, RE: CASSIA DRAINAGE BASIN TREATMENT PROJECT, PHASE 3

The Board executed Interlocal Agreement with the City of Satellite Beach to provide \$100,000 of the local cost-share required for Phase 3 of the Cassia Drainage Basin Treatment Project; and approved associated Budget Change Requests.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Trudie Infantini, Commissioner District 3
SECONDER:	Andy Anderson, Vice Chairman/Commissioner District 5
AYES:	Chuck Nelson, Andy Anderson, Mary Bolin Lewis, Trudie Infantini

ITEM III.A.4., RESOLUTION AND INTERLOCAL AGREEMENT WITH TOWN OF GRANT-VALKARIA, RE: CONVEYANCE OF PROPERTY AND EASEMENTS AND STIPULATING CONDITIONS REGARDING PROPOSED PARK AND TOWN HALL ON COUNTY OWNED PROPERTY AT 1445 VALKARIA ROAD

The Board adopted Resolution No. 12-148, and executed Interlocal Agreement with the Town of Grant-Valkaria for the conveyance of property and easements, and stipulating conditions regarding proposed park and town hall on County owned property located at 1445 Valkaria Road; authorized all Budget Change Requests for this action; and authorized the Chairman to execute all agreements and documents as necessary.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Trudie Infantini, Commissioner District 3
SECONDER:	Andy Anderson, Vice Chairman/Commissioner District 5
AYES:	Chuck Nelson, Andy Anderson, Mary Bolin Lewis, Trudie Infantini

ITEM III.A.6., CONTINUATION, RE: BOARD POLICY BCC-53, MUNICIPAL SERVICE BENEFIT UNIT (MSBU)

The Board approved the continuation of Policy BCC-53 - Municipal Service Benefit Unit (MSBU).

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Trudie Infantini, Commissioner District 3
SECONDER:	Andy Anderson, Vice Chairman/Commissioner District 5
AYES:	Chuck Nelson, Andy Anderson, Mary Bolin Lewis, Trudie Infantini

ITEM III.A.7., PERMISSION TO SOLICIT A REQUEST FOR PROPOSALS (RFP) AND FORM AN EVALUATION COMMITTEE, RE: NEW TECHNOLOGY IN THE DISPOSAL OF SOLID WASTE

The Board granted permission for the Solid Waste Management Director to seek Request for Proposals (RFP) from firms that are offering a new technology in the disposal of solid waste; and approved the formation of an evaluation committee consisting of Solid Waste Management Director, Euripides Rodriguez, Assistant County Manager Mel Scott, and Natural Resources Management Director Ernie Brown.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Trudie Infantini, Commissioner District 3
SECONDER:	Andy Anderson, Vice Chairman/Commissioner District 5
AYES:	Chuck Nelson, Andy Anderson, Mary Bolin Lewis, Trudie Infantini

ITEM III.A.8., AWARD OF PROPOSAL P-3-12-14 TO RANDALL MARKETING, RE: TOURISM VISITOR PROFILE STUDY AND LODGING PRODUCT ASSESSMENT AND SURVEY OF BREVARD COUNTY, FLORIDA

The Board authorized award of Proposal #P-3-12-14 to Randall Marketing to conduct and provide a countywide year-long profile study and lodging product assessment and survey for the Brevard County Tourist Development Council/Tourism Development Office; and authorized Rob Varley, Tourism Development Office Executive Director, to negotiate rates and execute agreement with Randall Marketing.

RESULT: ADOPTED [UNANIMOUS]
MOVER: Trudie Infantini, Commissioner District 3
SECONDER: Andy Anderson, Vice Chairman/Commissioner District 5
AYES: Chuck Nelson, Andy Anderson, Mary Bolin Lewis, Trudie Infantini

ITEM III.A.9., AWARD OF BID NO. B-4-12-36 TO JOBEAR/WARDEN CONSTRUCTION, RE: CONTRACT FOR CONSTRUCTION OF THE S-10 LIFT STATION REPLACEMENT

The Board granted permission to award Bid No. B-4-12-36 to Jobear/Warden Construction; authorized the Chairman to execute the construction contract for the S-10 Lift Station Replacement at a total price of \$276,123; and authorized any associated budgetary changes.

RESULT: ADOPTED [UNANIMOUS]
MOVER: Trudie Infantini, Commissioner District 3
SECONDER: Andy Anderson, Vice Chairman/Commissioner District 5
AYES: Chuck Nelson, Andy Anderson, Mary Bolin Lewis, Trudie Infantini

ITEM III.B.1., APPROVAL, RE: BUDGET CHANGE REQUESTS

The Board approved the budget changes as submitted.

RESULT: ADOPTED [3 TO 1]
MOVER: Trudie Infantini, Commissioner District 3
SECONDER: Andy Anderson, Vice Chairman/Commissioner District 5
AYES: Chuck Nelson, Andy Anderson, Mary Bolin Lewis
NAYS: Trudie Infantini

ITEM III.B.2., AGREEMENT WITH BREVARD COUNTY AFFORDABLE HOUSING, LLC, RE: ACQUIRE AND REHABILITATE HOUSING UNITS

The Board executed an Agreement with Brevard County Affordable Housing, LLC, for affordable rental housing for persons whose income is at or below 80% of the area median income; and approved any future amendments or modifications to the contract, upon approval by the County Attorney and Risk Management.

RESULT: ADOPTED [UNANIMOUS]
MOVER: Trudie Infantini, Commissioner District 3
SECONDER: Andy Anderson, Vice Chairman/Commissioner District 5
AYES: Chuck Nelson, Andy Anderson, Mary Bolin Lewis, Trudie Infantini

ITEM III.B.3., AGREEMENT WITH BREVARD COMMUNITY PARTNERSHIP, INC., RE: AFFORDABLE RENTAL HOUSING

The Board executed an Agreement with Brevard Community Partnership, Inc., for affordable rental housing for persons whose income is at or below 80% of the area median income; and approved any future amendments or modifications to the contract, upon approval by the County Attorney and Risk Management.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Trudie Infantini, Commissioner District 3
SECONDER:	Andy Anderson, Vice Chairman/Commissioner District 5
AYES:	Chuck Nelson, Andy Anderson, Mary Bolin Lewis, Trudie Infantini

ITEM III.C.1., RESOLUTION TO CONSIDER A QUALIFIED TARGETED INDUSTRY TAX REFUND WITH HIGH-IMPACT SECTOR AND CASH LOCAL FINANCING SUPPORT (LFS), RE: PROJECT PLANET

The Board adopted a Qualified Target Industry (QTI) Resolution with High-Impact Sector Bonus and Cash as Local Financial Support (LFS) for Project Planet.

RESULT:	ADOPTED [3 TO 1]
MOVER:	Trudie Infantini, Commissioner District 3
SECONDER:	Andy Anderson, Vice Chairman/Commissioner District 5
AYES:	Chuck Nelson, Andy Anderson, Mary Bolin Lewis
NAYS:	Trudie Infantini

ITEM III.C.2., ACCEPTANCE, RE: UTILITY SERVICES FINANCIAL CONDITION REVIEW AND STORMWATER PROGRAM'S FINANCIAL CONDITION REVIEW

The Board accepted the Audit Committee's Utility Services Financial Condition Review and Stormwater Program's Financial Condition Review.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Trudie Infantini, Commissioner District 3
SECONDER:	Andy Anderson, Vice Chairman/Commissioner District 5
AYES:	Chuck Nelson, Andy Anderson, Mary Bolin Lewis, Trudie Infantini

ITEM III.C.3., RESOLUTION, RE: QUALIFYING PROJECT PHOTAS AS AN ELIGIBLE BUSINESS UNDER THE COUNTY'S TAX ABATEMENT PROGRAM

The Board adopted Resolution No. 12-150, qualifying Project Photas as an eligible business under the County's Tax Abatement Program; and authorized a public hearing to consider adopting an exemption ordinance.

RESULT: ADOPTED [UNANIMOUS]
MOVER: Trudie Infantini, Commissioner District 3
SECONDER: Andy Anderson, Vice Chairman/Commissioner District 5
AYES: Chuck Nelson, Andy Anderson, Mary Bolin Lewis, Trudie Infantini

ITEM III.C.5., SUBGRANT AGREEMENT WITH FLORIDA DEPARTMENT OF COMMUNITY AFFAIRS, RE: FY 2012/2013 EMERGENCY MANAGEMENT PERFORMANCE GRANT

The Board executed the FY 2012/2013 Emergency Management Performance Grant Agreement with the Florida Department of Community Affairs; and approved the County Manager his designee to submit and execute any additional changes, documents, budget actions, or amendments required under the grant contract.

RESULT: ADOPTED [UNANIMOUS]
MOVER: Trudie Infantini, Commissioner District 3
SECONDER: Andy Anderson, Vice Chairman/Commissioner District 5
AYES: Chuck Nelson, Andy Anderson, Mary Bolin Lewis, Trudie Infantini

ITEM III.C.8., APPROVAL, RE: BILLFOLDER

The Board approved the Billfolder as submitted.

RESULT: ADOPTED [UNANIMOUS]
MOVER: Trudie Infantini, Commissioner District 3
SECONDER: Andy Anderson, Vice Chairman/Commissioner District 5
AYES: Chuck Nelson, Andy Anderson, Mary Bolin Lewis, Trudie Infantini

ITEM III.A.5., RESOLUTION, RE: AUTHORIZING ADVERTISEMENT OF PUBLIC HEARING TO CONSIDER VACATING A PORTION OF LONDON BOULEVARD (FKA ROOSEVELT AVENUE) MAP OF KELLY PARK/ZVONIMIR MATKOVIC, RADOVAN CVETKOVIC, KEITH NOTARY, AND A.C. NOTARY

John Denninghoff, Public Works Director, stated ordinarily items such as this are not brought before the Board at this stage; due to a certain degree of concern associated with this item, it was chosen to come to the Board for its consent of a public hearing regarding the vacating of a road right-of-way located west of N. Banana River Drive and to the north of Sea Ray Drive; the request has come from the adjacent property owner to the east which has some land use restrictions on the property; and there are other property owners in the area who have interests acquiring this right-of-way. He went on to say the right-of-way provides ingress and egress for some other properties, but those properties do have a different and existing way to get to their properties; and he thinks the concern is what the property would be used for after it is vacated.

Chairman Nelson stated he is opposed to vacating this property; it is an access into a 10-acre Port Canaveral/Port Authority tract; and it would be a better access than the one they currently have. He added although they do have access, this is a straight shot into it; that is an industrial property and it would be vacating an access to an industrial property and creating what he

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thinks is a worse access. He advised the Board put numerous restrictions on this particular property when it was approved for its Conditional Use Permit (CUP), and this would create a circumstance that many of those restrictions would actually become more egregious. He added because of the access to the industrial property, it would be a huge mistake to cut off the Port's access; and it assures the Board that the Port Authority would not support it because it would not make sense from a land use perspective.

Chairman Nelson passed the gavel to Vice Chairman Anderson.

The Board denied the request to adopt a resolution authorizing advertisement of a notice to conduct a public hearing to consider vacating a portion of London Boulevard (fka Roosevelt Avenue), Map of Kelly Park in Section 7, Township 24 South, Range 37 East, as petitioned by Zvonimir Matkovic, Radovan Cvetkovic, Keith Notary, and A.C. Notary, due to the property being an access into a 10-acre Port Canaveral/Port Authority tract, and thereby vacating an access into an industrial property.

Vice Chairman Anderson passed the gavel back to Chairman Nelson.

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

ITEM IV., PUBLIC COMMENTS

Chairman Nelson stated there is nothing on the Agenda today about Feral Cats; and the Board will hear public comments, but are not able to comment because it is waiting for a report, so it understands what all the issues are.

George Mchaughlin stated if cats are left in the wild, they need to be taken care of; and he believes that Trap Neuter Return (TNR) is a humane way to control the population.

William Goman stated he is with Alley Cat Allies, is in support of TNR, and feels it works. He added, the changes in the Ordinance would not end cat colonies in Brevard County; and the cat colonies already exist, and any changes to the Ordinance will not change that, what it will do is change whether or not those cats are able to be neutered or not. He advised changes that prevent those cats from being neutered, or lessen those cats being neutered, will ultimately cause more problems for the County.

Dr. Robert B. Allen stated he would like to remind the Board that animals now have rights; and he would not be surprised if this particular law about owners rights regarding feral cats was put to a public vote, people might vote against it. He stated he believes 68% of the households in the United States have a household pet and he believes this factor has been left out of the current argument.

Colleen Larsen stated generally speaking, when an animal did not have a home anymore, it went to a shelter and people were around to take care of those animal and adopt them so they would not be euthanized, or not have a home. She added, since she came to the State of Florida, she has seen a lot of animals that do not have homes here; she heard a report on the news the other day that 10,000 are being euthanized every year in the Brevard County shelters; and it just seems like the problem has gotten worse. She added how the problem is resolved,

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and how it is made better is not just a black and white answer; there are so many variables to it; and decisions need to be made that affect people. She noted they want the State Parks to be able to be enjoyed by visitors, residents to enjoy their neighborhoods, parks, but there is also a horrible animal problem in Brevard County particularly that she has seen since she has lived here; and people move away and leave animals behind that were not spayed or neutered. She stated she believes in TNR and thinks they are trying to do their best to help control the animals.

Laura Siemers stated she is a local attorney in Brevard County, and she would like to stress to the Board not to make any decisions that will negatively affect the cats without any evidence. She advised in law they focus on evidence, and all she has heard from anyone who objects to the feral cats is just speculation at best. She added TNR and care givers of cat colonies are solving problems, the real problem of homeless cats.

Shirley Samchisen stated TNR works; and she was appalled when she moved here to find so many abandoned animals in Port St. John; and animals have shown up at her door because of the economy situation and people cannot provide for these animals. She added the people who adopt the animals should be held accountable for failing to properly take care of them; and the high cost to take care of these pets does not help.

Debbie Rich stated she supports the humane treatment of feral cats; there are many humane deterrents that work and she has used them herself with nuisance animals throughout the County successfully; and people need to be educated on them.

Katherine McCoy stated she is with People Underwriting the Rescue and Rehab of Stays (PURRS); and stated TNR works.

Chairman Nelson advised that Michelle Jenkins wrote a letter to the Board in support of TNR.

Dawn Whedbee stated she would like the cost of the moratorium to be considered; and added the consequence is that these care givers no longer want to work with TNR because they are afraid of the County. She stated her colony went from six to 22, her neighbors did not know about the six, but will with 22 full grown cats; and she believes the moratorium is harming the TNR program.

Judith Weaver stated TNR works; there are statistics all over the Country that prove it works; and she agrees with all the other speakers in favor of TNR.

Chairman Nelson stated there are other speaker cards; they do not wish to speak, but are in support of Alley Cat Allies, PURRS, and Space Coast Feline Network. He advised he would read their names: Ardyth Heller, Constance Mannes, and Lynn Miraglia. He advised the Board is not going to comment today, and the reason is because it was served with a lawsuit on Friday, and he is unable to respond. He added there is a process in place, a series of Workshops that this will culminate back to the Board.

ITEM III.A.3., FINAL PLAT APPROVAL, RE: WALKABOUT GOLF COURSE, SD0606003 - FLORIDA LAND AND TITLE CORPORATION

Chairman Nelson advised Item III.A.3 will be included with Item V.A.

The Board granted Final Plat Approval for Walkabout Golf Course; and authorized the Chairman to sign the Plat for the Project.

RESULT: ADOPTED [UNANIMOUS]
MOVER: Andy Anderson, Vice Chairman/Commissioner District 5
SECONDER: Mary Bolin Lewis, Commissioner District 4
AYES: Chuck Nelson, Andy Anderson, Mary Bolin Lewis, Trudie Infantini

Robin Sobrino, Planning and Development Director, requested that the Board consider some conditions on the Plat approval. She stated the three conditions she would like to request the Board to reconsider are as follows: sheet one of thirteen be resealed by the surveyor of record, sheet two of thirteen needs a revision to a reference monumentation in the main view in detail; and finally sheet eight of thirteen need to reflect the monumentations set by Campbell.

The Board approved reconsidering the motion and granted Final Plat Approval for Walkabout Golf Course, subject to minor changes, if necessary, receipt of all documents required for recording, and developer is responsible for obtaining all other necessary jurisdictional permits; and authorized the Chairman to sign the Plat for the Project.

RESULT: ADOPTED [UNANIMOUS]
MOVER: Andy Anderson, Vice Chairman/Commissioner District 5
SECONDER: Mary Bolin Lewis, Commissioner District 4
AYES: Chuck Nelson, Andy Anderson, Mary Bolin Lewis, Trudie Infantini

ITEM V.A., RESOLUTION, RE: PETITION TO VACATE PUBLIC INGRESS/EGRESS EASEMENTS AND WELLSITE EASEMENT, WALKABOUT, SECTION 1, TOWNSHIP 21 SOUTH, RANGE 34 EAST - MASTELLER, MOLER, REED & TAYLOR, INC.

Chairman Nelson called for a public hearing to consider a resolution to vacate public ingress/egress easements and wellsite easement at Walkabout, Section 1, Township 21 South, Range 34 East - Masteller, Moler, Reed & Taylor, Inc.

There being no objections, the Board adopted Resolution No.12-151, Petition to Vacate Public Ingress/Egress Easements and Wellsite Easement, Walkabout Section 1, Township 21 South, Range 34 East - Masteller, Moler, Reed & Taylor, Inc.

RESULT: ADOPTED [UNANIMOUS]
MOVER: Trudie Infantini, Commissioner District 3
SECONDER: Andy Anderson, Vice Chairman/Commissioner District 5
AYES: Chuck Nelson, Andy Anderson, Mary Bolin Lewis, Trudie Infantini

ITEM V.B., RESOLUTION, RE: PETITION TO VACATE MAINTENANCE EASEMENT, MEADOW LARK LANE PLAT AND REPLAT OF COUNTRY RIVER ESTATES, UNIT 1 - BOARD OF COUNTY COMMISSIONERS AND DAVID PARKER

Chairman Nelson called for a public hearing to consider petition to vacate maintenance easement, Meadow Lark Lane Plate and Replat of Country River Estates, Unit 1 - Board of County Commissioners and David Parker.

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There being no objections, the Board adopted Resolution No. 12-152, approving vacating a maintenance easement on Meadow Lark Lane in Plat and Replat of Country River Estates, Unit 1.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Trudie Infantini, Commissioner District 3
SECONDER:	Andy Anderson, Vice Chairman/Commissioner District 5
AYES:	Chuck Nelson, Andy Anderson, Mary Bolin Lewis, Trudie Infantini

ITEM V.C., ORDINANCE, RE: ADDING A WAIVER SUBSECTION TO THE COMMERCIAL ENTERTAINMENT AND AMUSEMENT ENTERPRISES CONDITIONAL USE LISTED IN SECTION 62-1921 OF BREVARD COUNTY ZONING REGULATIONS

Chairman Nelson called for a public hearing to consider ordinance for adding a Waiver Subsection to the Commercial Entertainment and Amusement Enterprises Conditional Use listed in Section 62-1921 of Brevard County Zoning Regulations.

Robin Sobrino, Planning and Development Director, stated this is a waiver provision that would enable the Board to consider changes to the conditions that are a part of the Conditional Use Permit (CUP) requirements for any commercial entertainment and amusement enterprise. She advised currently, the Board has that discretion in only the telecommunications tower section; and this would allow the Board to have discretion as far as Section 62-1921.

There being no objections, the Board adopted Ordinance No. 12-18, amending Chapter 62 "Land Development Regulations" amending Article VI, Division 5, Subdivision III, Conditional Uses; specifically amending Section 62-1921, Commercial Entertainment and Amusement Enterprises to add waiver provisions; providing for conflicting provisions; providing for severability; providing for area encompassed; providing an effective date; and providing for inclusion in the Code of Ordinances of Brevard County, Florida.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Trudie Infantini, Commissioner District 3
SECONDER:	Andy Anderson, Vice Chairman/Commissioner District 5
AYES:	Chuck Nelson, Andy Anderson, Mary Bolin Lewis, Trudie Infantini

ITEM VII.B.1., APPROVAL, RE: FY2012-2013 BREVARD COUNTY HOME CONSORTIUM CONSOLIDATED ANNUAL ACTION PLAN

The Board approved the FY 2012-2013 Brevard County Home Consortium Consolidated Annual Action Plan; authorized the Chairman to execute required certifications, (Standard Form) SF-424, and (Housing and Urban Development) HUD applications of federal assistance for CDBG and HOME Programs; approved the County Manager or his designee to execute the CDBG and HOME Programs Grant Agreements and the Disbursement Agreements with four HOME Consortium member cities upon approval from HUD; authorized the County Manager or designee to sign Contractual Agreements for projects identified in the Action Plan after approval from Risk Management and the County Attorney; and authorized the Housing and Human Services Department, as Contract Administrators, to use competitive bids, to secure contractors to complete the proposed projects.

RESULT: ADOPTED [UNANIMOUS]
MOVER: Mary Bolin Lewis, Commissioner District 4
SECONDER: Andy Anderson, Vice Chairman/Commissioner District 5
AYES: Chuck Nelson, Andy Anderson, Mary Bolin Lewis, Trudie Infantini

ITEM VII.D.1., MEMORANDUM OF UNDERSTANDING AND 2012-2013 ANNUAL BUDGET RESOLUTION, RE: BREVARD WORKFORCE

Lisa Rice, President Brevard Workforce Development, stated they already have a Memorandum of Understanding (MOU), and this is an MOU between the Brevard County Commission and Brevard Workforce; this MOU updates the items in it in accordance with Legislative Actions that happened this year. She noted the Brevard Workforce Executive Committee and full board have already received and reviewed all of these items and agreed to them; and the language was worked out with the County Attorney and County Manager.

The Board adopted Resolution No. 12-153; and executed the Memorandum of Understanding with Brevard Workforce Development, Inc. approving the 2012-2013 Annual Budget for Brevard Workforce.

RESULT: ADOPTED [UNANIMOUS]
MOVER: Mary Bolin Lewis, Commissioner District 4
SECONDER: Andy Anderson, Vice Chairman/Commissioner District 5
AYES: Chuck Nelson, Andy Anderson, Mary Bolin Lewis, Trudie Infantini

Lisa Rice, President Brevard Workforce, stated this is for the Brevard Workforce budget, there is no fiscal impact upon the County; the budget was reviewed and approved by the Executive Committee and the full Board of Directors, which includes Stockton Whitten. She added the budget is for a little over \$16 million, of that, \$7.2 million is a direct fund from the United States Department of Labor (USDOL), for the national emergency grant, which is tied to the Aerospace Workers; and the grant ends June 14, 2013.

The Board acknowledged the presentation for the 2012-2013 proposed Budget Overview.

RESULT: ADOPTED [UNANIMOUS]
MOVER: Mary Bolin Lewis, Commissioner District 4
SECONDER: Andy Anderson, Vice Chairman/Commissioner District 5
AYES: Chuck Nelson, Andy Anderson, Mary Bolin Lewis, Trudie Infantini

ITEM VII.E.1., CITIZEN REQUEST, RE: JOYE EIKER - RAISE INDIGENT CREMATION FEE PAID TO AREA PROVIDERS

Joye Eiker stated she started this last year at the E-Town Hall meeting and the Board did not move forward with it; and it has been a minimum of 20 years since there has been an increase paid to area providers regarding Indigent Cremation and Burials. She added in her quest to gather information and research, she has yet to find anyone who can tell her how long it has been beyond the 20 years; the fee is currently \$450.00 payable for cremation, and she would propose that it be doubled. She advised she has done research into the other 66 counties in

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Florida, it is not a high priority, and posed difficult to obtain information; she was able to get a response from 54 counties. She noted Department of Health and Human Services also did their own research and were able to get information from 36 counties. She stated those budgets were presented as unfunded and went with an average of the counties they were able to obtain information from, and the average came out to be \$534.00; and interestingly enough, by a margin of almost 2:1, the counties that did not respond to this county were higher. She added she has emailed each Commissioner and provided her findings of the research of the other counties; and requests the Board consider minimally raising this to the \$582.00 average, if not higher.

Commissioner Anderson inquired if it is a voluntary service and no one forces that upon any funeral home. Mel Scott, Assistant County Manager, stated correct.

Ms. Eiker stated it is voluntary, but when there is a death, and a funeral home is chosen, the funeral home almost always has no idea that it will be an indigent death. She advised if there was a funeral home that responded in transferring a person upon death and starts working with the family and finds out that money is a problem, it is an indigent situation; and most of the funeral homes continue. She advised if they did not, the negative impact would be for the health care providers and law enforcement agencies to only hear from the families that a funeral home could not help them.

Commissioner Anderson inquired when someone comes in, and does not have the money, does the funeral home not have the right to refuse service without payment.

Ms. Eiker stated they can and at that point when the financial circumstances typically come to disclosure is when the family has made their decisions; the FTC requires everything be itemized, so when contributing to what is going to happen as far as the cremation or the funeral, that is when the total is figured. She added some people just sit back and think that it is going to be taken care of for them, and has in a way been misleading to the funeral home.

Chairman Nelson stated this is an item the Board can discuss as part of the budget process, so the timing is appropriate.

Ian Golden, Housing and Human Services Director, stated he did that as part of their budget as unfunded this year to increase the current fee from \$450.00 to \$534.00.

Chairman Nelson stated the Board would take that under advisement as part of the budget process.

ITEM VII.D.2., PRESENTATION, RE: BUDGET OVERVIEW

Lori Scott, Supervisor of Elections, stated she is happy about the budget she is presenting to the Board today, there is a four percent reduction over the most recent like year, which was four years ago, because of how they run on a four year cycle. She advised the budget includes \$1.5 million of election equipment; they have had \$1.2 million set in Reserves because of pulling that into the budget, it shows a budget increase; but if the \$1.5 million out, the current proposed budget would be \$860,000 less than the current budget. She noted the voter rolls continue to grow, 3,500 in the last five weeks; the numbers should continue to grow, Brevard is the eighth largest county in the State; and as of this morning, there are 367,589 voters. She stated voter rolls have grown by 77 percent in the last 22 years in this County; having less staff and no facilities increase helps them do an amazing job; she is running on a staff of 26; and with 367,589 voters, a redistricting year that happens every 10 years that hits on a presidential year ever 20 years, the employees have been busy. She advised there are 750 poll workers that

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have to be trained every election year; she is aware of someone presenting information about new election equipment; they are looking forward to purchasing new equipment this budget cycle; currently there are only two certified vendors in the State of Florida, so there are not a lot of options; and the equipment is 13 years old and is no longer produced by the manufacturer.

Commissioner Bolin Lewis complimented Ms. Scott on the work she has done this campaign with absentee mail; and inquired if she could relay the information to the Board.

Ms. Scott advised the Board that this campaign has had the largest mail out of absentee ballots; they have mailed out 60,000 for this election, and received over 2,300 just yesterday; and they were just sent out in domestic mail last week. She went on to say for the general election she believes those numbers will grow; for the first time ever in a general election, Brevard Countywide, will be a two-page front and back 18 inch ballot; there are 11 Constitutional Amendments on that ballot; and it is going to be intense. She advised she is encouraging voters to take advantage of voting by mail, so they can research the Constitutional Amendments before getting into the voting booth; and as the Board knows, the amendments are written in legal language for attorneys to argue, not for voters to understand. She added they are looking at leasing extra machines and ballot boxes, because a two-page ballot is going to fill up those ballot boxes very quickly; and they have been at the point with a smaller ballot with them getting full. She added the last general election 83 percent of Brevard's voters voted; it was the third largest turn out in the State of Florida; there are great voters in this County; and she is very proud of them.

Mitch Needelman, Clerk of Courts, stated he is pleased to come before the Board to request a reduction; by the Board's calculations, 4.7 percent, by his calculations, five percent; and that is because of the hard work he has done. He went on to say if the Board has been keeping up with the news around the State, it would know that most clerk's offices for the next couple of days are going to be going in front of their county commissioners and asking for help, because the State has limited spending by \$31 million; and in reference to Brevard, it was \$1.2 million. He noted even though the Office is reducing the budget, it is keeping up with its standards, and has made some measures to improve operations to the Clerk's office on the Board's behalf; with this budget, there will be two Certified Public Accountants, both workers, not managers; and one of those workers will be a new position, the Chief Inspector General. He advised the Chief Inspector General's job will be to make sure the Clerk's office meets all the Board's requirements, and also to make sure that the Board and Clerk stay out of trouble. He noted, the mission of the Chief Inspector General is to provide objective auditing, and investigating services, designed to improve Brevard County's operations and preserve the public trust; and the Clerk's office has moved forward to provide better service to the citizens of Brevard County. He noted in the savings, he has eliminated one position, are down to 29 positions, and because of the Chairman's concerns, they have also reduced the number of those employees in Source2 to 10 out of 29; and it was set up so as these employees move from beginning positions, or entry level positions, into more experienced positions. He stated also in the budget, the Clerk's office will continue to pick up some costs that are picked up by Florida Statute that the Board is required to pick up; some of them from last year in the 2011 budget came to \$100,196; so far as of June 19, 2012, it is \$82,954; and those things include maintenance of roughly \$25,000. He advised there is now security at the Titusville six story building because of the issues and problems with employees going across the street to the parking lot; communications the Clerk's Office also picked up, that has come to \$43,000 so far; and he expects it to exceed \$100,000 again. He noted, like last year, the Clerk's Office looks out for taxpayers dollars; there will be a savings this fiscal year; he will be returning a check to the Board of no less than \$50,000, but it will most likely be between \$65,000 and \$100,000. He added there are still a couple more months in this fiscal year's budget.

July 24, 2012

Commissioner Infantini inquired if the \$8 million contract with Blueware will come from the revenue that the Clerk's Office receives from the County Commissioners, or somewhere else; and where he is going to get the extra \$8 million cost for converting its files.

Mr. Needelman responded it is a plan of the Clerk's office that by the year 2017 to be paperless; the way it will be allocated towards each one of the records center's when they digitize, to associate with that particular operation. He added, because of the savings they have done in office, and because of what they have, this is not an increase or request for an increase, the only fact here today is that he reduced his budget request, which brings the Clerk's office to 13.5 percent in the past two years; and with that, he will make sure the Board has a clean operation, but the intent to pay for that is to divvy up into each of the departments, or each division, where they take advantage of removing paper from their operation.

Commissioner Infantini inquired if the Clerk would have to charge higher fees to the citizens to provide this. Mr. Needelman responded fees are done by Statute, he does not go out and raise fees. He stated because of what he has done to modernize the office, they have the money available in which to do this because of the savings they are producing.

Howard Tipton, County Manager, stated the Board has had the vision to focus on core government services and to keep the cost of these services as low as possible and as he has said previously; and as the Board will see in the presentation, he believes Brevard County is the most efficient government in Florida, providing great value to its citizens at a reasonable cost; the Board's leadership during these unprecedented economic times has been critical to keeping a calm hand on the steering wheel, guiding the community to better and brighter future; and he thanked the Board. He added, he would also like to thank the Charter Offices and their teams for continuing to provide their mandated services in an exemplary and cost effective way; stated Brevard County is fortunate to have Elected Officials who know the community and know the businesses as well; the Board's leadership team, department directors, and all County employees who have worked so hard and creatively to keep the ship afloat amid record revenue declines, to all of them he would like to give thanks, as they are dedicated in fulfilling the mission of this Board and are some of the best professionals anywhere, period. He added the Interim Budget Director, Tom Rosenberg, and his staff including, Ashley, Paul, Stacey, Connie, Pam, and Sean, once again worked together to complete the most important document that the Board produces every year; and their long hours and analysis are most appreciated. He thanked the County Manager's Office support team, including Sally, Pam, Karon, Mikki, and his two Assistant County Managers, Mel Scott and Stockton Whitten, especially to Stockton, who the Budget Office reports to, and who carries the extra burden every year to make sure this all comes together; and he is grateful to each of them for their contributions and leadership. He gave a presentation on the Budget Overview.

Chairman Nelson expressed his appreciation to the County Manager for the presentation; and advised the Board had its work cut out for it.

The Board adjourned at 2:15 p.m.

ATTEST:

CHUCK NELSON, CHAIRMAN
BOARD OF COUNTY COMMISSIONERS
BREVARD COUNTY, FLORIDA

MITCH NEEDELMAN, CLERK