

March 24, 2020

# Brevard County Board of County Commissioners

*2725 Judge Fran Jamieson Way  
Viera, FL 32940*



## **Minutes**

**Tuesday, March 24, 2020**

**9:00 AM**

**Regular**

**Commission Chambers**

**A. CALL TO ORDER 9:01 A.M.**

**Present:** Commissioner District 1 Rita Pritchett, Commissioner District 2 Bryan Lober, Commissioner District 3 John Tobia, Commissioner District 4 Curt Smith, and Commissioner District 5 Kristine Isnardi

**B. MOMENT OF SILENCE**

Chair Lober called for a moment of silence.

**C. PLEDGE OF ALLEGIANCE**

Chair Lober led the assembly in the Pledge of Allegiance.

**D. MINUTES FOR APPROVAL**

The Board approved the minutes from the January 7, 2020 Regular and January 21, 2020 Regular.

**Result:** Approved

**Mover:** Rita Pritchett

**Seconder:** John Tobia

**Ayes:** Pritchett, Lober, Tobia, Smith, and Isnardi

**E.1. Resolution recognizing March 2020 as Hemophilia and Bleeding Disorders Awareness Month, District 5**

The Board read and adopted Resolution No. 20-024, recognizing March 2020 as Hemophilia and Bleeding Disorders Awareness Month.

**Result:** Adopted

**Mover:** Rita Pritchett

**Seconder:** Bryan Lober

**Ayes:** Pritchett, Lober, Tobia, Smith, and Isnardi

**L.4. Bryan Lober, Commissioner, Chair, Re: Board Report**

Chair Lober stated he wanted to move up his Board Report; the other Board Members were welcomed to move up as well or remain at the end; he had some items that he wanted to discuss based on certain things that are circulating; he stated the primary reason for operating with press releases and doing frequent Facebook Live instead of press conferences is to ensure that when we have press conferences, people actually watch them; and secondarily, there is no information that is proprietary to this County. He continued to say the Florida Department of Health (FDOH) has released and continues to release epidemiological data in near real-time and both the Governor and the President have drilled-in Center for Disease Control (CDC) recommendations, for instance, washing your hands with warm water and soap for 20 seconds, using hand sanitizer that contains at least 60 percent alcohol, staying at least 6 feet away from others, and avoiding large gatherings; these are things that people already know and if the Board had different or additional information to provide, he would be operating entirely different with respect to holding press conferences; he stated this is one of those no-win situations in that if the Board held frequent press conferences, it would be criticized for being publicity hounds, but having elected not to parade himself or others in front of a camera to tell folks what it already known, it now faces criticism for that decision; no one in the Policy Group, and that includes Brevard Public Schools, Florida Department of Health, the League of Cities, and a slew of staff, has ever requested a press conference during a Policy Group meeting; and it does not mean that he or the County is unwilling to have press conferences if

they are justified. He noted he worries that daily or frequent press conferences would serve to reduce the likelihood that the largest possible audience will pay attention if and when the County has a major news conference when it is needed; in his view, press conferences are appropriate for major milestones, not repetitive news, which may be better handled through other means of communication; to that end, he is not sure what information can be provided to the public that the State and Federal governments are not already providing between the CDC, the President, FDOH, and the Governor; the folks that are clamoring have, at least the folks that have reached out to him, failed to specify what content or additional content they would like from the County; and the reason is that they are already getting bombarded with the best practices on every channel, news website, social media, and even on search engines at the bottom. He continued to say some have said that other local governments are providing press conferences as though it is a valid justification that we do likewise, he does not believe that it is; there are many counterproductive decisions that have been or are popular, like smoking, just because other folks are doing it, is not reason enough for it to be done; all of the Policy Group partner agencies and the County itself have been working very well with one another; every motion, without exception, that has been proposed within the Policy Group has passed unanimously; and he mentioned the content of the Policy Group, which he has also invited at least one Port Commissioner, Patrick Air Force, Allstate representatives, State Senators, as well as Congressman Posey. He stated the Policy Group is doing everything possible; as a heads-up, he did not want to have a press conference about it yet because it is not finalized or had a formal motion made, there has been talk about closing the beaches during the daytime; that is going to be discussed at a Policy Group call later on today; if the Policy Group closes the beach, obviously there is going to be criticism, if we leave it open, there will also be criticism; it is also a no-win decision; and the strange benefit of these no-win decisions is that, with criticism assured regardless of what is done, those voting can simply do the right thing without worrying that the best decision is going to result in some sort of criticism. He continued by stating if the Board were, and he apologized for saying something that may come across as facetious, to somehow cure the Corona Virus, there would still be folks with a reason to complain, whether it is costing health care workers their jobs, or opposing God's plan; whatever is done with respect to this, will be criticized, which is good, because the right thing can be done without having to worry about that criticism; and he asked Don Walker, Space Coast Government Television Director, if he minded speaking briefly as to the County's messaging, of which he is aware, and whether anyone from the County umbrella, elected, staff, or otherwise, has refused to provide an interview or to provide comments to any media outlet.

Mr. Walker stated he gets calls three and four times a day from the media for interviews and answers all media calls, even one at 9:00 p.m. last night asking if there were any manufacturers in Brevard County that were changing their production to produce Corona Virus related materials; and he answers all those calls, he has done interviews with *CNN*, all the local Television stations, and the newspapers; none of those calls go unanswered.

Chair Lober inquired, in Mr. Walker's knowledge, if he knew if anyone else, either elected officials, or staff members, have had press conferences or have communicated with members of the media.

Mr. Walker replied that a lot of those calls are still filtered through him; someone will call him and let him know that an interview had been requested, and if that person is comfortable doing that, he always gives the go-ahead; and he does not know that anyone has denied any media interviews from the County.

Chair Lober expressed his appreciation.

Commissioner Tobia stated that he thought Mr. Walker is doing a wonderful job in these tough and trying times, as he always has; he mentioned there was an allegation that one media source was getting information prior to the release that came from Mr. Walker's office; and he asked Mr. Walker to address that, and apologized for not giving a heads-up, but the article had just come out yesterday.

Chair Lober asked if he could field that one, and stated if Commissioner Tobia wanted to hear it from Mr. Walker that was fine.

Commissioner Tobia replied that he wanted to hear it from Mr. Walker and understands that it was a tough position to put him in, but maybe the newspaper was incorrect.

Mr. Walker stated it was kind of a hand is quicker than the eye scenario; when walking out of a Policy Group meeting and doing a video interview, versus sitting at the computer writing a press release, that takes a little longer; and that has occurred, yes.

Chair Lober stated he could say that none of the information that was released by Mr. Walker, himself, or by any other member of staff, of which he was aware, was embargoed prior to the release; there have been certain things that have been discussed where there has been an embargo prior to releasing it, and the Policy Group has honored and respected that every time it has come up; he gave examples, one with Mr. Walker and one from himself, there was a Policy Group call last week, where before he walked out of the building, Mr. Walker was sitting down with Dave Berman with *Florida TODAY*, discussing what had been discussed in the Policy Group meeting, well prior to any sort of a press announcement going out and *Florida TODAY* was the beneficiary in that case; another example was one where a Policy Group meeting was held and he met with *Space Coast Daily* and discussed with them some items before press release came out, and in that case, *Space Coast Daily* was the beneficiary; and the idea is not to hold up information but rather, once something is decided, unless there is a reason to embargo it, to get it out in a timely fashion. He stated the fact that it was spun by the newspaper to imply that the Policy Group was showing favoritism, is not the case; he stated that every news entity that has reached out to him, at least, that he has spoken with; that is *Fox*, *Space Coast Daily*, and *Florida TODAY*, although they would have it believed otherwise by intimation; he stated to notice it was never said that a reply was not given in a timely fashion by anyone, it was just strongly implied and the reason for that is because the times that *Florida TODAY* has reached out to him, they have gotten responses, either within their deadline or within five or six hours; and he thinks people are looking to cast blame rather than be productive about the issue. He continued by saying no one is being given a heads-up in a means to show favoritism, in fact, when *Florida TODAY* asked why he was doing a series of Facebook Live meetings with *Space Coast Daily*, his answer was simple, and he thinks all of the Commissioners were forwarded a copy of the questions and answers that were exchanged with his office and *Florida TODAY*, it was because he was asked; if *Florida TODAY* or *Fox* asked, he would have done it with them, but they did not ask; the primary reason that he has been working with the *Space Coast Daily* is simply because they asked; every media outlet that has reached out to him has been provided commentary when asked, even *Florida TODAY*, when it was clear the commentary they were soliciting was designed to make the County look bad as opposed to help the public; and with respect to that, he can say he thinks there was a good degree of misleading being done by the paper in suggesting, but not putting out, that there was some major favoritism shown to one or another news entity.

Commissioner Tobia stated he is not concerned with Chair Lober speaking with only one newspaper or with all of them; he stated that is Chair Lober's right as an individual and as a member of the County Commission; his concern is that it is not being disseminated all at the same time; the timeline was concerning to him and the number of infections from seven to

eight, or five to six, many not be that big of a deal, although unfortunate, but not as big as something that is really time-sensitive; he thinks it is wonderful that Chair Lober is spreading that message, and just wants to make sure that message is spread everywhere and trying to figure out what is different now; and he can say the Board is definitely following Sunshine Law because it has not been following this, and he has never been Chairman of this thankfully, but Commissioner Smith mentioned he has gone through trying times during hurricanes and has never had this issue. He added he is trying to find out what the difference is between when Commissioner Smith was Chair and very effectively did it, so much so that this never came into question, and what is happening now; and if there is any way to help solve that.

Chair Lober stated before he gets into the specifics with that, he wanted to point out the difference in time between the one Facebook Live that he did with *Space Coast Daily* that he thinks preceded a press conference, where there was any sort of negative commentary as a result, was six or seven minutes; the goal was to have everything done contemporaneously and is difficult to time everything so it is done to the same second; he stated their watches could be synced so that everything is done at the same moment but does not know that it is tremendously important though; he can say, in the conversations he has had with Mr. Walker, he understands to send press releases to absolutely everyone; and there is no one, that he is aware of, that has asked to be included on the press releases, that is not getting them. He stated that anyone that has asked to be included on any form of communication that the Board directly or indirectly controls or influences, has been included; he had a pharmacist reach out to him that wanted to be included in FDOH's messaging and he called FDOH and they added the pharmacist; there has been no effort to exclude anyone from anything; with respect to what is different between now and then, number one, he does not think this is an issue, he thinks this is an artificial issue created by folks looking to chastise elected leadership, not just the Commissioners, but Sheriff Ivey, and FDOH Administrator for Brevard, folks that continuously look to cast leadership in a negative role; and he stated at the first Policy Group meeting that was called for this Item, there was a motion by one of the other Policy Group members that all messaging pertaining to the Corona Virus, insofar as the Policy Group was concerned, goes through the Chair. He continued by stating that he and Mr. Walker spoke after that, which passed unanimously, and have taken that to mean, does not mean that he needs to be the one going through absolutely everything and have the words come out of his mouth pertaining to it, but it means that they need to coordinate so that they are not dissimilar messages coming through; the only message he is aware of that could be conceived or construed as being dissimilar, is one Item that came through County staff that neglected to include the fact that both the beach-side parking and the beach-side parks were being closed; he has spoken with Mr. Walker at length about it, and from everything he understands, it was inadvertent on the part of staff and thinks it was trying to get information out to the public that needs it and wants it quickly, and there was a mistake made; when he did an interview on it, and he believes when Sheriff Ivey spoke as well, he spoke with *Fox* about it and told them the beach-side parking and the beach-side parks are closed; and when Mr. Walker sent that press release out, *Fox* saw it and got in touch with Mr. Walker and said they had spoken with Chair Lober who had said that both the beach-side parks and the beach-side parking is closed and it does not match. He stated that is the only thing that has been different and it is not for lack of coordination, he thinks it was just an inadvertent error; he is not upset with staff, things happen, we are all human, it could have just as easily been him that made the error, but that is not due to a lack of coordination; and he did not know if Mr. Walker had more on that or if there were any more questions.

Commissioner Tobia stated he understands as an individual and as an elected official, there can be a dislike, disfavor, vendetta, or whatever against a single media source.

Chair Lober interjected that it was irrelevant for this purpose.

Commissioner Tobia stated he understood and he was not there; he inquired if the person that made the motion to elect Chair Lober, would that individual also have the same disfavor where he or she may not participate with interviews for the *Florida TODAY* as well; and he is trying to think of this in someone else's shoes.

Chair Lober replied, in all likelihood, yes, but that did not force the unanimous vote on that; literally everyone from every agency agreed that was something that was wise; the idea was twofold, one to better ensure a consistent message, because this is an unprecedented situation, not a hurricane; he would have preferred a hurricane to this because the Board would know what it was up against more easily than something that is fluid and dynamic like a virus, and is totally different; with respect to the motion, the goal was to ensure a consistent message, which he believes it has done; he believes much to do was made about nothing with respect to the one Item that had one omission on the part of the County's initial press release; everything else has been perfectly consistent, in fact, the omission did not render it inconsistent, it was simply an omission; and beyond that, there was also a desire that communications come out in a way to reduce unnecessary fear or panic and he thinks, given how he has reacted and spoken, with respect to the situation, he is taking it based on how FDOH relays information to him, and how different medical providers relay medical information to him. He continued to state that it is not something that he is downplaying, but also not seeking to induce unnecessary panic over; he believes that was in all likelihood, a motivating factor for why to do it that way; there are folks that are on both extremes, some that say the County should not have any restrictions and should be allowed to go out and infect themselves, others say to lock people in their houses and arrest them if they go out; and he is not in either of those extremes, he thinks it should be taken for how it is and adjust as adjustment is warranted.

Commissioner Tobia stated he thinks his goal and Chair Lober's goal is exactly the same, and for everyone on the Commission, and hopefully in the media as well, that public safety is the number one concern right now; he is not a media expert or someone that has a decent amount of knowledge but his goal is that the information gets out there as objectively and expeditiously as possible; objectively meaning it is fair and balanced, getting to all media sources equally, because if the *Florida TODAY* has two readers, he wants those two readers to get the information; he asked Chair Lober if that is what is currently happening right now; and he will take his word, as the Chair, and knows his motivation and his concerns with a certain media source, but also knows he is an adult and knows this is an important time and to step aside from that.

Chair Lober stated he would be very blunt about it, he does not like *Florida TODAY* and has objective reasons for not liking them, including their having sought to get advertising revenue from him in exchange for better coverage and he thinks that is despicable; he told Dave Berman, *Florida TODAY*, in writing, that was all put aside during the Corona Virus and told him, when this is over and done with, he is back to his old policy of not communicating and not participating with them; but, given the fact that this is something we may have people die over, his dislike for *Florida TODAY* does not trump his concern for the constituents, residents, and the visitors in Brevard County; *Florida TODAY* is not that important to him, that he would put someone's health in jeopardy in order to stick it to them; and everything they have asked of him, he has responded to and has never directed Mr. Walker or any staff member not to participate with them. He further stated he has done nothing intentional to even intimate that he does not want Mr. Walker to provide the same level of access as every other media outlet; everything they have asked him, he has responded to, and everything they will ask him, he plans to respond to; if they ask him to reply in five minutes but he does not get the email for ten minutes, he cannot do it; and they are not being singled out by any means.

Commissioner Tobia stated it is a lot easier for him to play armchair quarterback and he wanted Chair Lober to know, though he might not always agree with the decisions that come out of the Policy Group, he greatly appreciates the effort Chair Lober goes through in order to be a part of that and the many decisions that he has to make on the fly without the staff reports that the staff does such a good job of; he also thanked Commissioner Pritchett, who has stepped up to be Chair, and Commissioner Smith who has taken that burden on; and it has made him that much smarter for not being the Chairperson on this, but he does appreciate the effort that goes into it by Chair Lober and the other folks on the Policy Group.

Chair Lober expressed his appreciation for that and stated there are a lot of frequent fliers that are at every single Policy Group meeting; some of them have been regularly scheduled, and that is a little bit easier to accommodate, some have been done on the fly as the situation was warranted; he genuinely appreciates the other agencies that the Board works with, and staff doing what they do to participate; this would be a near impossible situation if the Board did not have the cooperation that it does; and he knows there is a lot in one particular media source that makes it look like the Policy Group is somehow disjointed and he assures that is not the case. He further stated that if the Members wanted to call in, taking appropriate measures to ensure that there is no violation of the Sunshine Law, they are welcome to; there is nothing that prohibits that; if there is a Sunshine Law issue, the phone would need to get put aside for a couple minutes as that comes up, which may be the case; and there is nothing that prevents the Board from calling in, and in fact, if they want to, he encourages it.

Commissioner Pritchett stated she thinks the Board needs to get as many people the information as fast as possible through as many sources as it has; she likes to have a single unified subject going forward and guesses that is being worked through; this is a different situation, the Board has never been hit with something like this before; any other time the Policy Group has been together, it was over hurricanes that last a few days; and also there is the County Manager and staff, who are doing a great job. She stated this has been a little different, more challenging; she got a little uncomfortable because she started learning a lot of this stuff on Facebook, and she is not a big Facebook person; that happened because she was getting calls from constituents after seeing something on Facebook; she is not saying she wants to hold up getting information out; and she stated that the buck stops there. She requested that since it was a new time, if the Policy Group is making a decision that typically would be an ordinance, an emergency County Commission meeting should be called because she thinks, as far as when the Board starts closing items that everybody is very interested in, they should get together and have that conversation; she thinks typically that is what would have been done and this is different; if it was a hurricane maybe four or five days; and she requested Chair Lober to call an emergency County Commission on the items that are big so the Board can have that discussion because she thinks it needs to be well vetted with the Board.

Chair Lober stated he thought that was an interesting idea and if there is not a pressing time need, he does not see that as being terribly problematic; and an example would be one of the items that was discussed at yesterday's Policy Group call was whether to close the beaches during the daytime, and there is another one scheduled later today specifically to address it.

Commissioner Pritchett stated she thinks the Board could get together within an hour after that was discussed in order to have a discussion because that would be an ordinance typically; and she asked Eden Bentley, County Attorney, if that was correct.

Attorney Bentley stated not necessarily, as there are special powers for that kind of situation.

Commissioner Pritchett interjected and stated that typically that would be an ordinance from the

Board so she thinks if it could be pulled together within an hour or two, as Chair Lober still chairs that Board too; she thinks the community is expecting the Board to meet on the big things, at least that is what she is hearing from a lot of people; and not that she does not like the Policy Board, but this group was specifically elected for those types of decisions.

Chair Lober inquired as to another alternative, to avoid the Sunshine Law issues, if it is not something the Board is going to take action on, what if all the Commissioners call in to the Policy Group.

Commissioner Pritchett responded if the Board was allowed to do that, making it one big Board with all of them talking and making decisions; and she inquired if that could be done.

Attorney Bentley replied that it would need to be advertised and become a Sunshine meeting, which takes a little time to get the ad out; it may create some complications because the Policy Group is established pursuant to the Comprehensive Plan provisions for Emergency Management; to create a Board meeting within the Policy Group meeting may create a conflict; and input is one thing, but creating a hybrid Board in the middle of the Comprehensive Plan would be a different issue.

Chair Lober stated he is contemplating not to have the County Commission voting in that but simply participate, just as when the State Representatives and State Senators do it; he is not, and cannot imagine the majority of the Policy Group would, going to turn around and do the opposite of what the County Commission wants; and if the Board has their input and it is in a certain direction, the overwhelming probability is that is the way the Policy Group is going to go.

Attorney Bentley stated he could advertise and do that but the cities and the school board are involved, and she thinks he would be opening the door to all of them wanting to participate in the same manner; and then it is a joint meeting and it may become cumbersome; and the purpose of the Policy Group is to move quickly in an emergency.

Commissioner Pritchett inquired if the Chair would be able to distinguish on something he thought should be called for an emergency meeting.

Attorney Bentley stated she believed he could.

Commissioner Pritchett stated she thinks she is just going to put the pressure on Chair Lober; and if he thinks it is something where there is time, to call an emergency meeting.

Chair Lober stated he would let Commissioner Pritchett know she is probably going to get an emergency meeting or two called, just full disclosure; if it is something the Policy Group wants to do that needs to be done in some sort of a time-sensitive basis, it may have to be done anyway; and if it is something that can wait a couple of hours to get an emergency meeting called, he would be inclined to have the Policy Group phrase any motion with absent direction to the contrary by the Board of County Commissioners, that way if a quorum is not met within a few hours, if need be, that is the action that takes place, so it is not stuck in a position where three people cannot get together.

Commissioner Pritchett responded that Chair Lober would go ahead and make the motion to approve it.

Chair Lober replied yes, unless the Board of County Commissioners takes action to the contrary and then an emergency meeting of the Board of County Commissioners would be called and it would discuss what was voted on; and if a veto was wanted, essentially the Board

could shoot it down by form of a motion and a vote.

Commissioner Smith stated that like Commissioner Pritchett, he gets a lot of people that mention the fact that the Commissioners were elected to make decisions for the County regarding County issues; he understands what Attorney Bentley said about likely having City officials and School Board members that would like to attend or be a part of the decision-making process, but they were not elected to make County decisions, the County Commissioners were; he understands there is an issue with Sunshine Law so that makes it difficult; and he is telling the Board what people have been telling him.

Chair Lober stated he thinks that Commissioner Pritchett's idea is a good one as long as it can be flexible, so if something has to be done immediately, it still can, but if it can wait, just to ensure that the Board does not try to convene an emergency meeting and have issues getting people here, and he does not think it will; he thinks that is the way to handle it; and he does not know if a formal motion is needed because he is happy to just take it under advisement and essentially to direct that any motions that are of any substance on the Policy Group calls, be phrased such that absent action or decisions by the Board of County Commissioners within X number of hours, depending on the issue, the timeline could be three to six hours.

Attorney Bentley stated that may be one approach, another could be to defer the vote by the Policy Group to allow Chair Lober an opportunity to get to the Board of County Commissioners and then go back to the Policy Group.

Chair Lober stated the problem is that it takes longer.

Attorney Bentley stated it is just an option and it is slightly cleaner because it is not voting contingent upon another Board's action; and he could get input, either way.

Chair Lober stated he thinks that is a good idea, depending on what the time factors are, it could go either way, he is inclined to do the former; with respect to the proposal to shut down the beaches, there has not been a formal motion; what he asked to have happen, and he cannot recall if this is offline or online during the Policy Group calls because it does not have the same Sunshine concerns that the Commissioners have amongst the Policy Group members, he has asked that the League of Cities representatives speak with the other municipalities prior to making that motion because he does not want one or two cities to drive the bus on a Countywide Policy; the reason that there was a call today and the Board did not vote on it previously, is because he is not comfortable, and not sure if others are thrilled with the idea that West Melbourne and Cocoa Beach, which have the primary and the alternate for League of Cities on the Policy Group, that they drive the bus for everyone; if the Policy Group comes back and says it does not want it closed, that is the answer, if they come back and say it does want it closed, then that is fine and he can go ahead and convene an emergency meeting of the County Commission; and if it does not disagree, there will be no action taken, if it disagrees, there will be a vote and it can be overridden.

Commissioner Pritchett stated that was good, because she thinks on these types of decisions that people are holding the Board accountable and she really would like to hear from everyone on the Commission; and that is important to her as she trusts the Board.

Chair Lober stated he is happy to do it that way, it is cleaner for him because he can share the blame and the criticism with more people.

Commissioner Smith stated Chair Lober mentioned he and other folks were receiving criticism and he tells people all the time, that at any one time, 50 percent of the people like him and 50

percent do not like him and in two weeks, the 50 percent that liked him before may be the ones that do not like him; it is just what the Board gets, and that is what they signed up for and he sympathizes with where Chair Lober is coming from; one point that Chair Lober made was that the Governor and the President have been giving updated information and he did not think that he had anything to add; he disagreed because local people want to know what the local perspective is and only the Chair of the Policy Group can do that; and he made a suggestion, good, bad, or indifferent, if Chair Lober and Mr. Walker walked out of the Policy Group meeting and made a brief statement to any of the news folks that wanted to be there, and let them know that there is going to be a five minute presentation as to what was discussed, then the local people would be informed in knowing what went on and what is going on, otherwise, they are in the dark, they do not know that nothing is going on because they are not hearing anything. He continued to say that would be his suggestion, and it would be very simple, just walk out of the meeting and tell what was discussed and then Chair Lober could go to any outlet that he wants and does not think he would be receiving any criticism.

Chair Lober stated he would make it real simple and he thinks that is actually an easy answer to it; what he will do, starting today, when the Policy Group meeting is finished, he will do the Policy Group call from the Government Center in Viera; there is a 4:00 p.m. Policy group call, and after that he will put together a mini press conference; he will reach out to Florida Department of Health (FDOH) to see if he can get Anita Stremmel, Assistant County Health Department Director, to come over as well since he does not think they have put together a local release to be available for questions; and he will see if he can get that done for this afternoon. He stated he could continue to do it that way but he can say that the press releases that have gone out, and Mr. Walker can give the exact number and times and who the recipients were, have made reference to the fact that it is taking the actions that are being taken; in the past, one of the things that the Policy Group voted to do was to adopt FDOH and CDC guidelines and in the event that there is a conflict, it would adopt the stricter of the two automatically so there does not have to be a vote; he agrees and thinks that is a really good idea, probably one of the best he has heard in a while in terms of communication strategy, just to have something right after each of the Policy Group calls and whoever is there is there, and whoever is not there, is not there, depending on their availability and interest in covering it; he likes that idea better than doing a slew of press conferences, with the Group literally parroting back State and Federal guidelines, and does not know that there is a huge value in that; and starting today he will go ahead and do that, probably around 4:30 p.m. He advised the Policy Group calls are usually 30 to 40 minutes depending on the topics that are discussed; and he will do that in Building C, Viera.

Commissioner Isnardi stated she gets leaving politics out of a disaster, but if anything was learned from the last hurricane, better messaging is needed from the Emergency Operations Center (EOC); the Public Safety Director needs to be the one messaging; she knows Mr. Walker is in Public Relations, so if it is him, so be it, but the Board does not need to be in the same situation it was last time; this was the post-action review the last time and it is falling into that same sort of behavior, and she has expressed it and plans to speak with the Manager about it shortly; and she does not want to be in the same situation again and thought it learned better from the mistakes of the last disaster to have better messaging coming from the EOC.

Chair Lober stated that may have been another reason that the Board had the motion to have one person in charge of essentially vetting the message.

Commissioner Isnardi stated that if it does not want the EOC, or the Director, or whoever represents the EOC, to give that message, then it has bigger problems, because in actuality, she knows Chair Lober is the Commission representative but it should come from an administrative type of non-political, non-biased, and very methodical, based on the information

that it has collected; that is all they do and that message needs to come from the County staff even though she knows Chair Lober is trying to disseminate it and the Board is ultimately answerable for the decision, that goes without question and she agrees with Commissioner Pritchett wholeheartedly that the buck stops with the Board; if the management is not relaying that message, not everyone is on Facebook, people are asking where is the County staff, where is the County EOC, this needs to be fixed; and in the Policy Group, she wants Chair Lober to stress that there is one Commissioner that is very frustrated with the messaging coming out of the EOC.

Chair Lober stated he will do that and pointed out, because he thinks there is a little bit of a disconnect in terms of what is actually going out, Mr. Walker has put out a tremendous amount of information.

Commissioner Isnardi interjected that she thinks he has done a fantastic job, but he is not in a leadership role as far as what decisions are being made at EOC.

Chair Lober stated if the Board has a different direction it wants to go, he will support whatever the decision is, he does not have a strong preference any which way as long as he understands what is desired; and Mr. Walker is the Communications Director for the County, and has been essentially the public face, in large part, for the messaging that has been going out on an ongoing basis with respect to this particular issue.

Commissioner Isnardi interjected that Mr. Walker should be standing at the podium with the Director of the EOC, bottom line; and she has said that from the beginning and said that in the last disaster and that just does not happen, and she is not sure why, but it needs to be fixed.

Chair Lober stated he will talk with Matt Wallace, Public Safety Group, as he has had some communications with him that Mr. Walker is aware of as well, to better insure that the messaging is consistent; there have been a couple of issues that have been brought to his attention, one he has already worked on and the other which he was just advised of yesterday, and he will have a conversation with him; and he thinks it may be best, if Commissioner Isnardi does not want it to be Mr. Walker that is doing the messaging, that it comes from Mr. Wallace.

Commissioner Isnardi interjected she thinks that Mr. Walker is the perfect guy to do the messaging and not to misunderstand what she is trying to say, as it is difficult when she is not there in person, but thinks Mr. Walker is only going to take the direction he is given, so he can give the best message possible, but he just needs that message; and she thinks Mr. Walker does it in a way that is understandable, that makes it relatable, and gets it out there as much as he can, but he can only take what is given.

Chair Lober expressed his apology, thinking he was getting a different feeling from what

Commissioner Isnardi initially stated.

Commissioner Isnardi replied no, that she thinks Mr. Walker is fantastic and would never say an ill word about him; he has done a fantastic job; but she thinks he needs more from EOC.

Chair Lober stated he would get in touch with Mr. Wallace, Mr. Walker, and with Kimberly Prossor, Director of Emergency Management, to see if that can be discussed to a greater degree.

Commissioner Isnardi expressed her appreciation.

Chair Lober stated there was housekeeping matter, before it went on, and asked for a motion to waive the procedure requiring members of the public to complete pink comment cards.

The Board approved waiving the use of public comment cards at the scheduled Board of County Commissioner's meeting.

**F. CONSENT AGENDA**

Commissioner Pritchett pulled Item F.17.

**F.1. F.D.E.M. Hazard Mitigation Grant/Voluntary Buyout for North Merritt Island**

The Board authorized the Chair to execute the Cost-Chare Agreement Contract No. H0408 (Project No. 4337-282-R) with FDEM to purchase and raze the home located at 4560 Horseshoe Bend and regrade the property, due to repetitive flooding damage; authorized the County Manager, or his designee, to execute future contract amendments subject to the approval of the County Attorney and Risk Management; and approved associated budget change requests.

**Result:** Approved

**Mover:** Rita Pritchett

**Seconder:** John Tobia

**Ayes:** Pritchett, Lober, Tobia, Smith, and Isnardi

**F.2. Temporary Moratorium on New Applications of Biosolids to Lands within Brevard County**

The Board considered the new sample data provided for legislative intent and permission to advertise extension of the current bio solids moratorium for another 180 days.

**Result:** Approved

**Mover:** Rita Pritchett

**Seconder:** John Tobia

**Ayes:** Pritchett, Lober, Tobia, Smith, and Isnardi

**F.3. Final Plat Approval, Re: Pinecrest Academy Space Coast, (19SD00015)  
Developer: School Property Development Brevard, LLC.**

The Board authorized the Chair to sign and granted final plat approval for Pinecrest Academy Space Coast (19SD00015) – School Property Development Brevard, LLC, subject to minor changes, if necessary, receipt of all documents required for recording, and developer responsible for obtaining all the other necessary jurisdictional permits.

**Result:** Approved

**Mover:** Rita Pritchett

**Seconder:** John Tobia

**Ayes:** Pritchett, Lober, Tobia, Smith, and Isnardi

**F.4. Final Plat Approval, Re: Venue at Viera (19SD00018)  
Developer: The Viera Company**

The Board authorized the Chair to sign and granted final plat approval for Venue at Viera

(19SD00018) – The Viera Company, subject to minor changes, if necessary, receipt of all documents required for recording, and developer responsible for obtaining all other necessary jurisdictional permits.

**Result:** Approved

**Mover:** Rita Pritchett

**Secunder:** John Tobia

**Ayes:** Pritchett, Lober, Tobia, Smith, and Isnardi

**F.5. Final Plat and Contract Approval, Re: Panther Ridge Phase 3 (20SD00002)**

**Developer: D.R. Horton, Inc.**

The Board authorized the Chair to sign and granted final plat approval for Panther Ridge Phase 3 (20SD00002) – D.R. Horton, Inc. and approved the Contract, subject to minor changes, if necessary, receipt of all documents required for recording, and developer responsible for obtaining all other necessary jurisdictional permits.

**Result:** Approved

**Mover:** Rita Pritchett

**Secunder:** John Tobia

**Ayes:** Pritchett, Lober, Tobia, Smith, and Isnardi

**F.6. Acceptance, Re: Binding Development Plan with Ray L.Colgin (19PZ00118)**

The Board executed Binding Development Plan with Ray L. Colgin. Said Plan was recorded on OR/BK 8700/2844.

**Result:** Approved

**Mover:** Rita Pritchett

**Secunder:** John Tobia

**Ayes:** Pritchett, Lober, Tobia, Smith, and Isnardi

**F.8. Approval, Re: Permission to Procure Computer Software System, VUSPEX, that Provides Virtual Inspection Capability**

The Board approved the Planning and Development Department to explore and pursue procurement of VUSPEX software that will provide virtual inspection capability.

**Result:** Approved

**Mover:** Rita Pritchett

**Secunder:** John Tobia

**Ayes:** Pritchett, Lober, Tobia, Smith, and Isnardi

**F.9. Adopt Resolution and Release Performance Bond: The Dunes at Indian River Preserve (Pod 15) Developer: Indian River Preserve Estates Corporation**

The Board adopted Resolution No. 20-025; and authorized the Chair to release the Contract and Surety Bond dated November 12, 2019, for The Dunes at Indian River Preserve (Pod 15) developed by Indian River Preserve Estates Corporation.

**Result:** Adopted

**Mover:** Rita Pritchett

**Secunder:** John Tobia

**Ayes:** Pritchett, Lober, Tobia, Smith, and Isnardi

**F.10. Approval of Authorizing Resolution, Grant Application, Use of Toll Revenue Credits, Execution of Follow-up Grant Agreement, Re: FY2020 Space Coast Area Transit Bus and Bus Facilities Grant (Section 5339) from Federal Transit Administration**

The Board adopted Resolution No. 20-026; and approved the following actions for a FY2020 Section 5339 Bus and Bus Facilities Grant for the Federal Transit Administration in the amount of \$1,775,246: authorized the Chair to execute the Grant Application; authorized use of the Florida Department of Transportation Toll Revenue Credits; authorized the Chair to execute the Designation of Signature Authority allowing staff to submit the Grant electronically; authorized Scott Nelson, Transit Services Director, to execute and submit the Grant Agreement electronically, contingent upon County Attorney and Risk Management Approval; authorized Scott Nelson, Transit Services Director, to execute any additional follow-up documentation, resolutions, and amendments necessary to secure these funds; and authorized any necessary budget change requests.

**Result:** Approved

**Mover:** Rita Pritchett

**Seconder:** John Tobia

**Ayes:** Pritchett, Lober, Tobia, Smith, and Isnardi

**F.11. Approval, Re: Federal Transit Administration Fiscal Year 2020 Certifications and Assurances**

The Board approved and authorized the Chair to execute the Fiscal Year 2020 Certifications and Assurances for Federal Transit Administration (FTA) Grants; and authorized Scott Nelson, Transit Services Director, to execute the Certifications and Assurances electronically.

**Result:** Approved

**Mover:** Rita Pritchett

**Seconder:** John Tobia

**Ayes:** Pritchett, Lober, Tobia, Smith, and Isnardi

**F.12. Approval, Re: Recognize Florida Department of Economic Opportunity Defense Infrastructure Grant Funds and Apply to Emergency Operations Center site work utilizing the Existing Board Approved Contract**

The Board recognized the Florida Department of Economic Opportunity Defense Infrastructure Grant funds to perform site work for the new Emergency Operations Center utilizing current Board approved Contract; authorized the County Manager, or his designee to submit and execute any additional changes, document or budget, in recognition of a Defense Infrastructure Grant Agreement with the Florida Department of Economic Opportunity, subject to approval by the County Attorney and Risk Management.

**Result:** Approved

**Mover:** Rita Pritchett

**Seconder:** John Tobia

**Ayes:** Pritchett, Lober, Tobia, Smith, and Isnardi

**F.14. Acknowledge Receipt of FY 2018-2019 Audited Annual Financial Statements, Ended September 30, 2019, from the Melbourne-Tillman Water Control District**

The Board acknowledged receipt of the FY 2018-2019 Audited Annual Financial Statements, ending September 30, 2019, from the Melbourne-Tillman Water Control District.

**Result:** Approved

**Mover:** Rita Pritchett

**Seconder:** John Tobia

**Ayes:** Pritchett, Lober, Tobia, Smith, and Isnardi

**F.15. Approval of Budget Change Requests**

The Board approved the Budget Change Requests.

**Result:** Approved

**Mover:** Rita Pritchett

**Seconder:** John Tobia

**Ayes:** Pritchett, Lober, Tobia, Smith, and Isnardi

**F.16. Sale of Surplus Real Property by Private Sale Process**

The Board approved the private sale of a surplus parcel of property pursuant to §125.35(2); and authorized the County Manager, or his designee to execute all related sale documentation upon review by the County Attorney and Risk Management.

**Result:** Approved

**Mover:** Rita Pritchett

**Seconder:** John Tobia

**Ayes:** Pritchett, Lober, Tobia, Smith, and Isnardi

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

The Board appointed **Larry Brown** to the Diamond Square Community Redevelopment Agency (CRA) (Cocoa).

**Result:** Approved

**Mover:** Rita Pritchett

**Seconder:** John Tobia

**Ayes:** Pritchett, Lober, Tobia, Smith, and Isnardi

**F.17. Request Permission to Develop and Advertise an Invitation to Bid for Qualified Companies/Institutions to provide an Emergency Medical Services (EMS) Paramedic Training Program and/or a Minimum Standards Fire Training Program**

Mike Bramson, Altamonte Springs, President of the Brevard County Firefighters Union, stated he was there to support item F.17 and another one to come up in the next couple of meetings; this one is specifically towards allowing the Fire Rescue Department to support the brothers and sisters of the Fire Department towards a career ladder, something they have discussed in the past, to allow them to get the certifications that are going to be required for promotion opportunities and investment in the employee; and he knows, right now, it is kind of a hard line to draw between now and the future, but they feel that these types of proposals, and usually they are just accepted, but what these do is create great confidence and investment in the Fire

Department; and he wanted to take the opportunity to express his, the Union's, and the Fire Department's appreciation of continued consideration for all of these types of proposals for funds to be spent towards career ladders, certification, education, and to bring the Fire Department where it needs to be.

Chair Lober expressed his apology with respect to the virus coming up as it has, and he thinks, almost certainly in a more timely fashion, had the Fire Department's salary concerns addressed at least to a degree; all he can say is that, once this virus has passed and the County knows what their resources are, it is going to be in a much better position to do something to help out the firefighters by way of addressing the salary issues and the overtime concerns; he cannot tell him to a certainty it is going to get the Fire Department everything it is looking for, but he thinks the Board can at least bridge the gap if not do a little better than that; all he can add to that is he gives his word that when it is past this situation and it has the ability to do something for them, it will be done; and he does not want him to think the Board is using it as an excuse not to help them out and not to do what it ought to be doing to better ensure the retention that is lacking at this point. He asked him to understand and stated he appreciated him working with the Board and it will absolutely work with him and go to bat for the Fire Department as soon as they get through this and knows what they have.

Commissioner Pritchett expressed her thanks for all the Fire Department is doing right now as it is such a tough time with the community and she really appreciates them putting this on a hesitation right now with that sensitivity to the community; she thinks it means a lot and says a lot about his quality and the people that work around him; she hopes he does not get called to the front lines and hopes this thing goes away pretty quickly; and she wanted to really thank all of them for all they are doing.

Commissioner Smith stated he also wanted to thank the firefighters and other first responders for their service to the community for always being there when the citizens need them, especially in these trying times; they do not take personal issues with them and, first and foremost, they are there to serve the public; it does not matter if their child is sick, or marital problems, or money issues, all is put aside so when they walk out the door, they are 100 percent behind the public; and the Board cannot thank them enough.

Chair Lober stated he wanted to mention something that has not had a formal motion yet proposed to the Policy Group; he stated one of the things it has discussed, if the Corona Virus becomes more widespread in the County, is what it can do governmentally through partner agencies as well, to try to help them do their job more effectively or reduce some of the concerns that would keep them from their job; one of the items that has been discussed is whether it can provide, at least to a degree, child care services for the first responders and for the emergency room staff; one of the ideas was using the Brevard County Libraries, closing the libraries down and using Brevard Public School employees who are already trained to watch kids, watch kids in the County facilities; and there have been concerns raised with respect to that, but he thinks if it gets to that point, it may be something he will push for to help them out.

Commissioner Pritchett stated if it was Brevard County Schools that it would make a lot of sense if the teachers can do it in between; the daycares are remaining open, just to throw that out, which is a business in the public sector and they are going above and beyond trying to take good care of children in a safe environment; she knows there are a lot of those available still but there are a couple closing because of lack of participation; there are a lot of people losing jobs right now and they might want to apply at a daycare if they are in good health.

The Board authorized the Purchasing Services Department to develop and release for advertisement an Invitation to Bid for established companies/institutions to provide the training

programs for EMS Paramedic Training and/or Minimum Standards Fire Training; and authorized the County Manager, or his designee to execute all resulting contracts, contract related documents, and any necessary budget change requests, upon review and approval by the County Attorney and Risk Management.

**Result:** Approved

**Mover:** Rita Pritchett

**Secunder:** John Tobia

**Ayes:** Pritchett, Lober, Tobia, Smith, and Isnardi

## G. PUBLIC COMMENTS

Charles Tovey, Melbourne, stated he did not really need a microphone, but others need it; they do not follow their own cleaning, the issues to contain the virus, and if you do not wash your gloves every time you touch something then you are just transferring the germs to one from another and it looks like the bathroom is in need of sanitation; anyone that goes into an infected area, regardless if it is sanitary here, it does not mean it is going to stay, and they do not follow their own suggestions of keeping healthy; just like Aids, we did not make it illegal to have sex with people, we educated them; and if he does not wash his hands, and have faith that there is a virus that could kill him, it is a good thing that he washes his hands. He went on to say he wanted to speak about the algae blooms, that the months that they come, and this is one of them, when there is no rain, it takes a couple of weeks for the water that everybody is watering to keep their lawns nice, to reach the river and it cannot be contained in the river; education of the lawn fertilization program and disease in the lawn will help that; he has a holistic and environmentally-friendly way of doing it and that leads to the filters that are put in to absorb the nitrate and he has not had time to look at it, but it hinders the exchange of the marine life going to and from; if they hit a filter system, they will not be able to spawn which is a part of a problem with the lagoon from the past; he mentioned aerial spraying and that he noticed that he still has mosquitoes but the bees are falling from the sky, the dragonflies are no more, there is nothing left but mosquitoes; and he wonders what kind of spray they are using, not very effective, it kills everything but the mosquitoes. He mentioned a community bulletin board, if the County could get a website maybe that is friendly to the Sunshine Law which is broken at times, especially when the Board has the little private conversations in the back or on the side panels; he does not know what they are talking about but the public needs to know; he stated the Board needs to have its public comment reserved whether there is a virus, hurricanes, or whatever; and public comment is in the Constitution, he believes, and that is the other issue, it is breaking the Constitutional rights for other people's safety and he does not see it in the Constitution where our Constitutional rights are voided because of safety.

Chair Lober stated he wanted to comment briefly on the Sunshine item; he does not know who is being referenced, if it is one or more Commissioners, but to put everyone on the same page, there is no Sunshine issue with Commissioners speaking about items that are not Commission business; he has spoken with literally everyone there on topics ranging from dogs, to family, to weather, to their travel plans, but he has never spoken outside of a duly-noticed meeting with another Commissioner during the time that he has been a Commissioner about Commission business, and certainly not about anything that is remotely likely to come up before the Commission in the future; all he can say is perhaps it is just the Board Members being social, and in all likelihood, that is really all it is; and if staff members are talking, there is no Sunshine issue with respect to staff speaking amongst themselves. He does not know what was being referenced by that, but wanted to clarify that.

Peter Carnesale, Melbourne, stated he represents himself and goes through his usual warnings in terms of Indian River Colony Club (IRCC) needs a right-hand turn lane off of eastbound

Viera Boulevard onto Independence Avenue into their back gate entrance; it is only a matter of time, not if, a rear-end collision occurs; also pedestrians, bicyclists, and golf carts travel the sidewalk which are not visible from the road until at the turn and they do not stop for cars, which leaves the residents with fear of hitting someone; the short entry before the gate is another reason why the cars making the turn have to slow down; they wind up slowing down below 10 miles per hour, and sometimes have to stop because they spot somebody that is crossing, before making the turn; and this creates a problem where there is now a car stopped in the middle of a lane on Viera Boulevard, which has ongoing traffic at a decent speed, especially since now it has added the traffic that is coming in off of Interstate 95. He stated IRCC, Herons Landing, and Faith Viera Lutheran Church could use a traffic light on the corner, where Herons Landing and the IRCC exit into Viera Boulevard; there is a parallel road from the Faith Viera Lutheran Church along Herons Landing leading to the Herons Landing exit that makes it usable, especially for the left-hand turn lane; he also mentioned a pathway over Interstate 95 along Viera Boulevard is needed to accommodate golf carts in order for the residents of East Viera to have access to the businesses on the west side of Interstate 95; the elderly who no longer drive cars and the school children who used to be able to take their golf carts and bicycles to school, now lack a legal pathway to accommodate the size of walkers, bicyclists, and golf carts at the same time while trying to cross over Interstate 95; in addition to that, there has been a law passed that makes it illegal for them to cross over, all of which existed prior to the new exit created for Viera Boulevard off of Interstate 95; he stated if people were to look at the parking lots of the schools, they would notice that there are nine million golf carts which means the people that are leaving on that side of Interstate 95 are able to use the golf carts, the people on the east side of Interstate 95 cannot; and that is a division that is being made within the community which should not be.

The Board recessed at 10:10 a.m. and reconvened at 10:15 a.m.

Mike Bramson, Altamonte Springs, President of the Brevard County Firefighters Union, wanted to take the opportunity to thank the Commissioners for their kind words earlier in this meeting and he thanked the citizens and visitors of Brevard County for the considerations in executing the guidelines of the World Health Organization (WHO), the Center for Disease Control (CDC), the Governor, the President of the United States and his Cabinet, and the Board of County Commissioners (BOCC), and the suggestions of the internal Emergency Operations Center (EOC), Fire Rescue, Public Safety, and the BOCC; these unprecedented guidelines are in place to ensure everyone's safety while considering the worldwide effects of the Covid-19 event; by participating in any of these guidelines, any type of guideline, people will then try to get through the Covid-19 event, or whatever it will eventually be deemed, by trying to also ensure the American way of life, and the Board already addressed that earlier in the meeting today; he understands that these restrictions, guidelines, and rules are difficult for everyone, including trying to conduct business today; and he understands that it is upsetting the livelihoods of many of the citizens, visitors, and Americans. He is there to thank everyone for the consideration of these guidelines; there is a campaign, he does not know who started it and does not know how it became a campaign, but the statement on the internet, public safety, or public comment, or wherever it is, is that the public safety environment goes to work for the community so they ask that the community stays at home; all he is asking is that people just follow the guidelines; he is not sure how it got started, but he thinks it is a great idea just to publicize that there are guidelines that need to be followed; on behalf of the Brevard County Firefighters, with these guidelines, they want to thank the citizens for their consideration as it does help the firefighters, it ensures the safety of the firefighters and all public safety servants; and as they enter the community's environment, they are there to help, and able and willing to do everything they need to do, there is a certain level of risk associated with their job that happens every single day. He stated with these guidelines, the level of that risk with what is going on today, could be reduced; and he wanted to express his gratitude in a forum like this.

Chair Lober stated he had a question, and apologized for putting Mr. Bramson on the spot; he asked how the firefighters are doing in terms of their stock of Personal Protection Equipment (PPE) or Body Substance Isolation (BSI).

Mr. Bramson stated that would have to be addressed with Public Safety across the board, but from the Union's point of view, they are very happy with the direction they got, the support they have from their management leading to what is needed to be done, how to file their document, and the transparency of communication on when there is a certain event; he stated they are in the thick of it and have had the assumed, realistic, or documented exposures; it is a real thing in front of every public safety servant, right now; they are in good spirits and doing what they can, and things are good; and as to the exact response for what he is being asked, he would defer that to proper management.

Chair Lober replied that he will point out that he has had conversations with Mark Schollmeyer, Fire Chief, and Matt Wallace, Public Safety Director, with respect to making sure firefighters are notified when they are the first responders for someone that tests positive for Covid-19; he knows that has been relayed to the Florida Department of Health (FDOH) to be absolutely certain the County gets the most timely as possible notification when the epidemiological data comes back, so whoever responded to the call can be told to take whatever steps may be appropriate; he stated if the Commission can do anything or if he can do anything to help the firefighters with respect to anything that is going on with this health issue, to let the Board know; and he thinks that the firefighters have a lot of good will here, so if there is anything realistically possible for the Board to do, he is fairly confident that the firefighters will get what is needed.

Mr. Bramson expressed his appreciation and noted that the notification on the citizens who were affected by this and their interaction with the first responders is key; they get concerned and hear the scuttle and worry about what is being taken home, and what would they do, like bathing in bleach; timing is of the essence when these type of reports come back; and he appreciates that effort and direction.

#### **H.1. Public Hearing Amending Ordinance Chapter 22, Article VI, Contractors Code of Brevard County**

Chair Lober called for Public Hearing to amend Ordinance Chapter 22, Article VI, Contractors Code of Brevard County.

Eden Bentley, County Attorney, stated this is simply an amendment to Ordinance Chapter 22, Article 6, Contractor's Code of Brevard County and it is an amendment to come into alignment with the Florida Statutes.

There being no further comments or objections, the Board adopted Ordinance No. 20-04, amending Chapter 22, "Buildings and Building Regulations, Section 22-562 Appellate Review" Code of Ordinances of Brevard County, providing for appellate review consistent with 489.127, Florida Statutes; providing for conflicting provisions; providing for severability; providing for area encompassed; providing for an effective date; and providing for inclusion in the Brevard County Code of Ordinances.

**Result:** Approved

**Mover:** John Tobia

**Secunder:** Bryan Lober

**Ayes:** Pritchett, Lober, Tobia, Smith, and Isnardi

**I.1. Request Board of County Commissioners approve continuing this agenda to the April 21, 2020 Regular meeting. Approval: Re: Exchange Agreement between Brevard County and Florida Inland Navigation District (FIND)**

Chair Lober stated he would like to continue three Items due to folks not being able to attend; he has had some emails advising they would not be able to attend because of being in high-risk groups; and he asked to continue Item I.1. to May 5.

The Board approved to continue Item I.1. to May 5.

**Result:** Approved

**Mover:** Rita Pritchett

**Secunder:** Bryan Lober

**Ayes:** Pritchett, Lober, Tobia, Smith, and Isnardi

**I.2. Staff Report on Legal Notices Advertising Using the Least Expensive Publisher**

Chair Lober stated he would like to continue three items due to folks not being able to attend; he has had some emails advising they would not be able to attend because of being in high-risk groups; and he asked to continue Item I.2. to May 7.

The Board approved to continue Item I.2. to May 7.

**Result:** Approved

**Mover:** Rita Pritchett

**Secunder:** Bryan Lober

**Ayes:** Pritchett, Lober, Tobia, Smith, and Isnardi

**J.3. Refinance the Non-Ad Valorem Revenue Note, Series 2014 and Local Option Fuel Tax Refunding Revenue Bond, Series 2014**

John Denninghoff, Assistant County Manager, advised that Kathy Wall, Special Projects Coordinator, is in the Florida Room for comment if Chair Lober would like to give her a briefing; and if a briefing is not needed, the only addition he would like to add is in the requested action, the number is 1.5 percent but it is actually 1.52 percent.

Chair Lober stated that Ms. Wall provided that to him this morning as well; he added for edification, that he had an offline conversation with Ms. Wall during the briefing in which he asked, given that the Fed dropped the rate substantially in the recent past, whether these were really the best rates that could be gathered and whether it was worth going out to seek another set of bids; she produced a document for him earlier today that had the rates that would be available if the Board were to go out today and they are no better; she has done her homework and due diligence that he is satisfied that this is a good move despite the Fed having dropped the rates since this was obtained as an offer here; and he had a motion to approve by Commissioner Pritchett and seconded it.

The Board adopted Resolution No. 20-027, accepting the proposal of TD Bank, N.A., not to exceed \$33.5 million, to refund the County's outstanding Non-Ad Valorem Revenue Note, Series 2014 and Local Option Fuel Tax Refunding Revenue Bond, Series 2014; approved lowering the interest rate to 1.52 percent and 1.26 percent respectively; granted authority to the Chair to execute the Resolution along with other documents required to close the transaction; and authorized the County Manager to approve all necessary budget change requests to

implement this request.

**Result:** Approved

**Mover:** Rita Pritchett

**Second:** Bryan Lober

**Ayes:** Pritchett, Lober, Tobia, Smith, and Isnardi

#### **J.4. Approval of Board to Send Letter to The Nature Conservancy**

Commissioner Pritchett stated not that this might be good or not, she thinks this is really bad timing today and would like to make a motion to table this as she does not think it is a good topic for today.

Commissioner Tobia stated he had a motion but he will just hold on since this one has come up; and he does not disagree with Commissioner Pritchett.

Chair Lober stated that before the Board does anything else, after it has Commissioner Pritchett's motion, then it will go to Commissioner Tobia's motion and address that; and he stated he would second Commissioner Pritchett's motion but wanted a particular date to move that to and asked about six to eight weeks out.

Commissioner Pritchett agreed and stated she thinks the first meeting where the Board comes back after this has calmed down a bit and public is able to be there for public comments.

Chair Lober stated that would require a crystal ball to figure out when things are going to calm down and he asked Attorney Bentley how long she thought this could wait; and mentioned after the summer break and inquired what that meeting date would be.

Mr. Denninghoff advised the first meeting after the summer break would be around July 10th or 11th.

Chair Lober stated that would give this a chance to calm down without hopefully having to continue it again; and he stated the motion is to continue this to July 7th from Commissioner Pritchett and he seconds it.

The Board tabled discussion to approve a letter to The Nature Conservancy for the Environmentally Endangered Lands (EEL) Program to the July 7, 2020 Board of County Commissioners meeting.

**Result:** Approved

**Mover:** Rita Pritchett

**Second:** Bryan Lober

**Ayes:** Pritchett, Lober, Tobia, Smith, and Isnardi

#### **J.2. Speak Up Brevard**

Chair Lober stated he would like to continue three items due to folks not being able to attend; he has had some emails advising they would not be able to attend because of being in high-risk groups; and he asked to continue Item J.2. to May 5.

The Board approved to continue Item J.2. to May 5.

**Result:** Approved

**Mover:** Rita Pritchett

**Secunder:** Bryan Lober

**Ayes:** Pritchett, Lober, Tobia, Smith, and Isnardi

Commissioner Tobia stated he had a motion to reconsider tabling of one of the items, as he was in the majority; it is Item J.2. Speak up Brevard and he wanted to explain real quickly and wanted Chair Lober's input; the Charter 2.9.10 explains the process and Section C reads, "The County Commission's final vote in consideration shall occur no later than 120 days after receipt of the written recommendation"; this would put the Board in violation of that; and he knows it is a time of unprecedented emergency but it still would put the Board in violation of the Charter. He stated that he asked if any of the people that submitted these have shown up, and to the best of his knowledge, there is none here that are interested in that; he made a motion to go with staff recommendation on all of them which would keep them in direct alignment with the Charter.

Chair Lober stated he would support that but also wanted to state the reason for continuing this was because he thinks this is a particular item likely to generate public input, was it not for the issues that are being experienced; he stated he has had people reach out and tell him that they would be there, but for the fact that they are in a high-risk group; and he hates to address this without them present and having the opportunity as he thinks is genuinely fair, but if that is what the Charter requires, then he will support it.

Commissioner Tobia stated he could bounce it over to Attorney Bentley; he asked what the penalty clause was and apparently there is not one, however, running afoul of the Charter is the balance the Board has to make between citizen input, though it will have made the recommendations; he would certainly believe anyone that wants to show up after this, give them their full consideration next year or immediately, in fact waive the three minutes and give them as long as they wanted; and he is hesitant, he thinks they all go by Sunshine, and he did not know the motion would be that and he did not have his ducks in a row.

Chair Lober stated he did not think there was anything precluding the Board from revisiting any of these that it addresses at a future date and he asked Attorney Bentley; he explained his thought is if someone comes at a future meeting and wants the Board to address this, if they bring it up during public comment, it can be addressed either then and there if it is something simple, or alternatively it can be set for the subsequent meeting; he would be happy to address any of the items that are voted on today in the future if that is what someone would like; and he asked if that sounded fair.

Commissioner Tobia stated his motion is to reconsider the motion for tabling Item J.2.

The Board reconsidered the motion tabling the consideration of CEERS.

**Result:** Approved

**Mover:** John Tobia

**Secunder:** Rita Pritchett

**Ayes:** Pritchett, Lober, Tobia, Smith, and Isnardi

Commissioner Tobia stated his next motion is to accept staff recommendations on all items in CEER 2020-001 through CEER 2020-055.

The Board considered Citizen Efficiency and Effectiveness Recommendations (CEER) and accepted CEER 2020-001(a) and (b) with modification, while these road segments are not under the jurisdiction of Brevard County, staff will continue to provide input through the Space Coast Transportation Planning Organization (TPO) and to the FDOT regarding the

possibility of raising the priority of both of these items, compared to other needed transportation projects; accepted CEER 2020-002(a)(b)(c) with modification, that acknowledge and confirm that similar actions are underway as approved and directed by the County Commission, and rejected item (d) due to lack of local authority; rejected CEER 2020-003; accepted CEER 2020-004; rejected CEER 2020-005; accepted CEER 2020-006; accepted CEER 2020-007 with modification, to include merchant services when the County goes out for competitive procurement on general banking services; rejected CEER 2020-008; accepted CEER 2020-009 and CEER 2020-010 with modification; rejected CEER 2020-011; accepted CEER 2020-012 with modification with Keep Brevard Beautiful (KBB) and Adopt-An-Area initiatives will strive to coordinate litter pick-up activities with County mowing operators; accepted CEER 2020-013 with modification, as leasehold improvements at Port Canaveral are being taxed by Brevard County in accordance with Florida Statutes; accepted CEER 2020-014 with modification, as leasehold improvements at Port Canaveral are being taxed by Brevard County in accordance with Florida Statutes; rejected CEER 2020-015; rejected CEER 2020-016; rejected CEER 2020-0017; accepted CEER 2020-018 with modification; rejected CEER 2020-019; rejected CEER 2020-020; rejected CEER 2020-021; rejected CEER 2020-022; rejected CEER 2020-023; accepted CEER 2020-024 with modification, use a competitive procurement process that provide the least cost solution for muck removal rather than awarding work through a non-competitive, sole-source contract; rejected CEER 2020-025; accepted CEER 2020-026 with modification, Fire Rescue has already implemented software in our communications center to address unnecessary responses; BCFR's ambulance staffing and response models limit the number of responders sent to an emergency to an efficient number depending on the situation; the County will continue to renew our efforts to encourage Pro Q/A or similar software with municipalities; and BCFR's shift schedule requires the firefighters to eat meals at their assigned stations; accepted CEER 2020-027 with modification, tangible personal property taxes in the amount of \$265,849 are being levied by Brevard County in accordance with Florida Statutes; accepted CEER 2020-028; accepted CEER 2020-029(a) with modification; accepted CEER 2020-029(b) with modification; accepted CEER 2020-030(a) with modification; accepted CEER 2020-030(b) with modification; accepted CEER 2020-031 with modification, while these road segments are not under the jurisdiction of Brevard County, staff will continue to provide input through the Space Coast Transportation Planning Organization (TPO) and to the FDOT regarding the need for these transportation improvement projects; rejected CEER 2020-032(a); accepted CEER 2020-032(b) with modification, to include researching and perhaps modifying cost data; accepted CEER 2020-032(c) with modification, because even with economic incentives, on the 2019 tax bill, Harris Corporation had \$3.7 million in taxes levied by Brevard County; rejected CEER 2020-033; rejected CEER 2020-034; rejected CEER 2020-035; accepted CEER 2020-036(a) with modification, while this road segment is not under the jurisdiction of Brevard County, staff will continue to provide input through the Space Coast Transportation Planning Organization (TPO) and to the FDOT regarding the need for these transportation improvement projects; accepted CEER 2020-036(b) with modification; accepted CEER 2020-037 with modification, that the County sells recycled material collected that generates revenues to off-set the County's collection costs. For example, our facilities sell metals, white goods (appliances), and cardboard which in Fiscal Year 2019 derived revenues of \$156,633; accepted CEER 2020-038 with modification, Brevard County Fire Rescue's call volume and population growth does not support cutting back on the service, we will continue to use efficient ways to dispatch and deploy resources including Pro Q/A which manages the resources for various to triage EMS calls and align the proper resources; accepted CEER 2020-039; accepted CEER 2020-040 with modification; accepted CEER 2020-041(a); rejected CEER 2020-041(b); accepted CEER 2020-041(c) with modification; accepted CEER 2020-042 with modification; rejected CEER 2020-043; accepted CEER 2020-044 with modification; accepted CEER 2020-045 with modification; accepted CEER 2020-046(a-f) with modification; accepted CEER 2020-047; accepted CEER 2020-048 with modification; accepted CEER 2020-049(a) with modification; rejected CEER 2020-049(b); accepted CEER 2020-050; accepted

CEER 2020-051; rejected CEER 2020-052; accepted CEER 2020-053 with modification; accepted CEER 2020-054 with modification; rejected CEER 2020-055.

**Result:** Approved

**Mover:** John Tobia

**Second:** Rita Pritchett

**Ayes:** Pritchett, Lober, Tobia, Smith, and Isnardi

**J.5. Confirmation of Marc E. Bernath, PE, CEM, PMP as Public Works Department Director**

Mr. Liesenfelt stated the item that was added on last was a mistake when putting the agenda together; this is asking for confirmation of **Marc Bernath** as the new Public Works Director; he was interviewed by John Denninghoff, Assistant County Manager, and Frank Abbate, County Manager, for his final interview and they wish to hire him; and if the Board confirms him, he will be arriving in July.

Chair Lober inquired of Mr. Liesenfelt if he thought Mr. Bernath would be a good guy to work with.

Mr. Liesenfelt replied if Mr. Abbate and Mr. Denninghoff say he is a good guy to work with, he is going to be a good guy to work with.

The Board confirmed the appointment of **Marc E. Bernath**, PE, DEM, PMP, as Director of the Public works Department effective July 6, 2020.

**Result:** Approved

**Mover:** Rita Pritchett

**Second:** John Tobia

**L.1. Frank Abbate, County Manager, Re: Board Report**

Mr. Liesenfelt stated there are two items on the April 2nd Planning and Zoning meeting but does not have any Items ready to go and asked if Chair Lober wished to take a motion to cancel the meeting.

Chair Lober asked if any members had anything they intended to put on that meeting before cancelling it.

The Board cancelled the April 2, 2020, Planning and Zoning meeting.

**Result:** Approved

**Mover:** Rita Pritchett

**Second:** Bryan Lober

**Ayes:** Pritchett, Lober, Tobia, Smith, and Isnardi

**L.2. Eden Bentley, County Attorney, Re: Board Report**

Attorney Bentley advised that her office is open and working, subject to the same safety regulations as the rest of the staff.

**L.3. Rita Pritchett, Commissioner District 1, Vice Chair, Re: Board Report**

Commissioner Pritchett stated she wanted to bring some hope to the community; she really appreciates the President and the government with the message they are bringing; she loves

what the President said about not letting the cure be worse than the virus; she wants to say to the people not to let the fear of this be worse than it; and to be smart and wash your hands, and do all the things that need to be done but try to find some normal and not become anxious to where people are run down and stressed which makes one more susceptible to pick up sickness and diseases. She commented she knows that has to be balanced but the County is going to get through this and end up on the other side; one of her favorite books was by Robert Schuller and it was called *Tough Times Never Last But Tough People Do*; the County is going to get through this so people should keep some hope in their hearts; the County has been through things before and will get through this also; try to find some normal in life while having to make all these adjustments and changes; and she thanked the Commissioner and County staff and she appreciates Chair Lober taking leadership.

**L.4. Bryan Lober, Commissioner District 2, Chair, Re: Board Report**

Chair Lober thanked Commissioner Pritchett for saying that and mentioned one of the items discussed earlier was the fact Commissioners can speak with one another for items that do not pertain to Commission business; he wanted to give a shout-out to Commissioner Pritchett as she had called him earlier to see how he was doing during all of this craziness over the past week and he appreciated that; and he noted it is nice to work with human beings here. He pointed out that the County is doing a lot of things; the Emergency Operations Center (EOC) has been good about moving to a virtual EOC concept where people are working remotely if able to do so and still be productive; they instituted a requirement to check temperatures before allowing people to enter the bunker, which was not being done when first starting; the EOC is taking the guidelines that are being promulgated to the public rather seriously and doing it themselves; the EOC workers are basically operating as though there is a pre-existing health condition in order to keep the best possible practices in place; and he stated this is a wholly unprecedented time, in that the Governor had an order cancelling all non-emergency surgery in the State and he had never heard of that before. He continued to say it is not only about elective procedures, it is also about back surgeries, orthopedic surgeries, and necessary surgeries that are not technically emergencies; he mentioned there are exceptions, like malignant tumors, but there is a concerted effort to make sure that first responders and emergency workers have access to all the PPE that is needed and not used in surgeries that can wait; he thinks that speaks to the fact that all are mobilizing what can be to try to get this thing under control; he hears different timelines from folks ranging from right around the corner to this will be over in six to eight months, but who truly knows how long it will take; he is taking it day by day and operating based upon the best available information as it comes in; and as Commissioner Pritchett said, this is not to downplay things at all and if a person is in a high-risk group, this is no joke by any means, but someone that is young and healthy that does not have a pre-existing condition that predisposes them to this, cannot make themselves crazy. He explained he is not saying to do the European cheek-kissing with everyone, but if the guidelines are followed, a person could have a normal life and not go stir-crazy and to try to take everything in stride, do what can be done, or order a pizza if wanted; he stated this will pass, whether it be two weeks or eight months, he does not know, but it is something the County will have to get through; it is unfortunate and he wishes the County did not have it, but it does; and it is a reality that he thinks all are dealing with.

**L.5. John Tobia, Commissioner District 3, Re: Board Report**

Commissioner Tobia stated it is wonderful all the things the County has stepped up to do, he is hoping it can potentially do a little bit more; he tries not to put these things in Board Reports but as this is a fluid situation, he would like to get Chair Lober's input on these types of things; small business are struggling, the Board is so fortunate to have government jobs, and educators have a very easy switch to online education but small businesses do not have the

luxury that the Board does; while local government may have the ability to keep these businesses afloat, he thinks there are probably some mitigating factors it can do to not kick these folks when they are down; and he asked staff, and wanted to see where Chair Lober was on this one. He stated this is not an exhaustive list but a list of things he thinks the County can do; one would be waiving the annual business tax receipts and he spoke with Tad Calkins, Planning and Development Director, and it is around \$40, which is not going to keep a business afloat but when a business is not open and gets a letter from the County asking for \$40 to stay in business, he thinks that is probably not the best timing; there are fire inspection fees that are \$25, which is reasonable, and he does not know but he thinks the accounting that goes into it is probably more than the actual cost; another would be waiving repair permits for things like air conditioners, another fee that in these tough times is probably not going to break on the County's perspective but could be problematic; and there are other things on there that may have a larger impact and staff is looking into them, which would not be waiving, but holding payment on utilities for businesses until after the National, State, or County Emergency. He mentioned he thinks it would be a little premature to offer that without having any explanation of the potential impact; as mentioned, he spoke with Mr. Calkins just yesterday and has not had the opportunity to spend as much time as he would like to on that but the low-hanging fruit would be to waive the annual business tax receipts, the fire inspection fees and repair permits; he wanted to find out where the Board was on this and if it had any suggestions, he is more than willing to listen; he thinks this is probably a good first step and it should probably start with what is done in other emergencies like hurricanes and then go from there as this is going to be much longer; and he wanted to know where the Board was on any of this. He mentioned that this is the one thing that he actually tried to prevent other Commissioners from doing, putting financial things on the Board Reports; hopefully, when he did it a year and one-half ago, he put the clause in there, unless there is a time of emergency, if he did not, then he is going against what he said in the past but thinks that this warrants at least a discussion; he would go as far as to say that if the Board was not comfortable, and this is something that the Chair could act on, he would delegate that one, the exact dollar figures were back from staff and he appreciates their diligence to move as quickly as possible; and he is bad for not confronting this sooner but wants to do everything the County can to help the small businesses that are hurting right now.

Chair Lober stated he did not want that authority and asked to not vote to give him the authority as he really does not want it.

Commissioner Pritchett stated she is in agreement with Commissioner Tobia; she thinks what has already happened last week and one-half is very significant to Brevard's economy and thinks it will be feeling a big hit; she saw the stock market crash, the housing, the banking, and was wondering what would happen next because the County is a little late on the time period; she had no idea it was going to be a virus that would do this; she thinks there is going to be a significant economic crisis very soon and is in favor of this; and she thinks anything the Board can do to help keep businesses afloat, is good for the whole economy and keeping people employed.

Chair Lober stated without knowing what the aggregate amounts are, he does not know that he could just vote to waive that at this point; he might be willing to do that based on the total impact but his concern is any time the Board does something that impacts the intake of funds without expenditures going down, it puts it in a situation that is tough insofar as avoiding raising taxes for subsequent years; he does not want to spend down reserves any more than necessary but understands that it may be necessary with this; he asked that the Board consider an alternative, if the numbers are such that it really would impact the County or deplete the reserves to a dangerous level, that it looks at perhaps extending deadlines substantially with each of those things, adding six months or a year without any penalty for the extension for

repair permit fees, fire inspection fees, extending deadlines, or business licenses, things of that nature; and he would not mind giving people eight months to a year to allow for things to recover and for people to have a meaningful or similar income that they are used to experiencing before requiring them to pay the County. He stated he is not saying no, but he does not feel warm and fuzzy about the idea of waiving something until the exact financial impact to the County is known, because if all the Board is doing is kicking it down the road, and putting itself in a position where taxes will have to be raised, it is delaying the inevitable and it might as well just extend the deadline so that it does not have to do that.

Commissioner Pritchett stated she agrees with all of that and taking a look at what she thinks is coming down the pike, the County is going to have to do a lot of cuts soon because there will be a real lack of tax dollars; on the flip side of that, she asked Commissioner Tobia if he would come up with a recommended time period and the Board could keep an eye on that; and if these businesses go out of business, these fees would not be feasible to collect from them regardless, but it is a way to maybe keep them afloat because revenue will be received on the businesses doing well during the year, so it actually might help the County a bit in the long run if it can keep these businesses surviving.

Commissioner Smith stated coming from the small business community, he wholeheartedly agrees with Commissioner Tobia's proposal, however, he has not had any time to think about it and any feel-good measure comes with a feeling about unintended consequences and he cannot think of any that would be a detriment to the County but he would prefer to wait for the next meeting before making this decision; one thing he just thought of was that if the Board suspended the fees for a renewing of a business, for example, for one or two months, what about all the businesses that renewals do not occur until August or September, is it going to waive all of them for the entire year for everybody because they could likely say, what about me; and he does not think that would be an impediment but that is just his thought, but he really likes the idea in general.

Commissioner Tobia stated these are all very good points and his motion would be to not waive but certainly not send out any bills until the next Board meeting on April 7th and ask staff to come with a report as to what the total cost of these items would be, as well as other suggestions, to ameliorate, not fix, but at least get close to some normalcy; Commissioner Smith brings up some very good equitable points unfortunately the system just is not set up that way, someone with homestead may be paying a quarter of the property taxes as the neighbor next door; he thinks people need to come together as a community and he thinks one business that would have to pay \$40 three months down the road would not find any acrimony with a business that was struggling and billing them for the \$40; if the Board was talking about taxes altogether, that would be something different, this is just something that an added burden of going into a business, opening mail, writing a check, and maybe the accountant was laid off, it is just problematic; and he stated the motion would be to suspend billing until the next Board meeting and ask staff to come back with a report as to certain things it could do to help small businesses.

Chair Lober stated he would second it for discussion but, by next meeting, if an emergency meeting is called, whether it is tonight after 4:30 p.m. or otherwise, he takes it Commissioner Tobia is meaning the next regularly scheduled meeting.

Commissioner Tobia stated he was informed that April 7th is the next meeting.

Chair Lober stated he would take it to mean that.

Commissioner Smith stated Commissioner Tobia stimulated another idea in his head and

instead of waving during this period, because it is not known how long the period is going to be, maybe the Board could consider suspending fees until after it is over or maybe even until the end of the third quarter; and businesses would still be responsible but they would have a chance to get their business back in full force and gaining income and would not incur any penalties for being late.

Chair Tobia stated he likes that idea but he would still like staff to come back with other suggestions as these were just some that came off the top of his head as well as a brief consultation with Mr. Calkins, so if there is more that can be done, other than his three suggestions, and utilities was one of them, to help the small businesses; and he does not think that \$40 is going to stop a business from going out of business, but he thinks suspending the fees until later is a great idea.

Chair Lober inquired if staff had any concerns that there would be any sort of unintended consequences with respect to this that the Board may not be aware of, or something that would create a logistical nightmare by doing this.

Mr. Liesenfelt stated the first answer would be that staff would have to look at it and come up with ideas and see if there were any unintended consequences before bringing it to the Board.

Chair Lober asked if anything stood out at the moment.

Mr. Liesenfelt stated he caught bits and pieces as it was only talked about late afternoon so it is still in the idea phase and it needs to be put down on paper to bring to the Board.

Chair Lober indicated he was meaning in terms of suspending the billing until the next Board meeting, that part of it.

Mr. Liesenfelt remarked unless Mr. Calkins was upstairs, he could jump in, as he is not exactly sure how the billing function works, whether automatic or if April 1st notifications are sent out and they have to stop the contract or something; and he stated outside of that he was not sure.

Chair Lober inquired if Commissioner Tobia would consider modifying or amending the motion to state to authorize the Planning and Development Director to do this if it is feasible; and if there is something that really makes this prohibitively difficult, he does not want Mr. Calkins pulling his hair out.

Commissioner Tobia answered yes, absolutely, to give the County Manager's office the ability to make the determination if this is something that would not cost taxpayers more money, which would be the worst situation, if it would cost taxpayers \$20,000 to save businesses \$10,000, then the Board should just do away with the fee, and within reason, bring back to the Board at the April 7th meeting if there is a more efficient way or other ideas that can help small businesses; and a good place to start is what is done in hurricane situations.

Commissioner Pritchett stated she thought when the discussion began that Commissioner Tobia wanted to get the Board's input so he could get some more data and bring it back, which she thought was wonderful and she is still in support of that when he gets the information back; she thinks Commissioner Tobia has good intentions so, as far as doing all the other things, she is definitely in support of his original thought of getting some information today and coming back to the Board.

Chair Lober asked Commissioner Tobia if he wanted to sever the motions or basically make it two motions instead of one because it sounds as if he will get 50% of what he wants without a

question and the other he does not know, in terms of suspending the billing for the present time.

Commissioner Tobia stated he would withdraw his motion and go with what Commissioner Pritchett discussed which was getting a report back from staff, and let Commissioner Smith make the second motion since it was his good idea.

Commissioner Smith stated his inclination would be for the Board to consider waiving all penalties and fees on businesses until the third quarter of this fiscal year; and he stated not to waive them completely, what they would be doing is giving them the benefit of the doubt that they do not have to pay that fee or incur any penalties for not paying until such time they are back in business; and he would hope that if they survived until the third quarter, would still be in business and able to pay their penalty.

Chair Lober stated essentially it would be extending their deadline.

Mr. Liesenfelt stated to the Commissioners he hated to be technical, but the start of the third quarter is next week so if it wanted to suspend it, then it needs to be the start of the fourth quarter.

Commissioner Smith stated to make it until September 1st.

Chair Lober stated he needed to make sure since he has heard so many things discussed, he is not clear on what the motion is.

Commissioner Tobia replied that it was to suspend payment for billing of business tax receipts, fire inspection fees, and repair permits.

Commissioner Smith added and all penalties incurred due to untimely payments.

Commissioner Tobia indicated that was even better.

Chair Lober stated the Board is voting on whether to suspend the billing and any penalties that may be associated with late payment with respect to the bills that were suspended until September 1st; and he asked if everyone was clear on that.

Commissioner Tobia asked to modify to include if staff finds an unintended consequence to amend it accordingly.

Chair Lober stated he will go ahead and second that; and he asked if it was okay with the Board.

The Board approved suspending payments of business tax receipts, fire inspections, repair permits, and all penalties incurred due to untimely payments until September 1, 2020, unless staff finds unintended consequences to amend it accordingly.

**Result:** Approved

**Mover:** John Tobia

**Secunder:** Bryan Lober

**Ayes:** Pritchett, Lober, Tobia, Smith, and Isnardi

Chair Lober inquired if there was a second motion or if it was being left at that for now.

Commissioner Tobia stated that he did not think a motion was needed but to ask staff if they have any other suggestions, things that were missed, if it could be brought back at the next meeting.

Mr. Liesenfelt replied that it would be put on an Agenda Report and put it on the Agenda.

Chair Lober asked if the motion was needed to do the research.

Mr. Liesenfelt replied no, that is good enough to put it on the Agenda for the Board's consideration.

**L.6. Curt Smith, Commissioner District 4, Re: Board Report**

Commissioner Smith stated he would like to offer a big pat on the back and huge congratulations to fellow Commissioner Kristine Isnardi for completing the studies for her nursing PhD as that is a huge accomplishment and he cannot offer up enough kudos; and to Commissioner Lober, being Chair has many challenges and along with those challenges come headaches, and to stick with it and keep up the good work; and lastly, to the entire County staff and fellow Commissioners to stay safe and be smart.

**L.7. Kristine Isnardi, Commissioner District 5, Re: Board Report**

Commissioner Isnardi thanked Commissioner Smith and mentioned she was chatting with him prior to the meeting and mentioned she had completed her education last week; it was a long haul but definitely worth it; she was going to start out talking about the Corona Virus but wanted to talk about what Commissioner Tobia said about small businesses and probably what they could do as a community is support them as much as possible; she knows many of them have their doors shut, their dining rooms closed, and working at a minimal pace and having to lay off workers; and she and Commissioner Smith were talking about takeout and wanted to make sure that people are supporting these small businesses because oftentimes these are the same businesses that sponsor baseball teams and donate enormous amounts of resources to the community, so make sure to take part by helping them keep their power on and doors open. She recommended that, regarding the Corona virus and the messaging and all that, when in doubt, follow the Center for Disease Control (CDC) guidelines; this is what is done at the organization she works for and, as a health care provider, it is important to look at those guidelines because they change as well; the CDC puts the guidelines out because they have done the research; if people are following these guidelines and referring to the World Health Organization (WHO), they are doing their part; and she encourages people, when in doubt, because there is a lot of good and a lot of bad things on the internet, to go back to the CDC guidelines, go back to the experts. She stated she wanted to give a shout-out to health care workers, as this is why she is not at these meetings because it was deemed the safest for her not to attend, and she is ok with that, but the health care workers, law enforcement, first responders, and many of the government workers are at the front lines of this virus and she wants to encourage her brothers and sisters and fellow workers to be safe; she thinks that residents should thank them once in a while, for not hesitating to do their job and keep people safe; she mentioned that another group of individuals that gets lost in the mix are the retail workers, and people have to make sure they are being respected, as they are working hard to give people the supplies; they come in contact with hundreds of people throughout the day, and handling money, and everything else that puts them at risk; and she asked that people are gentle and respectful and to take care of one another.

Upon consensus of the Board, the meeting adjourned at 11:00 a.m.

ATTEST:

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

\_\_\_\_\_  
BRYAN ANDREW LOBER, CHAIR  
BOARD OF COUNTY COMMISSIONERS  
BREVARD COUNTY, FLORIDA

DRAFT