

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

5:30 PM

The Board of County Commissioners of Brevard County, Florida, met in special session on August 6, 2013 at 5:30 PM at the West Melbourne Council Chambers, 2285 Minton Road, West Melbourne, Florida.

CALL TO ORDER

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

PLEDGE OF ALLEGIANCE

Chairman Anderson led the assembly in the Pledge of Allegiance.

PUBLIC HEARING, RE: STATEMENT OF PROPOSED RATES FOR THE MELBOURNE-TILLMAN WATER CONTROL DISTRICT FY 2013-2014

Chairman Anderson called for the public hearing to consider statement of proposed user fee rates for the Melbourne-Tillman Water Control District for FY 2013-2014.

Dan Anderson, District Manager of Melbourne-Tillman Water Control District, stated present today are Keith Mills, Drew Powshok, Dave Isnardi, and Jim Tapp who are Melbourne-Tillman Water Control District Members. He went on to say in April 2013 the Melbourne-Tillman Water Control District's Board of Directors adopted a tentative budget for Fiscal Year 2013-2014 for submittal to Brevard County; they are asking for increases in Residential of \$1.91, Commercial of \$3.71, and Agricultural of \$.67; they have not had a rate increase since 2006; and in the current budget, they have been taking money out of Reserve Funds in order to meet the budget. He stated he has met with both Commissioners in the District to show them their operation. He pointed out their situation is if they continue taking money out of the Reserve account, in a matter of eight years they will be at the point where the Reserves will be exhausted; they will then have trouble meeting their budget; their plan is to increase the budget slightly over the next five-year period; and they will have a \$1.91 increase, and then would cut that down to approximately half for the rest of the years. He stated then the budget would be sustainable without taking money out of Reserves.

PUBLIC HEARING, RE: TENTATIVE APPROVAL OF PROPOSED RATES FOR THE MELBOURNE-TILLMAN WATER CONTROL DISTRICT

Chairman Anderson called for a public hearing to consider tentative approval of proposed user fee rates for Melbourne-Tillman Water Control District for 2013-2014.

Chairman Anderson stated he did not have any public comment cards; and inquired if anyone from the public wants to speak. He inquired if it is tentative approval and if the regular resolution will go forth at a later date.

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Deputy County Manager Stockton Whitten advised that it is Mr. Anderson's Statement of the proposed rates.

Morris Richardson, Assistant County Attorney, explained the Board will be approving the fees; the Board for the District will put together its resolution; and it would go into the annual budget process.

Commissioner Bolin Lewis inquired if the Board passes this, is there going to be a rate increase. Mr. Richardson responded not necessarily; if the Board does pass this, the Board for the District will adopt the resolution establishing the fees; it then will come back to the Board of the proposed resolution to a public hearing on September 10, 2013; and this is not the final word today. Commissioner Bolin Lewis inquired if the full Board will be voting on the final decision of whether or not the rates are increased. Mr. Richardson responded affirmatively. He stated it is part of the budget process; in addition to requiring a majority vote of the Board, it requires an affirmative vote of the two Commissioners whose Districts lie within the boundaries of the Melbourne-Tillman Water Control District. Commissioner Bolin Lewis inquired if there only needs to be two votes. Mr. Richardson explained there needs to be three voting affirmatively for it; and if either of the Commissioners whose Districts lies within the boundaries of the Water Control District votes against it, it does not pass. Commissioner Bolin Lewis inquired if she voted against it what happens. Mr. Richardson replied then the fees are not approved; it needs three of the five Board of County Commissioners to approve the fee before the District brings back a resolution with the rate; and there needs to be three votes.

Chairman Anderson noted it is a scary thought because Melbourne-Tillman is one of the most effective government agencies out there; and he does not want to face Palm Bay voters the next time there is a storm and the canals cannot be maintained. Commissioner Bolin Lewis advised she does not want an increase of 10 percent. Chairman Anderson stated the Reserves will run out and they will be broke; there will not be a Water Control District; the residents will fear flooding; and the County cannot handle it.

Commissioner Infantini stated they are not going to be out of Reserves for eight years; she thinks having enough Reserves that will last eight years is an excessive amount; and at this point she will not approve the rate increase. Commissioner Bolin Lewis stated she is not approving it either.

The Board denied Melbourne-Tillman Water Control District's proposed increase of rates of \$1.91 for Residential, \$.67 for Agriculture, and \$3.71 for Commercial.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Mary Bolin Lewis, Vice Chairman/Commissioner District 4
SECONDER:	Trudie Infantini, Commissioner District 3
AYES:	Trudie Infantini, Mary Bolin Lewis, Andy Anderson
EXCUSED:	Robin Fisher, Chuck Nelson

Mr. Richardson stated in addition to denying the increase, fees have to be approved today for alternative fees.

Commissioner Bolin Lewis and Commissioner Infantini stated to keep the current fees.

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The Board approved the rates of the Melbourne-Tillman Water Control District for FY 2013-2014 of Residential at \$19.13 per lot or acre; Agriculture at \$6.69 per lot or acre; and Commercial at \$37.14 per lot or acre, the same as the 2012-2013 rate.

Chairman Anderson inquired if Mr. Whitten will tell him when the Utility fee resolution is coming back to the Board; and stated he will not be supporting that at this time. He went on to say if the Board cannot support flood control then he is not there with sanitation. Mr. Whitten stated staff was bringing it back on August 20th, but it may be after that; and he will get back with the Board on that.

Chairman Anderson pointed out they have set a precedent.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Trudie Infantini, Commissioner District 3
SECONDER:	Mary Bolin Lewis, Vice Chairman/Commissioner District 4
AYES:	Trudie Infantini, Mary Bolin Lewis, Andy Anderson
EXCUSED:	Robin Fisher, Chuck Nelson

ADJOURNED

Upon consensus of the Board, the meeting adjourned at 5:39 p.m.

ATTEST:

ANDY ANDERSON, CHAIRMAN
BOARD OF COUNTY COMMISSIONERS
BREVARD COUNTY, FLORIDA

SCOTT ELLIS, CLERK