

# **Brevard County Board of County Commissioners**

*2725 Judge Fran Jamieson Way  
Viera, FL 32940*



## **Minutes**

**Tuesday, July 12, 2022**

**5:00 PM**

**Regular**

**Commission Chambers**

**A. CALL TO ORDER 5:00 PM**

**Present:** Commissioner District 1 Rita Pritchett, Commissioner District 3 John Tobia, Commissioner District 4 Curt Smith, and Commissioner District 5 Kristine Zonka

**C. PLEDGE OF ALLEGIANCE**

Chair Zonka led the assembly in the Pledge of Allegiance.

**APPROVAL, RE: COMMISSIONER PRITCHETT TO ATTEND MEETING BY TELEPHONE**

The Board approved allowing Commissioner Pritchett to attend the meeting via telephone.

**Result:** Approved

**Mover:** Curt Smith

**Second:** John Tobia

**Ayes:** Pritchett, Tobia, Smith, and Zonka

**D. MINUTES FOR APPROVAL**

The Board approved the February 8, 2022, March 22, 2022, April 19, 2022, and May 17, 2022, Regular meeting minutes, and the April 7, 2022, May 5, 2022, and May 26, 2022, Zoning meeting minutes.

**Result:** Approved

**Mover:** Curt Smith

**Second:** John Tobia

**Ayes:** Pritchett, Tobia, Smith, and Zonka

**F. ITEMS REMOVED FROM CONSENT AGENDA**

Tad Calkins, Planning and Development Director, asked the Board to table Item F.4., Plat Modification and Waiver for Rambling Acres West Addition, Developers: Church Street Realty, LLC, W. Kelly McLendon, Trusts, and Hunter's Brooke Titusville, LLC, and to continue Item H.1., Health First, Inc. and Health First Shared Services, Inc. requesting a Change of Zoning Classification from BU-1 and BU-2 to PUD with Waivers (22PUD00001), to the July 19, 2022, Board meeting.

**F.4. Plat Modification and Waiver, Re: Rambling Acres West Addition**

**Developers: Church Street Realty, LLC; W. Kelly McLendon, Trustee; and Hunter's Brooke Titusville, LLC**

The Board reached consensus to table consideration of Plat Modification and Waiver for Rambling Acres West Addition, Developers: Church Street Realty, LLC; W. Kelly McLendon, Trustee; and Hunter's Brooke Titusville, LLC, to the July 19, 2022, Board meeting.

**Result:** Tabled

**Mover:** Curt Smith

**Second:** John Tobia

**Ayes:** Pritchett, Tobia, Smith, and Zonka

**H.1. Health First, Inc. and Health First Shared Services, Inc., Re: Requests a Change of Zoning Classification from BU-1 and BU-2 to PUD, with Waivers (22PUD00001)**

The Board reached consensus to continue the public hearing on a request by Health First, Inc., and Health First Shared Services, Inc. for a change of zoning classification from BU-1 and BU-2 to PUD with waivers, to the July 19, 2022, Board of County Commissioners meeting.

**Result:** Continued

**Mover:** Curt Smith

**Second:** John Tobia

**Ayes:** Pritchett, Tobia, Smith, and Zonka

Commissioner Tobia asked to table Items J.1., Discussion, Re: Brevard County Public Schools Athletic Fields, J.2., Rescind Resolution No. 22-055, Re: Referendum Election for School Millage Increase, and J.3., Repealing Resolution No. 18-040, Re: Implementing Legislation for the Property Assessed Clean Energy (PACE) Program in Brevard County, to July 19, 2022, or until the District 1 Commissioner can be physically present to discuss the items; and he would like to pull Item F.25, Appointments, Re: Brevard Workforce Development Board, Inc. Board of Directors, d/b/a CareerSource Brevard, for discussion.

**J.1. Discussion, Re: Brevard County Public Schools Athletic Fields**

The Board tabled discussion of Brevard County Public Schools athletic fields until the July 19, 2022, Regular/Tentative Millage Meeting, or the next meeting that Commissioner Pritchett will be present.

**Result:** Tabled

**Mover:** John Tobia

**Second:** Curt Smith

**Ayes:** Pritchett, Tobia, Smith, and Zonka

**J.2. Rescind Resolution 2022-055, Re: Referendum Election for School Millage Increase**

The Board tabled consideration of rescinding Resolution No. 22-055, regarding Referendum Election for school millage increase until the July 19, 2022, Regular/Tentative Millage meeting, or the next meeting that Commission Pritchett will be present.

**Result:** Tabled

**Mover:** John Tobia

**Second:** Curt Smith

**Ayes:** Pritchett, Tobia, Smith, and Zonka

**J.3. Repealing Resolution 18-040, Re: Implementing Legislation for the Property Assessed Clean Energy (PACE) Program in Brevard County**

The Board tabled consideration of repealing Resolution No. 18-040, the implementing legislation for the Property Assessed Clean Energy (PACE) Program in Brevard County until the July 19, 2022, Regular/Tentative Millage meeting, or the next meeting that Commissioner Pritchett will be present.

**Result:** Tabled  
**Mover:** John Tobia  
**Seconders:** Curt Smith  
**Ayes:** Pritchett, Tobia, Smith, and Zonka

**F.1. Acceptance, Re: Florida Department of Agriculture and Consumer Services, Division of Agricultural Environmental Services, FY 2022-2023 Detailed Work Plan Budget - Arthropod Control**

The Board, acting in its capacity of the Mosquito Control District Board, authorized the Chair to execute the Florida Department of Agriculture and Consumer Services, Division of Agricultural Environmental Services, FY 2022-2023 Detailed Work Plan Budget – Arthropod Control, to qualify the Brevard Mosquito Control District as a State Approved Mosquito Control Program.

**Result:** Approved  
**Mover:** John Tobia  
**Seconders:** Curt Smith  
**Ayes:** Pritchett, Tobia, Smith, and Zonka

**F.2. Acceptance, Re: Binding Development Plan with Rotation Holdings, LLC**

The Board executed Binding Development Plan with Rotation Holdings, LLC, for property located at a Tax Parcel 259.1, as recorded in ORB 7378, Pages 2135-2136, of the Public Records of Brevard County, Florida, Section 8, Township 24, and Range 36.

**Result:** Approved  
**Mover:** John Tobia  
**Seconders:** Curt Smith  
**Ayes:** Pritchett, Tobia, Smith, and Zonka

**F.3. Acceptance, Re: Binding Development Plan with Storsafe of Rockledge, LLC**

The Board executed Binding Development Plan with Storsafe of Rockledge, LLC, for property located at a Tax Parcel 251, as recorded in ORB 3479, Pages 587-588, of the Public Records of Brevard County, Florida; and Tax Parcel 500, portion lying east of U.S. 1 only, as recorded in ORB 2279, Page 2902, of the Public Records of Brevard County, Florida.

**Result:** Approved  
**Mover:** John Tobia  
**Seconders:** Curt Smith  
**Ayes:** Pritchett, Tobia, Smith, and Zonka

**F.5. Final Plat and Contract Approval, Re: Laurasia - Phase 1  
Developer: The Viera Company**

The Board, in accordance with Section 62-2841(i) and Section 62-2844, granted final plat approval for Laurasia – Phase 1, subject to minor engineering changes, as applicable, and developer responsible for obtaining all other necessary jurisdictional permits; and authorized the Chair to sign the final plat and contract for Laurasia – Phase 1.

**Result:** Approved  
**Mover:** John Tobia  
**Seconders:** Curt Smith  
**Ayes:** Pritchett, Tobia, Smith, and Zonka

**F.6. Approval, Re: Dedication of Warranty Deed and Bill of Sale from Indian River Preserve Estates Corp., formerly known as Florida Land & Cattle Corporation, for Tract LS-1 of Rymar Greens at Indian River Preserve for Lift Station N-32**

The Board accepted Warranty Deed and Bill of Sale from Indian River Preserve Estates Corp., formerly known as Florida Land & Cattle Corporation, for Tract LS-1 of Rymar Greens at Indian River Preserve for Lift Station N-32.

**Result:** Approved

**Mover:** John Tobia

**Second:** Curt Smith

**Ayes:** Pritchett, Tobia, Smith, and Zonka

**F.7. Approval, Re: Contract for Purchase of Easement Rights from Matthew David Schunck for the Benefit of Lift Station S17**

The Board approved and authorized the Chair to execute Contract for Purchase of Easement Rights from Matthew David Schunck for the benefit of Lift Station S17.

**Result:** Approved

**Mover:** John Tobia

**Second:** Curt Smith

**Ayes:** Pritchett, Tobia, Smith, and Zonka

**F.8. Approval, Re: Dedication of: 1) Warranty Deed and Bill of Sale from The Viera Company, and 2) Quit Claim Deed from Pangea Park Neighborhood Association, Inc., for the Acquisition of Lift Station W-32**

The Board accepted Warranty Deed and Bill of Sale from The Viera Company, and Quit Claim Deed from Pangea Park Neighborhood Association, Inc., for acquisition of Lift Station W-32.

**Result:** Approved

**Mover:** John Tobia

**Second:** Curt Smith

**Ayes:** Pritchett, Tobia, Smith, and Zonka

**F.9. Approval, Re: Amendment to the Traffic Signal Maintenance and Compensation Agreement FM#413019-1-88-01 and Resolution with the Florida Department of Transportation (FDOT)**

The Board executed and approved the amendment to the Traffic Signal Maintenance and Compensation Agreement FM#413019-1-88-01; adopted Resolution No. 22-057, with the Florida Department of Transportation (FDOT) for authorizing the execution of amendment to the Traffic Signal Maintenance and Compensation Agreement; and any approved necessary Budget Change Requests associated with this request.

**Result:** Approved

**Mover:** John Tobia

**Second:** Curt Smith

**Ayes:** Pritchett, Tobia, Smith, and Zonka

**F.10. Resolution and Release Performance Bond, Re: Avalonia Subdivision, Phase 3  
Developer: The Viera Company**

The Board executed and adopted Resolution No. 22-058, releasing the Contract and Surety Performance Bond dated April 5, 2022, for Avalonia Subdivision, Phase 3 – Developer: The Viera Company.

**Result:** Approved  
**Mover:** John Tobia  
**Second:** Curt Smith  
**Ayes:** Pritchett, Tobia, Smith, and Zonka

**F.11. Approval, Re: Dedication of Warranty Deed from Parasol Melbourne Investments, LLC, for the Parasol at Melbourne Apartments**

The Board approved and accepted the Warranty Deed from Parasol Melbourne Investments, LLC, for the Parasol at Melbourne Apartments.

**Result:** Approved  
**Mover:** John Tobia  
**Second:** Curt Smith  
**Ayes:** Pritchett, Tobia, Smith, and Zonka

**F.12. Resolution and Release Performance Bond, Re: Viera Village Center II  
Developer: The Viera Company**

The Board executed and adopted Resolution No. 22-059, releasing the Contract and Surety Performance Bond dated August 3, 2021 for Viera Village Center II – Developer: The Viera Company.

**Result:** Approved  
**Mover:** John Tobia  
**Second:** Curt Smith  
**Ayes:** Pritchett, Tobia, Smith, and Zonka

**F.13. Approval, Re: Contract for Sale and Purchase from Sherman R. Tucker and Emily K. Tucker (Parcel 1) and Contract for Sale and Purchase from Jack R. Canniff and Carol C. Meyer (Parcels 2 and 3) as Part of the 520 Pluckebaum Connector Project**

The Board executed and approved Contracts for Sale and Purchase from Sherman R. Tucker and Emily K. Tucker (Parcel 1) and Jack R. Canniff and Carol C. Meyer (Parcels 2 and 3) for part of the 520 Pluckebaum Connector Project; and executed all required closing documents related to the Contracts.

**Result:** Approved  
**Mover:** John Tobia  
**Second:** Curt Smith  
**Ayes:** Pritchett, Tobia, Smith, and Zonka

**F.14. Permission to Execute Lease Agreement with NOAA on County-Owned Property and Approval of Resolution Per Section 125.35 Florida Statutes**

The Board approved and adopted Resolution No. 22-060, per Section 125.35, Florida Statutes, and Sections 2-247 of the Brevard County Code of Ordinances, authorizing the lease of real property to the United States Government; authorized the County Manager to execute a five-year Lease Agreement with National Oceanic and Atmospheric Administration (NOAA) for transmission and reception of Weather Emergency Broadcast Communication on the Federal Aviation Authority-owned tower located at Brevard County Wastewater Treatment Plant, 10001 North Wickham Road, Viera, Florida; authorized the County Manager, or his designee, to execute the Lease and any additional changes, documents, or budget actions, as well as any amendments to the Lease, subject to approval by the County Attorney's Office and Risk Management; and authorized the payments made to the County will be directed to the Brevard County Utility Services Department to cover maintenance and operation of the property.

**Result:** Approved

**Mover:** John Tobia

**Seconded:** Curt Smith

**Ayes:** Pritchett, Tobia, Smith, and Zonka

**F.15. Approval, Re: Request for Development, Advertisement, and Award of Bid for Roofing and Heating, Ventilation, and Air Conditioning (HVAC) Utilizing State Housing Initiatives Partnership (SHIP) Program Grant Funds**

The Board authorized the Development, Advertisement, and Award of Bid for Roofing and Heating, Ventilation, and Air Conditioning (HVAC) services; authorized the County Manager, or his designee, to sign contractual agreements, modifications, and amendments for services, upon approval of the County Attorney and Risk Management; and authorized the County Manager to execute all necessary Budget Change Requests.

**Result:** Approved

**Mover:** John Tobia

**Seconded:** Curt Smith

**Ayes:** Pritchett, Tobia, Smith, and Zonka

**F.16. Approval, Re: Request for Development, Advertisement, and Award of Bid for Heating, Ventilation, and Air Conditioning (HVAC) Utilizing Low Income Home Energy Assistance Program - American Rescue Plan Act (LIHEAP-ARPA) Grant Funds**

The Board authorized the Development, Advertisement, and Award of Bid for Heating, Ventilation, and Air Conditioning (HVAC) services; authorized the County Manager, or his designee, to sign contractual agreements, modifications, and amendments for services, upon approval of the County Attorney and Risk Management; and authorized the County Manager to execute all necessary Budget Change Requests.

**Result:** Approved

**Mover:** John Tobia

**Seconded:** Curt Smith

**Ayes:** Pritchett, Tobia, Smith, and Zonka

**F.17. Approval, Re: Property Access License Contract with Beyel Brothers, Inc. - Port St. Boat Ramp**

The Board approved and authorized the Parks and Recreation Director to execute a Property Access License Contract and any renewals with Beyel Brothers, Inc., upon review and approval by the County Attorney's Office, Risk Management, and Central Services.

**Result:** Approved

**Mover:** John Tobia

**Secunder:** Curt Smith

**Ayes:** Pritchett, Tobia, Smith, and Zonka

**F.18. Approval, Re: Donation Agreement with North Brevard Rotary Club Foundation Inc. for Accessible Playground Equipment at Sand Point Park, Titusville**

The Board approved and executed the Donation Agreement with North Brevard Rotary Club Foundation Inc. for accessible playground equipment at Sand Point Park, Titusville.

**Result:** Approved

**Mover:** John Tobia

**Secunder:** Curt Smith

**Ayes:** Pritchett, Tobia, Smith, and Zonka

**F.19. Approval, Re: Administration and Collection Cost for Business Tax Receipts - July 1, 2022 - June 30, 2023**

The Board approved the proposed costs, as submitted by the Tax Collector, for administration and collection of County Business Tax Receipts – July 1, 2022 – June 30, 2023.

**Result:** Approved

**Mover:** John Tobia

**Secunder:** Curt Smith

**Ayes:** Pritchett, Tobia, Smith, and Zonka

**F.20. Approval, Re: 2023 Group Health Plan Design Changes**

The Board approved the Group Health Insurance Program for CY2023, as recommended by the Office of Human Resources/Employee Benefits and the County's Employee Benefits Insurance Advisory Committee (EBIAC).

**Result:** Approved

**Mover:** John Tobia

**Secunder:** Curt Smith

**Ayes:** Pritchett, Tobia, Smith, and Zonka

**F.21. COVID-Related Medical Claim Reimbursement under American Rescue Plan Act (ARPA) (2nd Tranche)**

The Board approved requested reimbursement for COVID-19 related testing and medical treatment provided to health plan subscribers and their dependents, paid through the Brevard County Group Self-Insurance Health Plan; and authorized the County Manager to execute any necessary Budget Change Requests.



**Result:** Approved  
**Mover:** John Tobia  
**Second:** Curt Smith  
**Ayes:** Pritchett, Tobia, Smith, and Zonka

**F.22. Legislative Intent and Permission to Advertise, Re: Amendment to the Brevard County Code of Ordinances Modifying Section 14, Article III, Brevard County Code, Allowing Animal Services to Assume the Responsibility of Inspecting and Authorizing Animal Care Facilities to Operate and Changing the Animal Care Facility Licensure System to a Tax Receipt System**

The Board approved legislative intent and granted permission to advertise for an ordinance amending Section 14, Article III, of the Brevard County Code, allowing Animal Services to assume the responsibility of inspection and authorization of animal care facilities and changing the licensure system to a business tax receipt system.

**Result:** Approved  
**Mover:** John Tobia  
**Second:** Curt Smith  
**Ayes:** Pritchett, Tobia, Smith, and Zonka

**F.23. Approval, Re: Rescind BCC-67 Advisory Bodies**

The Board approved request to rescind BCC-67, Advisory Bodies.

**Result:** Approved  
**Mover:** John Tobia  
**Second:** Curt Smith  
**Ayes:** Pritchett, Tobia, Smith, and Zonka

**F.24. Legislative Intent and Permission to Advertise, Re: Amendment to Brevard County Code of Ordinances, Section 74, Article VI Brevard County Code, Pertaining to Restrictions for Sexual Offenders and Sexual Predators**

The Board approved legislative intent and granted permission to advertise for an ordinance amending Section 74, Article VI, Brevard County Code, pertaining to restrictions for sexual offenders and sexual predators.

**Result:** Approved  
**Mover:** John Tobia  
**Second:** Curt Smith  
**Ayes:** Pritchett, Tobia, Smith, and Zonka

**F.26. 2022-2023 Annual Budget Resolution, Re: Brevard Workforce Development Board, Inc. dba CareerSource Brevard**

The Board executed and adopted Resolution 22-061, approving the 2022-2023 annual budget for Brevard Workforce Development Board, Inc., d/b/a CareerSource Brevard.

**Result:** Adopted  
**Mover:** John Tobia  
**Second:** Curt Smith  
**Ayes:** Pritchett, Tobia, Smith, and Zonka

**F.27. Approval, Re: Five-Year Copier / Printer Leases**

The Board approved the five-year copier and printer leases.

**Result:** Approved

**Mover:** John Tobia

**Second:** Curt Smith

**Ayes:** Pritchett, Tobia, Smith, and Zonka

**F.28. Bill Folder**

The Board acknowledged receipt of the Bill Folder.

**Result:** Approved

**Mover:** John Tobia

**Second:** Curt Smith

**Ayes:** Pritchett, Tobia, Smith, and Zonka

**F.29. Permission to Advertise, Re: Public Hearing to Consider Application for the 2022 Edward Byrne Memorial Justice Assistance Grant**

The Board granted permission for the Brevard County Sheriff's Office to advertise for a public hearing to consider the 2022 Edward Byrne Memorial Justice Assistance Grant Application.

**Result:** Approved

**Mover:** John Tobia

**Second:** Curt Smith

**Ayes:** Pritchett, Tobia, Smith, and Zonka

**F.25. Appointments, Re: Brevard Workforce Development Board, Inc. Board of Directors dba CareerSource Brevard**

Commissioner Tobia stated he has some questions; this is for nominations; and if the Chair has a card for Marci Murphy, he would like her to address his concerns.

Marci Murphy, CareerSource Brevard, stated a couple of years ago, Commissioner Tobia voiced his concerns about putting minorities on the board; their board has taken that into consideration, and has been intentional when they replaced with all of their vacancies; in the last couple of years there has only been one vacancy; it was filled with an African American woman in the healthcare industry; and they recently had another vacancy, and the mandated position is for a community based organization representative that helps youth find education and employment. She went on to say that person is going before their board, and then before the Board of County Commissioners on August 30, 2022; she is a female Hispanic; they have done their best on the intentional vacancies; by looking at the reappointments, there are eight people on that sheet; and five of them are federally-mandated by the government. She added it does not matter who that is in that position, it is the position they have to fill; there are three reappointments that are businesses; and she did not know if Commissioner Tobia had any questions about those, or if he had anything to add.

Commissioner Tobia expressed his appreciation to Ms. Murphy for trying to amend something that was problematic; he stated their board was not reflective of the population of Brevard County nor was it reflective of the people they serve; it is terrible the Commission had to light a fire to get them to do it; but he still does not think they are there; and he asked if she had gotten in touch with some Chambers of Commerce.

Ms. Murphy responded yes.

Commissioner Tobia asked if Ms. Murphy reached out to the Brevard African American Chamber of Commerce in Central Florida.

Ms. Murphy replied no.

Commissioner Tobia inquired if she reached out to the Brevard Hispanic Center.

Ms. Murphy replied not for those two vacancies.

Commissioner Tobia asked if she reached out to Caribbean American and Cultural Association.

Ms. Murphy replied no.

Commissioner Tobia inquired if Ms. Murphy reached out to the Space Coast Black Chamber of Commerce.

Ms. Murphy advised no.

Commissioner Tobia asked if she had reached out to the Native Heritage Gathering Incorporated.

Ms. Murphy replied no.

Commissioner Tobia advised he would end with the Puerto Rican Hispanic Chamber of Commerce.

Ms. Murphy responded she made some inquiries into that one.

Commissioner Tobia asked if in the last two years, she has contacted one organization.

Ms. Murphy responded they had two vacancies and they fill them with two minority positions.

Commissioner Tobia asked if these are reappointments.

Ms. Murphy replied they are reappointments; she stated they did not deny reappointments; every year one-third of their board comes before the Commission for reappointment, so they did not deny any reappointments in order to fill them with minority slots; and if Commissioner Tobia wants them to do that, they can.

Commissioner Tobia noted he is looking at seven or eight individuals who are white.

Ms. Murphy advised they are.

Commissioner Tobia asked not 80 or 90 percent of them, 100 percent are white.

Ms. Murphy responded yes.

Commissioner Tobia inquired how much more reflective her board is today than it was two years ago; and how many people of color are on her board.

Ms. Murphy replied when looking at the 24 members, nine of them are federally-mandated.

Commissioner Tobia stated he understands there are 13 business members.

Ms. Murphy pointed out there are actually 13 business members, but there are a couple that work with the community based organizations that they can also help fill that are mandated; those are not as set in stone as the other, so about 15; they have two African Americans that represents about 10 percent of those 15 members; they do not have any Hispanic members; and they are getting ready to add one Hispanic member if the Board approves it on August 30, 2022. She went on to say they are working on filling the vacancies; and every year one-third of the board comes up for reappointment.

Commissioner Tobia asked if two of 15 members is now.

Ms. Murphy replied yes, and they have one Indian on their board also.

Commissioner Tobia inquired if that is mandated.

Ms. Murphy responded affirmatively.

Commissioner Tobia advised Ms. Murphy is trying to co-mingle these groups; some are mandated that the Commission has no choice over; but she is trying to take credit for the ones that the Commission has no choice on; he is concerned about the ones that there is a choice; and it seems like their choice is only white people. He continued by saying he wants to go back to two years ago when he said the board looks like it fell off of the Mayflower; and he asked how many people of color they had two years ago.

Ms. Murphy noted two.

Commissioner Tobia asked how many they have today.

Ms. Murphy replied two.

Commissioner Tobia inquired how many Hispanic folks they had on the board two years ago.

Ms. Murphy responded she thinks they had one.

Commissioner Tobia asked how many do they have who are Hispanic today.

Ms. Murphy replied they do not have any today.

Commissioner Tobia stated she has digressed; she is trying to take credit for being back to where they were, and they had the opportunity to bring seven or eight people up there; it is nice to reappointment people and all of that, but they did not even reach out; Ms. Murphy mentioned they reached out to the Chambers; and she should have said the white Chambers as it is disgusting.

Ms. Murphy explained every vacancy they had they replaced with a minority.

Commissioner Tobia advised they do not have to reappoint; it is the Commission's job; he challenged Ms. Murphy; she did not take up the challenge; and the Board has seen a regression in the past two years.

Ms. Murphy pointed out they have three minorities on the businesses; and they are getting ready to add another minority.

Commissioner Tobia stated he is looking at appointments today, and there is nothing that says they have to reappoint people; he had to run for reelection; and he did not automatically get that spot.

Ms. Murphy stated of the eight that are on the Agenda today, five of those are mandated; she had no choice on those.

Commissioner Tobia advised of the three, they are all white; and Ms. Murphy may have reached out to the Hispanic/Puerto Rican Chamber of Commerce.

Ms. Murphy stated yes.

Commissioner Tobia commented Ms. Murphy did not reach out to the other Chambers; and he asked if that is correct.

Ms. Murphy responded that is correct.

Commissioner Tobia stated he would move to not accept at least three reappointments here that are not mandated until such a time that this board reaches out to the minority community via email or correspondence to increase participation; if Ms. Murphy came to him and told him she had reached out and had not gotten anything, there would not be a darned thing he could say; and she did not reach out by telephone or email in two years.

Ms. Murphy stated the vacancies was where she thought Commissioner Tobia wanted her to focus, she did not realize he wanted her to deny reappointments to focus on minorities; she can do that; and she can also make him aware moving forward in that respect.

Commissioner Tobia expressed his apology if he did not make it clear; he is disappointed; Ms. Murphy should be ashamed to come before the Board and say racial diversity is extremely important, and then to see the regression of minority appointments from three down to two; and he cannot defend that as a policy maker.

Ms. Murphy advised the representatives must be in their in-demand industries, have over five employees, and must be a Chief Executive Officer (CEO), Chief Financial Officer (CFO), or Chief Operating Officer (COO); the hard part is to find those individuals in their in-demand industries, which is aerospace aviation.

Commissioner Tobia pointed out she did not even ask; if Ms. Murphy would have said she called these Chambers and there were not anyone who met the federal requirements, he would have to sit there on his hands; but she did not pay the common courtesy to these folks and ask.

Ms. Murphy explained she did not realize Commissioner Tobia wanted her to deny reappointments, she was focused on vacancies; and she is sorry she misunderstood that.

Chair Zonka asked as far as the mandated spots, are those mandated to a specific person or a specific industry.

Ms. Murphy replied the mandated spots some are very narrow and some there is a little bit of leeway; 20 percent of the board has to be labor unions and community based organizations with no less than two labor unions; when she reaches out to the labor unions, they assign someone, she has no say in that; the person who is the head of Vocational Rehabilitation, and they are on the board; and there is the superintendent of public schools.

Chair Zonka stated that to her would be a specific one; with labor union representation, it would not be hard to ask them if they have some minority representation; and even though it is a mandated slot, she would still have some leeway to ask just so the board is properly represented by the community.

Ms. Murphy advised she can definitely ask that; the last time she filled those spots, it took two years to get them to put someone on the board; but she can definitely do that; and she can ask for reappointments of labor union seats, and ask them if they can put a minority on there.

Chair Zonka stated that is why she was a little confused regarding the mandated seats; they are mandated with a specific industry; and she thinks Ms. Murphy can find some representation on those mandated spots.

Ms. Murphy noted she can ask.

Commissioner Tobia stated he does not think they would have to ask the African American Chamber of Commerce for a minority appointment; and at a minimum, to just ask.

Chair Zonka stated all of these are reappointments and there actually may be more than three; she thinks Ms. Murphy said were new spots, three where she could make some changes; if Commissioner Tobia is amicable, she would ask for the list to be re-worked; she knows some may come back because Ms. Murphy wants people who will bring value to the board; and it would give them the leeway to use some of those other slots if they are available for some different representations.

The Board rejected the reappointments to the Brevard Workforce Development Board, Inc. Board of Directors, d/b/a CareerSource Brevard; and requested CareerSource Brevard representative to provide a more diverse group of applicants, with the understanding that some reappointments may remain the same.

**Result:** Denied

**Mover:** John Tobia

**Second:** Curt Smith

**Ayes:** Pritchett, Tobia, Smith, and Zonka

## **G. PUBLIC COMMENTS**

Katie Delaney stated she came here today to speak on Item J.2., Rescind Resolution No. 22-055, Re: Referendum Election for School Millage Increase, but that was pulled to another meeting; she hopes this Board, when the time comes, rescinds that vote, especially because some of the Board members said he or she would vote no, and they did not; that was pretty upsetting; she came before the Board a few months ago and spoke to it about the School Board and what has been happening there, how they have been treating the public, how they have been treating parents, wasting money, and how they have a \$512 million debt looming over them; this is decades of mismanagement of funds; and they do not need a millage, they need an audit. She went on by saying she is just very upset, because when she spoke before the Board back in April, she was told, yes, they agree with her; she was shocked this topic was put forward in a zoning meeting where no constituents knew about it or showed up; she had a room full of people who were going to show up tonight; and there is no one who wants this millage. She pointed out people can barely feed their families; she hopes the Board hears her and her heart in this; she hopes the Board votes to rescind the original vote to get rid of this millage from the ballot; she encouraged the Board to reach out to its constituents, because people are not for this; and she hopes the Board does the right thing.

Edie Caggiano stated Grand Isle is part of Viera East Community Association (VECA), which has over 4,000 homes; she would like to speak about reclaimed water on which VECA depends; in about 2018, reclaimed availability issues began as Viera grew; she understands it is not guaranteed, but limited and no reclaimed water has a significant negative impacts on community upkeep and owner and Homeowners Association (HOA) landscaping monetary outlays; despite carefully managing the reclaimed water it gets Grand Isle is deeply affected financially and aesthetically by its dwindling availability as new Viera development is hooked into that system; and Ordinance No. 89-30, amending Chapter 23, Code of Brevard County, states that reclaimed water is to be used on all real property located within areas of Brevard County, which have been designed as reuse districts. She went on to say that Ordinance was written in June 1989 when perhaps reclaimed water was plentiful; it is not the case now; she understands the wastewater from four homes is needed to irrigate one home; with continued use of water efficiency and appliances, that ratio is expected to 6:1; and she asked how can the reclaim department supply new communities, and where would the water come from. She stated it is like advertising a restaurant opening and then saying who knows when or if food will be available; she asked how communities can plan around this kind of service; should they continue to waste potable water for irrigation, which was one of the first reasons given for this Ordinance, which set up the reused system to begin with; Section 23-149, Paragraph 4 of the Ordinance entitled Right to Refuse Service includes the following: that the County should have the right at all times to refuse to extend services, including when there was an inadequate supply of reclaimed water; and they respectfully and urgently request that this refusal option be invoked and the addition of new customers to the reclaimed water be suspended. She added this alliance with Section 23-145 of that Ordinance which states that the intent of this article includes to provide public facilities and utilities that will have a sufficient capability to support the service areas; let the reclaim department do what it needs to catch up with its existing customers insuring that it has the appropriate resources to do so; and only then let them decide what needs to be done to allow them to take on more.

Charles Tovey stated he did find his 92-page appeal brief; he is here because of his property value; 20 years ago he moved to Pineda and bought some property; then Brevard County gave property to the Town of Palm Shores, and they annexed behind him and all surrounding areas; how they did it and what they did he does not know yet; but he has been trespassed by Town of Palm Shores and told that his public speaking was not recognized at their meetings. He went on to say he values his property at \$1 million, because they cannot build on the property behind him without his property; his understanding is they cannot build on the property because of the gravity line that was installed; they gave away the property for \$1 and he put in the gravity line; but now they need more property, so for 20 years everyone wants his property because they cannot develop on their property. He stated Brevard County is losing tax money on their commercial property, Town of Palm Shores is losing their tax money, and the owner of the property cannot do anything; they have been trying to drive him out of his property for 20 years; it was not until last year that he finally got some relief when the last property owner left or sold the property; he has steadily been working on his property night and day; and he has half of the materials for the roof and the other half is coming this week. He advised he is contacting the people around him to see if they are interested in negotiating some kind of terms; he does not want to do anything because they are just going to drive him off of his property anyway; when he went to court the one time it was for failure to pay Code Enforcement fines; the County made a mistake; they prevented him from bringing his paperwork into court the first time, plus the other reasons were lack of merit as well; and more will be revealed.

Rhonda Breault stated Ms. Caggiano spoke earlier about this; basically they have no water supply on a continuing basis; yet they are charged for a water supply on a continuing basis; the water supply is not sufficient to keep the grass growing; and the Board will see from the pictures she passed out that she has brown grass about four months of the year. She continued by saying it is not just her, it is most of the people in their community; they live in a

nice, beautiful, and close knit community; about one-third of the year, a person would not want his or her relatives to come visit; she would like to see what is being done with the water supply; and she would like to be educated about what is being done relating to this.

Sandra Sullivan stated she is a little bit disappointed seeing some of the stuff being put off, but she understands it with the one Commissioner missing; regarding the school millage increase, she is pleased to see it may be rescinded; she pulled her children from the school for a number of years because of what she felt was an issue with servicing the children; she was at meetings last year with a number of those issues of not fulfilling the stakeholders needs and the disrespect that drove off; and she was concerned of the fiscal impact of the actions that were taken. She went on to say the bigger picture she sees in Brevard County is the concern of how the locals are going to handle all of these increases; there is the School Board wanting an increase; from the way she understands it is the County Commission also wants to put to referendum to do away with the Charter Cap; there is another issue, related to the last issue, in terms that it requires a supermajority vote of the Commission; and to put that Charter Cap on, the Board needs a supermajority vote. She added her concern is there could be a difference in legal opinions coming, so she wants to say into the record that the legal opinion was stated on May 5, 2022; in response from the Attorney of what a supermajority vote was, she answered, "The one provision I'm thinking of is the Charter Cap, it says supermajority of the Board. I think a reasonable interpretation is to start with the definition of what the Board is. It is a five-member Board. Even with a vacancy, at that point, it does not change that is the composition of five members, so a supermajority would still be four;" her concern is this legal opinion is stated on public record; and she hopes the Board will respect that when it comes to taking a vote for the Charter Cap; and as well as on the very controversial Driftwood, which she understands also needs a supermajority vote, the public does not want to see \$30 million of bed tax money that is a change of the bed tax, which may be why it requires a supermajority vote. She stated the public does not want to see a single developer that is developing a business center to the correct size facility; and if a convention center is being looked at, the Board should look at that.

Dontavious Smith stated he came to the meeting last week and discussed what he had sent from Brazil regarding the homelessness and affordable housing issue, which is a crisis in Brevard County; he was a little pissed, because of actually caring for a constituent, Brevard County residents, that are not so fortunate to have a place to stay; he is not solely mad at the Board for not recognizing the proposal, because the Board Members are not the only staff he sent the proposal to; he sent it to multiple municipal leaderships in Districts 1, 2, 3, and 4; and it is not solely upon the Board to recognize this proposal because it is not the sole leadership in Brevard County, the municipal leadership has this proposal as well. He went on to say the proposal he submitted is not a hand-out proposal; it is not to hand out food, housing, free transportation, and free education to residents or constituents who do not want to work or go to school to earn sustainable livelihood; a person has to work and go to school; this is a leg up; and that is why he titled the proposal 'Operation Leg-Up Brevard'. He pointed out from his perspective coming from college, he did not have anything; his parents and grandmother worked very hard to make sure he had things, but they did not have much; coming home from college, being on food stamps, and running for mayor, he had nothing but his drive to focus on his community; at the same time, coming out of college he had student loans; and after college, he was denied many job opportunities. He stated this proposal allows students, disabled Veterans, Veterans period, families who have lost homes or job a leg-up; this is not giving them a hand out to say this is what is being given for the position he or she is in, because not everyone's situation is their own fault; this is a project or a program that a person has to fit a criteria to be a part of; if a person does not want to work or wants a hand-out, this is not for them; and he reiterated this program is to help families and those coming to Brevard earn and sustain a living that Brevard County constituents should have. He advised the Board he is going to give this proposal to the Clerk to make sure it is on file as a public record.



**H.2. Approval, Re: Amendment to North Merritt Island Wastewater Transmission System No. 1 - Ordinance 88-48**

Chair Zonka called for a public hearing to consider an ordinance approving an amendment to modify the boundary of Ordinance No. 88-48 for the North Merritt Island Wastewater Transmission System, Phase 1.

There being no comments or objections, the Board approved and adopted Ordinance No. 22-18, approving amendment to modify the boundary of Ordinance No. 88-48 for the North Merritt Island Wastewater Transmission System, Phase 1.

**Result:** Adopted

**Mover:** Curt Smith

**Seconded:** John Tobia

**Ayes:** Pritchett, Tobia, Smith, and Zonka

**H.3. Solid Waste Management Department's Proposed Annual Disposal Assessment Rates**

Chair Zonka called for a public hearing to consider Solid Waste Management Department's Proposed Annual Disposal Assessment Rates. She mentioned there were 15 public comment cards and she wanted everyone to have the opportunity to speak; and she asked that the speakers try to keep it closer to two minutes.

Commissioner Smith stated in past meetings when there have been that many cards on an item, and the Board has had sometimes 30 or 40 cards, a lot of people have the same things to say as the person before them, and sometimes a person will hear a speaker say something he or she wanted to say; a person does not have to come up if his or her name is called; if someone has already said basically what a person wants to say, he or she can say they are against it or for it; it would allow a person not to have to come up to speak; and it would also save some time.

Chair Zonka stated she would like staff to introduce this, and to talk about what this is and is not; her office received some emails from people who were mad thinking that Waste Management was getting more money, which is not the case; and whether a person agrees with this or not, she wants to make sure they have the correct information before they come up to speak

Tom Mulligan, Solid Waste Management Director, stated he wants to clarify for the Board and the public that the annual non-valorem Solid Waste Disposal Assessments are utilized to fund the Solid Waste Disposal System of Brevard County; this does not affect Solid Waste collection, and all annual non-valorem Solid Waste collection assessments fund only the collection of trash, recycling, and vegetative waste in unincorporated Brevard County under a contract currently held by Waste Management; no funding from collection assessments is used for County personnel, equipment, materials, or other operating needs for Solid Waste disposal; likewise, no Solid Waste disposal revenues are expended on collection efforts; and these are two separate issues. He went on to say as previously presented to this Board on April 19, 2022, Solid Waste Management Department this evening is requesting the Board to consider and authorize an increase in the annual non-ad valorem Solid Waste disposal assessments for improved properties, both residential and commercial; the increases are necessary to support Solid Waste disposal operations and ensure Solid Waste disposal capacity in Brevard County; this includes construction of additional Class 1 Landfill Cells at the Central Disposal facility in Cocoa, expansion of the processing pad and construction of a replacement transfer station at the Mockingbird Way Mulching Facility in Titusville, the construction of a Class 3 Landfill facility

to replace the Sarno Road Landfill in Melbourne, and expansions of the Landfill gas collection system at the Central Disposal Facility to maintain regulatory compliance; these projects and anticipated costs were presented at the February 2022 Budget Workshop, as well as the April 19, 2022, Board meeting; and an engineering study to support the most effective financing of these projects as authorized by the Board in regular session in April is currently underway and further updating the costs for the five-year Capital Improvement Program for the Solid Waste Disposal infrastructure. He noted implementation of these projects will ensure Solid Waste disposal capacity in Brevard County far into the future; all of the details are explained in the Agenda Report and attachments; and he will answer any questions.

Chair Zonka asked if Mr. Mulligan has a chart to show the average cost per household; she knows it may be part of the Agenda Package; but she asked if there is something to be presented.

Mr. Mulligan replied it is part of the Agenda Package.

Chair Zonka stated she appreciates the explanation, but sometimes it is easier to see what it means for each household; the majority of the emails her office received, and they tried to respond to each and every one, was they thought that Waste Management was getting the funds; and she asked that Mr. Mulligan explain to the public what is being looked at.

Mr. Mulligan stated the current assessment for a residential billing unit is \$57 per year; a commercial billing unit is \$164.51; what is being proposed in the Fiscal Year 2023 is to raise that for a residential billing unit to \$62.13, and for a commercial billing unit \$179.32; in Fiscal Year 2024 to \$66.48 for a residential billing unit, and \$191.87 for a commercial billing unit; and then in 2025 to \$69.80 for a residential billing unit, and \$201.46 for a commercial billing unit.

Chair Zonka asked what the average increase per household per year is.

Mr. Mulligan responded it starts at about \$5.13 in 2023, \$4.46 in 2024, and \$3.45 in 2025.

Chair Zonka inquired if that is annually.

Mr. Mulligan responded affirmatively. He pointed out this is an annual disposal assessment; this is a one-time cost per year; if people see something monthly, it may be he or she live in a municipality and they are looking at their collection assessments from the municipality, not the County; and they do not charge the residents of Brevard County on a monthly basis.

Commissioner Tobia stated or the *Florida TODAY* reported this was a monthly increase, so to be very clear, he understands where they are coming from, if they want to deal with it on a monthly basis, by all means, the County will take the \$5 and change and divide it by 12, and the Board will discuss that as a monthly increase of .50 cents; but to be clear, *Florida TODAY* did a horrible reporting when they said it was an increase of \$5 a month; he is not excusing \$5 for the year, but that is what this amounts to; and he is sorry for the horrible reporting. He added he hopes that is not the only impetus for coming up here.

Chair Zonka stated this is not the first time the newspaper has given misinformation; and she will not apologize for them, because she does not work for *Florida TODAY*. She pointed out as the Board is going through the cards, it will not answer questions back and forth, otherwise people will have to wait even longer; but it will be discussed again once everyone has a chance to speak.

Ron Goorin stated for the first 10 or 12 years that he lived in Palm Bay the trash collection was once a week; with the new contract, the contractor is picking up trash twice a week; and he asked what the necessity was to increase the trash pickup.

Chair Zonka advised it was Palm Bay's decision.

Mr. Goorin asked if it had nothing to do with the County.

Chair Zonka replied no, Palm Bay changed their contract.

Richard Bass asked if any of the Board Members had special interest in Waste Management directly or indirectly. He stated he thinks it is irresponsible for the Board to pass this with the state of the nation.

Dennis Horner stated this is totally confusing because nowhere in here does it say who they are under, which is Republic; his understanding is this is nothing to do with trash collection at all even though it is mentioned in here; and he asked why it is mentioned if it has nothing to do with it.

Chair Zonka stated Solid Waste disposal is where the waste is disposed, so that would be the landfill, it is not trash collection.

Mr. Horner stated another thing that is confusing, Republic was not mentioned here; he had a few things to say about them; their CEO made about \$14 billion last year.

Chair Zonka noted this has nothing to do with Republic.

Barbara Wong stated the other gentleman before her was correct in saying the notice was not clear; she realizes there are some Statutory requirements in what was sent out; but most people, including herself, could have gotten up and said he or she did not want to speak, but the reason she got up is because she sent a letter and she guesses her interpretation of the assessment was incorrect; but at least she would have expected a response; and had she gotten a response, she would not have been there this evening.

Chair Zonka asked if she sent it by mail or email.

Ms. Wong replied it was sent by mail on June 18, 2022; and she sent it to the address on the notice where it said they had to respond within 20 days.

Mr. Mulligan asked Ms. Wong to restate her address.

Ms. Wong responded 2870 Camberly Circle, Viera.

Mr. Mulligan advised they did not receive a letter. He apologizes for not responding but they did not receive a letter.

Ms. Wong pointed out the very day she received the notice, she wrote the letter.

Commissioner Smith stated if Ms. Wong still has questions to call his office.

Roman Scharf stated he wants to apologize to Commissioner Smith as he sent him a very sarcastic letter, but he thinks there are a couple of points he would like to emphasize; they are looking at a temporary tax that is going to be codified to be perpetual; he has a problem with that; he hopes the Commission thinks about it; and everyone knows about temporary taxes. He

went on to say Ronald Reagan pointed out that throughout history, every temporary tax has been permanent; temporary tax for gas can be looked at from 1932, telephone tax from 1898, and tire tax that was supposed to be gone 1936; he would hope they do not make a practice of codifying automatic tax increases without questioning; there is an impact on the people; people look to the Board to protect them and keep the millage down; and as he heard from other speakers, they are concerned, they cannot afford food and gas.

Louella Edwards stated she keeps hearing people say the money is not going to Solid Waste, and asked where is it going; she is a widow; everything else has already gone up; she lives off of one check, a survivors disability; they have already decreased that by \$200; and \$5 might not seem like much to the Board or another person but it means a lot to her. She added the reason she is speaking on this so passionately is the area she lives in; she has paid for drain storm for many years, and she has not gotten one drain storm; she has attended many meetings where they have said they were going to reimburse her; but they never have.

Garry Glover stated his concern is the Consumer Price Index (CPI) the Board chose to use could have been better for the announcement to show the development and enhancements for Solid Waste; that may have explained it a little bit better than just to tax increase; over the next three years they are going to be hit with a 20-½ percent increase over those three years; when he worked as a cost analysts on a lot of government projects, they used the CPI because they did not have actual costs; and with the actual costs the County has, he is almost surprised it did not use its own CPI, because an average for the U.S. cities, there is no lower average, it is just going to continue to grow. He reiterated he is concerned using the CPI for those U.S. cities versus using the actual costs, because if the Board has the proposals, there is no reason it cannot back that back into the County instead of having it just based on a CPI for the U.S. cities.

Sandra Sullivan stated having attended most of the Commission meetings for the last four years, she has not seen any topic discussed more than running out of space at Sarno; what is not being told here today is that the County as the decision maker, waited until Sarno was pretty much out of space; in May 2021, this Board voted to start building the U.S. Highway 192 facility, which will not be ready until 2026 to take garbage; in the meantime, Sarno ran out of space; in October, the Board voted to buy trucks and pay for services; and at that meeting, one of the County Commissioners said he or she was not going to vote for this until they know who is going to pay for it. She went on to say trash is being trucked for five years because this Board did crisis management, not proactive management, to make decisions in a timely way; she asked if a hurricane hits and Brevard has a lot more trash like after Irma, who is going to pay for that; she stated maybe what should be done is proactive management after the fact; perhaps it should consider using some of the military technology that they developed for incineration; the County has the land as she looked at the property by Sarno; and the Board should look at other alternatives for the next five years while trucking trash to other facilities, to alleviate some of that cost, because what she read in the budget report is the cost of the new facility is being funded by bonds.

Elaine Ber stated she has a quick question and would like some clarification on a letter that was sent out; it states in the last paragraph that the assessment will begin in October 2022, and each year after that through 2025, the rate will increase by CPI for Garbage and Trash Collection (GIT) until such time that further action is considered by the Board; and she asked if there is no limit, does it keep compounding every year, is there not an increase for a finite time, or is it open-ended and can continue increasing every year.

Mr. Mulligan stated the Solid Waste disposal assessments are brought up in the rate resolutions that come before the Board every year, and that gives the Board the opportunity to reject them and to put a halt to any further increases according to the CPI.

Chair Zonka stated with any increase, it has to come back to the Board, so they are just notifying residents of the pending action of the Board; the numbers can change from year-to-year; and there will be public meetings for people to address the Board. She went on by saying there is a lot of legal ease in the notice, but perhaps staff can put a more clear explanation with these kinds of notices; in the County's efforts to over explain things, sometimes they can be muddled up; and while the County employees may understand what the notices mean, it can be very confusing to anyone who does not live in this world.

Steve Dowell stated he thinks the notification letter that went out needs some clarification, because it is obvious people are confused, they co-mingled the local Waste Management with what this has to do with; he would like to get onboard with the needs of the County, whatever it may be in terms of capacity for Solid Waste disposal, but he does not feel the notification letter was enough to grasp what is really getting done and the importance of it; and he thinks there are other factors that they as a people in Brevard County really need to understand. He added the basics of this he really does not understand, and he is wondering if there is someplace he can go; he thinks everyone who received this notification letter would have benefited if there was something like, 'for more information go to this website' to gather that information that would help the citizens make the right decision; he wonders how staff knows what the additional capacity is; he asked how the County knows what that is for the next few years; the engineering group that has been tasked with costing and what this will be; and he reiterated he would sure like to understand what those alternatives are and what the actual capacities that need to be fulfilled for the next number of years are. He advised that would help him side with what the decision needs to be going forward for the County at whole; he asked what specifically is the capacity that is being maintained, where is it at right now, and he never understood the improved property concept; he could sure use help in getting a hold of that, because he does not get it; and he is sure there are others that do not know exactly what is meant by that.

Commissioner Tobia stated he has supported this in the past moving forward; most of that was mandated by State Statute; he knows it is difficult to understand because his parents received a notice and asked him to help them understand it; he does not know what the cost would be to put in an additional piece of paper helping to explain this; and he appreciates everyone who showed up, because whether it is a \$5 a month, which it is not, or a .43 cent per month increase, which it is, it is very important people show up and voice his or her opinion. He noted he understands peoples' disdain for Waste Management, and they got mixed up in this whole thing; what is happening here has impacted the County the same as businesses; they have had a \$20 million increase in building this Solid Waste facility, not in the last 20 years, but in the last 20 months; the County saw a bid of \$55 million; the last time he checked it was \$75 million; and he hopes the County locked it in at that price, because he has no idea what it would be right now. He added he wishes the Board would have done this before, but that ship has passed; the County has to move forward and it has a choice; that choice is to institute these rate increases, which is \$5.13 the first year, \$4.35 the second, \$3.32, and then CPI, or it starts taking the Solid Waste and trucking it to a private facility; instead of a .43 cent increase, the residents would see a rate increase of 10 to 15 times that magnitude; and he thinks the Board got an annual cost at JED Landfill of over \$90 million. He stated he wishes the Board had the hindsight to move backwards so the County was not facing the increase of what amounts to .43 cents; he does not like it, but the alternative is worse; and he is going to accept the Solid Waste increase.

Commissioner Smith stated if Brevard County does not have its own landfill and trash has to be taken to another County, it does not get to the other County unless it is trucked; that is one huge expense that would be far greater than \$5; a person might be looking at \$500 a month; and that is how crazy that would be. He continued by saying the County is at the mercy of the other commercial landfill, because if they are the only game in town, they can charge whatever they want; Brevard County took the step to fully-implement the current landfill, and will hopefully

get it up and running in the next five years to keep the costs reasonable; and the Board has the residents' pocketbooks in mind because the Board Members pay these fees as well.

There being no further comments, the Board considered and approved the proposed annual non-ad valorem Solid Waste Disposal Assessment rate increase.

**Result:** Approved

**Mover:** John Tobia

**Second:** Curt Smith

**Ayes:** Pritchett, Tobia, Smith, and Zonka

**L.5. Report, Re: Curt Smith, District 4 Commissioner**

Commissioner Smith stated he wants to touch base on the issue and the School Board's desire to put a referendum on this years' ballot; he believes people have the right to vote, people have a right to an opinion, and as all of the people who stood up there this evening believe that the School Board should not get one more penny, then he or she needs to make sure they go out and vote if it does appear on the ballot; it is each individual's responsibility and God-given right to vote against it; and that is what he would suggest that they do. He added if the Board does allow this to appear on the ballot, it will be giving the people the opportunity to exercise that right to vote, and to vote it down is the simple answer; just make sure people are as ticked off and get them to vote; and there are no excuses.

**L.6. Report, Re: Kristine Zonka, District 5 Commissioner, Chair**

Chair Zonka expressed her congratulations to her son who was promoted as an Non-Commissioned Officer (NCO); it was July 1st, but they got the opportunity to see him promoted at a ceremony, so she likes to publicly recognize her kids when they do things they work very hard to achieve; and Mom is proud of him, as well as the rest of the family.

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

ATTEST:

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RACHEL M. SADOFF, CLERK

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KRISTINE ZONKA, CHAIR  
BOARD OF COUNTY COMMISSIONERS  
BREVARD COUNTY, FLORIDA