

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

5:00 PM

The Board of County Commissioners of Brevard County, Florida, met in regular session on December 5, 2017 at 5:02 PM in the Government Center Commission Room, Building C, 2725 Judge Fran Jamieson Way, Viera, Florida.

**CALL TO ORDER**

<b>Attendee Name</b>	<b>Title</b>	<b>Status</b>	<b>Arrived</b>
Rita Pritchett	Chair/Commissioner District 1	Present	
Jim Barfield	Commissioner District 2	Present	
John Tobia	Commissioner District 3	Present	
Curt Smith	Commissioner District 4	Present	
Kristine Isnardi	Vice Chair/Commissioner District 5	Present	

**INVOCATION**

Chair Pritchett asked County Attorney Scott Knox to inform the audience of why there will be no invocation tonight, only a moment of silence.

Attorney Knox stated a judge has entered an order against the County enjoining the holding of invocations in the manner that they were being done before; the Board has authorized an appeal which he will get an official action on later this evening; pending that appeal, he feels it appropriate to do the moment of silence in lieu of invocation; and instead of trying to come up with a new Policy, he will just wait until the court rules on the existing Policy.

The Board took a moment of silence.

**PLEDGE OF ALLEGIANCE**

Commissioner Smith led the assembly in the Pledge of Allegiance.

**ITEM VI.E.1., APPOINTMENTS/REAPPOINTMENTS, RE: NORTH BREVARD HOSPITAL DISTRICT BOARD MEMBERS**

Chair Pritchett stated she had a request from a citizen to move Item VI.E.1., up; she feels it is non-controversial; and she asked the Board to open up to the appointment of the North Brevard Hospital District Board Members.

Frank Abbate, County Manager, stated this Item is a request to appoint two members that are up this time for the North Brevard Hospital District Board; he has conducted the public advertising that is required; they received the responses from people; and the selection process in the Agenda Report has two individuals who are currently board members and have requested to stay on the board. He added that is what is up for the Board's consideration this evening.

The Board appointed/reappointed **Maureen Rupe** and **Billie Fitzgerald** to the North Brevard Hospital District Board, with terms expiring December 31, 2021.

**RESULT:** ADOPTED [UNANIMOUS]  
**MOVER:** Curt Smith, Commissioner District 4  
**SECONDER:** Jim Barfield, Commissioner District 2  
**AYES:** Pritchett, Barfield, Tobia, Smith, Isnardi

**APPROVAL OF MINUTES**

The Board approved the October 24, 2017, regular meeting minutes.

**RESULT:** ADOPTED [UNANIMOUS]  
**MOVER:** Kristine Isnardi, Vice Chair/Commissioner District 5  
**SECONDER:** Jim Barfield, Commissioner District 2  
**AYES:** Pritchett, Barfield, Tobia, Smith, Isnardi

**ITEM I.A., RESOLUTION, RE: COMMENDING AND RECOGNIZING ANDREW JACKSON MIDDLE SCHOOL GIRLS' BASKETBALL TEAM, COUNTY CHAMPIONS 2017**

Angela Bentley Henry read the names of the players on the Andrew Jackson Middle School Girls' Basketball Team and its managers.

Chair Pritchett stated she had an opportunity to watch a lot of the games because two of her granddaughters are cheerleaders for the team; she commented they did a phenomenal job with the girls; they were as good as any guy teams that she has watched; and she enjoyed it immensely.

Chair Pritchett read aloud, and the Board adopted Resolution No. 17-235, commending and recognizing Andrew Jackson Middle School Girls' Basketball Team, County Champions 2017.

Ms. Bentley Henry stated this is a really big deal for the school and the community; and expressed her appreciation for the Resolution.

**RESULT:** ADOPTED [UNANIMOUS]  
**MOVER:** Rita Pritchett, Chair/Commissioner District 1  
**SECONDER:** Jim Barfield, Commissioner District 2  
**AYES:** Pritchett, Barfield, Tobia, Smith, Isnardi

**ITEM I.B., RESOLUTION, RE: RECOGNIZING THE DONATIONS COLLECTED FOR 2017'S NO-SHAVE NOVEMBER IN BREVARD COUNTY**

Chair Pritchett read aloud, and the Board adopted Resolution No. 17-236, recognizing the donations collected for 2017's No-Shave November in Brevard County.

Commissioner Smith stated let the record show they raised \$3,100; he first heard about No-Shave November about four or five years ago while watching an NFL Football game on a Sunday afternoon; he saw Joe Buck and Troy Aikman with beards and he wondered what they were doing; they had mentioned at some point during the broadcast that it was No-Shave

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November; so he thought everybody knows about pink and Breast Cancer Awareness, but not a lot of people know about Prostate Cancer Awareness; and the statistic is more men die each year from Prostate Cancer than women die from Breast Cancer. He continued every year since then he has been growing a beard and challenges other guys to do the same; this year the Directors took it upon themselves to grow beards and raise money; he offered to match whatever money they raised and that is how they came up with the money, \$3,100; and the credit goes to all of the Directors, men and women. He went on to thank them all.

Chair Pritchett jokingly stated she could take a five minute break to let them all shave and come back.

<b>RESULT:</b>	<b>ADOPTED [UNANIMOUS]</b>
<b>MOVER:</b>	Rita Pritchett, Chair/Commissioner District 1
<b>SECONDER:</b>	Kristine Isnardi, Vice Chair/Commissioner District 5
<b>AYES:</b>	Pritchett, Barfield, Tobia, Smith, Isnardi

**ITEM I.C., RESOLUTION, RE: RECOGNIZING KYLE JAMES DARVILLE FOR OBTAINING EAGLE SCOUT**

Chair Pritchett read aloud, and the Board adopted Resolution No. 17-237, recognizing **Kyle James Darville** for obtaining the rank of Eagle Scout.

Kyle James Darville expressed his appreciation to the Board for the Resolution.

<b>RESULT:</b>	<b>ADOPTED [UNANIMOUS]</b>
<b>MOVER:</b>	Rita Pritchett, Chair/Commissioner District 1
<b>SECONDER:</b>	Jim Barfield, Commissioner District 2
<b>AYES:</b>	Pritchett, Barfield, Tobia, Smith, Isnardi

**ITEM I.D., RESOLUTION, RE: RECOGNIZING DILLON NEWBECK FOR OBTAINING EAGLE SCOUT**

Chair Pritchett read aloud, and the Board adopted Resolution No. 17-238, recognizing **Dillon Newbeck** for obtaining the rank of Eagle Scout.

Dillon Newbeck thanked the Board for the recognition.

<b>RESULT:</b>	<b>ADOPTED [UNANIMOUS]</b>
<b>MOVER:</b>	Rita Pritchett, Chair/Commissioner District 1
<b>SECONDER:</b>	Jim Barfield, Commissioner District 2
<b>AYES:</b>	Pritchett, Barfield, Tobia, Smith, Isnardi

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**ITEM I.E., RESOLUTION, RE: DESIGNATING DECEMBER 21, 2017, AS NATIONAL HOMELESS PERSONS' MEMORIAL DAY**

Commissioner Barfield read aloud, and the Board adopted Resolution No. 17-239, designating December 21, 2017, as National Homeless Persons' Memorial Day.

Mark Broms, Executive Director of Brevard Homeless Coalition, expressed his appreciation for the Resolution and the Board's support; he stated he can assure the Board they are making progress in meeting the goal of ending homelessness in Brevard County by 2020; and they still have a long way to go, but they will not rest until this resolution is no longer necessary.

<b>RESULT:</b>	<b>ADOPTED [UNANIMOUS]</b>
<b>MOVER:</b>	Jim Barfield, Commissioner District 2
<b>SECONDER:</b>	Kristine Isnardi, Vice Chair/Commissioner District 5
<b>AYES:</b>	Pritchett, Barfield, Tobia, Smith, Isnardi

**ITEM I.F., RESOLUTION, RE: RECOGNIZING AND CONGRATULATING MANATEE ELEMENTARY SCHOOL FOR THEIR OUTSTANDING EFFORTS IN RECEIVING THE NATIONAL BLUE RIBBON**

Commissioner Smith read aloud, and the Board adopted Resolution No. 17-240, recognizing and congratulating Manatee Elementary School for their outstanding efforts in receiving the National Blue Ribbon.

A representative of Manatee Elementary School stated Manatee Elementary has been around since 2003; they have been an "A" school every year, but to receive the National Blue Ribbon was truly an honor; the school has to be asked to apply for it and they responded they would love to fill out the 20-page application; they were only given three weeks to do, but they pulled everyone together and pulled it off; he thinks it is not only a recognition of having 925 students who understand what academic excellence is, but that they also understand that giving back to the community is equally as important; living in Viera people have a tendency to have a lot more things than other people do, so they made sure their students understand they live in a community that encompasses all of Brevard County and the State of Florida; and he thinks that is what put this school over the top to be a National Blue Ribbon School. He thanked the Assistant Principle and the parents because this is definitely a Manatee Elementary Community award.

<b>RESULT:</b>	<b>ADOPTED [UNANIMOUS]</b>
<b>MOVER:</b>	Curt Smith, Commissioner District 4
<b>SECONDER:</b>	Jim Barfield, Commissioner District 2
<b>AYES:</b>	Pritchett, Barfield, Tobia, Smith, Isnardi

**ITEM II.A.1., RESOLUTION, RE: RELEASING PERFORMANCE BOND OF LOREN COVE AT ADDISON VILLAGE, PHASE 2 SUBDIVISION - THE VIERA COMPANY**

The Board adopted Resolution No. 17-241, releasing the Contract and Surety Performance Bond dated July 11, 2017, for Loren Cove at Addison Village, Phase 2 Subdivision - The Viera Company.

**RESULT:** ADOPTED [UNANIMOUS]  
**MOVER:** Jim Barfield, Commissioner District 2  
**SECONDER:** Kristine Isnardi, Vice Chair/Commissioner District 5  
**AYES:** Pritchett, Barfield, Tobia, Smith, Isnardi

**ITEM II.A.2., APPROVAL, RE: BREVARD COUNTY, FLORIDA V. SUMERSET FLORIDA, LLC, ET AL, CASE NO.: 05-2011-CA-031229-XXXX-XX, ACE AND JULIA YOUNG - PARCEL 822, EMINENT DOMAIN ACTION FOR BARNES BOULEVARD**

The Board approved the settlement in the amount of \$97,500.00, for all issues relating to Ace and Julia Young - Parcel 822, condemned as part of the Barnes Boulevard Widening Project.

**RESULT:** ADOPTED [UNANIMOUS]  
**MOVER:** Jim Barfield, Commissioner District 2  
**SECONDER:** Kristine Isnardi, Vice Chair/Commissioner District 5  
**AYES:** Pritchett, Barfield, Tobia, Smith, Isnardi

**ITEM II.A.3., USE AGREEMENT WITH HAMMOCK ESTATES HOMEOWNERS ASSOCIATION, RE: IMPROVEMENTS IN THE RIGHT-OF-WAY OF HAMMOCK ESTATES LANE NEAR AURORA ROAD**

The Board executed the Use Agreement with the Hammock Estates Homeowners Association for installation of improvements in the County right-of-way of Hammock Estates Lane near Aurora Road.

**RESULT:** ADOPTED [UNANIMOUS]  
**MOVER:** Jim Barfield, Commissioner District 2  
**SECONDER:** Kristine Isnardi, Vice Chair/Commissioner District 5  
**AYES:** Pritchett, Barfield, Tobia, Smith, Isnardi

**ITEM II.B.1., RESOLUTION, RE: CONTINUING TOGETHER IN PARTNERSHIP (TIP) COMMUNITY ADVISORY BOARD**

The Board adopted Resolution No. 17-242, continuing Together in Partnership (TIP) Community Advisory Board.

**RESULT:** ADOPTED [UNANIMOUS]  
**MOVER:** Jim Barfield, Commissioner District 2  
**SECONDER:** Kristine Isnardi, Vice Chair/Commissioner District 5  
**AYES:** Pritchett, Barfield, Tobia, Smith, Isnardi

**ITEM II.C.1., TASK ORDER E1 WITH HDR, INC., RE: NORTH RIVERSIDE DRIVE PVC FORCE MAIN REPLACEMENT; AND APPROVAL TO WAIVE FORMAL BIDDING REQUIREMENTS**

The Board executed Task Order No. E1 with HDR, Inc. for the necessary engineering and construction assistance services associated with the North Riverside Drive PVC Force Main Replacement; approved the waiving of the formal bidding requirements; and authorized any associated budgetary changes.

**RESULT:** ADOPTED [UNANIMOUS]  
**MOVER:** Jim Barfield, Commissioner District 2  
**SECONDER:** Kristine Isnardi, Vice Chair/Commissioner District 5  
**AYES:** Pritchett, Barfield, Tobia, Smith, Isnardi

**ITEM II.C.2., AGREEMENT TO RENEW EXISTING CONTRACT WITH STEWART B. CAPPS, RE: SPECIAL MAGISTRATE SERVICES**

The Board executed amendment to the Special Magistrate Services Agreement with Stewart B. Capps which renews the existing Agreement for one year, subject to approval by the County Attorney's Office.

**RESULT:** ADOPTED [UNANIMOUS]  
**MOVER:** Jim Barfield, Commissioner District 2  
**SECONDER:** Kristine Isnardi, Vice Chair/Commissioner District 5  
**AYES:** Pritchett, Barfield, Tobia, Smith, Isnardi

**ITEM II.C.3., AGREEMENT TO RENEW EXISTING CONTRACT WITH JOSEPH E. MINICLIER, RE: SPECIAL MAGISTRATE SERVICES**

The Board executed amendment to the Special Magistrate Services Agreement with Joseph E. Miniclier which renews the existing Agreement for one year, subject to approval by the County Attorney's Office.

**RESULT:** ADOPTED [UNANIMOUS]  
**MOVER:** Jim Barfield, Commissioner District 2  
**SECONDER:** Kristine Isnardi, Vice Chair/Commissioner District 5  
**AYES:** Pritchett, Barfield, Tobia, Smith, Isnardi

**ITEM II.C.4., TASK ORDER NO. 1 WITH KIMLEY-HORN & ASSOCIATES, INC., RE: SOUTH BEACHES INFLOW & INFILTRATION SMOKE TESTING - PHASE 1**

The Board executed Task Order No. 1 with Kimley-Horn & Associates, Inc. for South Beaches Inflow & Infiltration Smoke Testing - Phase 1; and authorized any associated budgetary changes.

**RESULT:** ADOPTED [UNANIMOUS]  
**MOVER:** Jim Barfield, Commissioner District 2  
**SECONDER:** Kristine Isnardi, Vice Chair/Commissioner District 5  
**AYES:** Pritchett, Barfield, Tobia, Smith, Isnardi

**ITEM II.D.1., ACCEPTANCE AND APPROVAL, RE: COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) PROGRAM AUDIT REPORT; CONTRACT COMPLIANCE REVIEW REPORT (JANITORIAL SERVICES/FACILITIES AND STADIUM LEASE/TOURISM DEVELOPMENT OFFICE); HALF-CENT SALES TAX-SAVE THE LAGOON PROJECT STATUS REPORT; AND THE GOLF COURSE OPERATIONS-FINANCIAL ANALYSIS AND BREACH OF CONTRACTS AUDIT REPORT**

The Board accepted the Audit Committee's CDBG Program Audit Report; Contract Compliance Review Report (Janitorial Services/Facilities and Stadium Lease/Tourism Development Office); Half-Cent Sales Tax-Save the Lagoon Project Status Report; and the Golf Course Operations-Financial Analysis and Breach of Contracts Audit Report.

**RESULT:** ADOPTED [UNANIMOUS]  
**MOVER:** Jim Barfield, Commissioner District 2  
**SECONDER:** Kristine Isnardi, Vice Chair/Commissioner District 5  
**AYES:** Pritchett, Barfield, Tobia, Smith, Isnardi

**ITEM III., PUBLIC COMMENTS**

Richard Charbonneau stated he had not planned on speaking at all today, but the prostate thing that Commissioner Smith did struck home; about eight years ago he had Prostate Cancer and he was very lucky because he had been getting checked for it, being an airline pilot, every six months; he did not have a PSA over 4, but he had a PSA acceleration; because of the PSA acceleration they did the biopsies; the end result was he had radiation in the very early stages and he had zero effects from it; and he recommended to all of his friends who are 50 years old or older to get their Prostate checked. He added he had two friends that had died from this in their 50s; he used to go to Trinity Presbyterian, now Trinity Wellsprings, and he became the go to guide for Prostate Cancer; a lot of people came to him and he told them if it is caught very early on, it is curable for life; and if it is caught too late, the tumor once pushed through and tears, it is called a T3 Tumor, and the Cancer is free to go into the Spine or other organs, so catching it early is paramount. He noted it is so easy to do the checkup once or twice a year; the test is very, very simple; the point being is to go in early and get a PSA, there is a trail; and the trail of the PSA is more important than the four number because the doctor told him he was well under 4, it was 1.7, but six months earlier it was a one, so it was the acceleration that made them look. He went on to say they found it and saved his life. He noted all men get it.

Commissioner Smith stated it is just something he has a passion for; he has a doctor friend who told him 20 years ago that virtually every man will die with, but not from Prostate Cancer, because every man ends up with it; if a man gets it early enough he probably will die from it, so it is important to get those checkups; and like any cancer, if it is discovered early enough, there is an excellent chance of surviving. He added he lost his mom to it.

Chair Pritchett stated she hopes everyone receives the message and makes sure they do what they need to do to take care of themselves.

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Charles Tovey stated speaking about censorship and provision, law, amendment, or resolution, he inquired if Rule four on the back of the speaker's card able to be applied; it states to all persons, and that would apply to all persons, so he does not know if the County would need an actual resolution; he asked who was going to decide if this does get passed; who is going to decide who gets censored or who get enforced or not enforced; and he commented he has a problem with selective enforcement himself. He added no matter where he goes it is okay for other people to do things, but as soon as he practices what other people do there is discretion and he is agressed upon for some other technicality or some other reasons; and he does not understand why he seems to be a magnet for the trouble that follows him everywhere. He continued he appreciates everyone's concern but he is looking for help; he asked someone set him up an appointment; he knows the overall spectrum of his situation, but he needs to contact someone; however Brevard County wants to figure it out; the County wants to tear his house down, whatever, but it is only a little bit of damage; no one except for former Commissioner Bolin Lewis has been out to his house; and there is only one person here that was in the courtroom the day he went court. He went on to say he is open to going to court again, but it is going to cost him money and time, and he has already put a lot of resources at stake to try defending his right to live; he is an American; he asked how far he has to go and what he needs to do; he will be back; if there is a zoning meeting Thursday night, he will be there about the traffic, the speed bumps, the congestion, the trash, and all the other things that get noticed by the rest of the community; and he informed the Board Orlando has a program for the homeless, that just opened its doors so they can get showers, naps, and recoup. He stated he still has a program for the community, the river, and the Lagoon; everything is all inclusive and self-manageable; and he will talk about his God another time. He added he will see everyone on Thursday.

**ITEM IV.A., RESOLUTION, RE: PETITION TO VACATE PART OF 50.0 FOOT WIDE, UNOPENED PUBLIC RIGHT-OF-WAY - MOORE AVENUE - GRANDVIEW PARK - MERRITT ISLAND - MARK BREWER, AND WILLIAM AND SHIRLEY KIDD**

Chair Pritchett called for public hearing on a petition to vacate part of a 50.0 foot wide, unopened public right-of-way on Moore Avenue in Grandview Park, Merritt Island.

Andrew Holmes, Public Works Director, stated this is a petition to vacate a 50.0 foot wide, unopened public right-of-way on Moore Avenue; the petitioner owns adjacent property and believes that by vacating the right-of-way he can enhance the maintenance and security of the area; and they have received no objections to it.

Laura Young, Attorney with the law firm of Dean Mead, stated she is there on behalf of the petitioners; they would like to vacate this area; it has been a problem area for them for a long time in terms of trespassers, and maintenance issues; noteworthy, Brevard County has not been maintaining this area since it was paved up to the adjacent road; and it has been a couple decades that the petitioners and prior owners have been maintaining the area. She noted the Department of Transportation has been extremely helpful in helping them navigate the application process and working through everything that was required.

There being no further comments or objections, the Board adopted Resolution No. 17-243, vacating part of a 50.0 foot Wide, unopened public right-of-way on Moore Avenue, Grandview Park, Merritt Island, as petitioned by Mark Brewer, and William and Shirley Kidd.

<b>RESULT:</b>	<b>ADOPTED [UNANIMOUS]</b>
<b>MOVER:</b>	Jim Barfield, Commissioner District 2
<b>SECONDER:</b>	Curt Smith, Commissioner District 4
<b>AYES:</b>	Pritchett, Barfield, Tobia, Smith, Isnardi

**ITEM IV.B., RESOLUTION AND EXCHANGE AGREEMENT WITH R. C. KIRK AND ETHYL MAY KIRK (KIRK), RE: PROPERTY LOCATED IN SECTION 08, TOWNSHIP 21 SOUTH, RANGE 35 EAST**

Chair Pritchett called for public hearing on a resolution and exchange agreement with R. C. Kirk and Ethyl May Kirk, (KIRK) for property located in section 08, Township 21 south, range 35 east.

Andrew Holmes, Public Works Director, stated this is a resolution and exchange agreement with R. C. Kirk and Ethyl May Kirk for property located near Dixie Avenue in Mims; this is a situation where the petitioner has property that is separated from the right-of-way by a piece of property the County owns; this is to exchange a portion of the County property for an easement over a portion of the applicants property; and the applicant is going to pay the County the difference in value.

Chair Pritchett thanked Mr. Holmes for creatively fixing the situation for the applicant and the County.

There being no further comments or objections, the Board adopted Resolution No. 17-244, and executed Exchange Agreement with R. C. Kirk and Ethyl May Kirk for property located in Section 08, Township 21 South, Range 35 East.

<b>RESULT:</b>	<b>ADOPTED [UNANIMOUS]</b>
<b>MOVER:</b>	Jim Barfield, Commissioner District 2
<b>SECONDER:</b>	Kristine Isnardi, Vice Chair/Commissioner District 5
<b>AYES:</b>	Pritchett, Barfield, Tobia, Smith, Isnardi

**ITEM VI.A.1., PRESENTATION BY UTILITY SERVICES DEPARTMENT, RE: HURRICANE MITIGATION EFFORTS**

Frank Abbate, County Manager, stated as everyone knows as a result of Hurricane Irma, there were several impacts on the sanitary sewer systems, especially on beach side; while this issue was preliminarily addressed by the Citizen's Oversight Committee about a month or so ago, staff has been working on a presentation so the Board and the public could be informed about what has incurred; they spent a lot of time and effort in order to explain where they have been, where they are, and hopefully where they intend to go; they are very appreciative of the two Items in Consent that the Board has already approved, dealing with things that will be heard during the course of the presentation; and that will give them the opportunity to accelerate and move forward. He noted he will turn the presentation over to Utilities Director Jim Helmer and Engineering Manager of Utilities Department Mark Reagan to provide the information relative to the mitigation efforts underway in addition to other problems they have had.

Mr. Helmer stated this slide talks about other providers they have in Brevard County; there are several municipalities and private utilities exist; the more interesting statistic, which is difficult to

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see on the slide, but in the lower right hand corner is the location of the south beaches waste water treatment plant; that particular plant is the one that has experienced some of the discharges during the storm event that everyone is aware of; the important thing is that is an eight million gallon a day plant and they average about six and a half million gallons per day; during the storm event they experienced on one occasion on one day 16.6 million gallons going through that plant which is more than twice the permitted capacity and much higher in terms of the daily average flow; and in fact, they actually had 70 days over the course of the last few months in which flows were higher than the capacity of the plant. He continued, that explains the inundation they received from a long period of rainfall; the questions that need answered are: why has the sewage been discharged into the Indian River Lagoon (IRL), why was it not stopped sooner; what is being done to prevent it in the future; how long will the adjustments take, what is it going to cost, and who is going to pay for it; waste water is discharged into the IRL when the sanitary sewer exceeds the capacity of the collection system; the collection system is designed for eight million gallons a day; Hurricane Irma's 10 inches of rain dropped 2.3 billion gallons of water on the service area and the sewer becomes flooded if just .3 percent of that gets into the sewer; and overflows have to be discharged occasionally in lieu of backing up customers' homes, schools, businesses, and so forth.

Mr. Reagan stated the next slide is missing, which demonstrates the inflow and infiltration both on the private side of the system and the public side of the system; it gives a demonstration of both from ground water and so forth; the beach side sanitary sewer collection system is built primarily by clay pipe which is very brittle and it comes in five-foot segments; every five feet along the way there is a pipe joint with a 50-year old gasket; most of the beach side sewer collection system is constructed under the level of the ordinary ground water table; they are able to find defects in pipe just through ordinary inspection; and when they find pipes with a lot of cracks or bad joints, they pull a fiberglass sock through it, epoxy coat it, and pump it in with steam that makes the epoxy go off, and it essentially creates one single pipe from manhole to manhole eliminating those joints. He continued they do not see a lot of the defects until the water table begins to rise; when there is a lot of rain and the water table rises it starts to reveal other defects in the public sewer, and it also starts to leak in through defects in the homeowners building drains where landscaping has been installed or fencing when a pipe has been struck or broken; then as the water continues to rise when there is a flood situation, and the water starts to pond in the streets, they start to see water over topping the manholes and entering the sewer system; or it starts to find missing clean out caps on the lateral, which are caps that have been struck by lawn mowers and have been broken; and then some people have plumbed some roof drains of their homes into the sanitary sewer, and also swimming pool drains, which are illegal connections, and are found from time to time. He went on to say the next slide is a picture of a piped gravity sewer showing the water spraying in through that defective joint and a crack in the top; this is pretty typical over on the beach; the beach sand, and having constructed those pipes in the beach sand, the differential settlement causes those brittle pipes to crack; and how often the sewer floods with storm water to a level which requires discharge to the IRL is on the next slide. He stated this has happened seven times in the last 13 years that it has flooded to a level that causes them to discharge it into the IRL; during the hurricanes of 2004 and 2005, Tropical Storm Faye, in September 2014 it rained for a week; then the recent hurricane and the five-inch storm on October 1st, a couple weeks later; the National Weather Service in Melbourne says that during September and October, there was 33.6 inches of rain that fell in Melbourne; and he moved on to the next slide. He mentioned this is a difficult part of the discussion because it will sound like he is saying what was discharged into the IRL was not so bad, but that is not what he is saying; this chart is trying to show the influence of the storm water on the sanitary sewer system; what was discharged into the canal was a mixture of the storm water and sanitary sewage; raw sewage, for example, he would expect to see 200 parts per million of biological oxygen demand (BOD), 30 parts per million of nitrogen, and 10 parts per million of phosphorus; the south beach waste water treatment plant has a permit from the Florida Department of Environmental Protection to discharge treated waste water in the IRL; during certain periods of

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time where they do mechanical integrity testing for limited periods of time it is at levels of 20 parts per million biological oxygen demand, 12 parts per million nitrogen, and four parts per million of phosphorus; what was discharged into the canal during Hurricane Irma and the subsequent storm was at levels of 43 parts per million BOD, 11 parts per million nitrogen, and two parts per million phosphorus; and even ordinary storm water uncontaminated by sanitary sewer, one would expect to see 10 parts per million of BOD, two parts per million of nitrogen, and 0.3 parts per million of phosphorus. He added the IRL rates projects on the number of pounds of nitrogen removed from the Lagoon; in this case the 20 million gallons of waste water that the utility discharged into the IRL amounted to about 1,835 pounds of nitrogen; the calculation is 11 milligrams per liter or 11 parts per million concentration times the 20 million gallons of waste water discharge amounts to 1,835 pounds; and the decision to discharge into the canal is not taken lightly.

Mr. Helmer reiterated they have difficult decisions; they may sound like they are not difficult; however, if they have to decide if they are going to go into a school or a retention pond, they would choose the retention pond; and the same with houses and canals, they are going to go with the canal if that is what is required. He continued in discharge priority, the first thing they use is tankers if they can, then on-site isolated storm water retention ponds, and finally the canal; they have had some line breaks, as people have probably heard, so discharge into the IRL six times in the last five years for the B-19 force main, which is the long transmission line that runs 13.1 miles from south of Patrick Air Force Base all the way to the treatment plant, for the largest overflow if one of those breaks is 1.4 million gallons; he stated what about other overflows, and he noted they have had power failures, and they are adding fixed generators to move more lift stations, they are using on-site engine driven pumps that do not require electricity, they are partnering with Satellite Beach for support with storage of portable generators, refueling, and possibly routine maintenance; and they have low lying areas along the Lagoon, and as the sewer system floods manholes into the streets at low elevations, they like to isolate the low elevation gravity sewers from the overall system and pump to a higher level. He went on to say in some cases that might result in the need for high-head grinder pumps on private property so they can keep the stuff from going into their sewer systems; they were fortunate some years ago when the County Commission in 2013 authorized a \$134 million ten-year infrastructure improvement program, with a series of rate increases which the last takes place on January 1, 2018; they are currently in year four out of 10 and their utility projects and operations are funded by rate payers not out of taxes; there is one exception going on right now, where they are assisting the IRL program and partnering with them to design certain septic to sewer conversions that are part of the Save Our Indian River Lagoon Program; and the question rises of how this is going to get fixed. He stated the key is to keep storm water out of the sanitary sewer system; the Utility Services has spent \$7.4 million in the last three years lining sewer pipes throughout the system, which \$4.2 million was in the south beaches area; they have another \$1.9 million budgeted for fiscal year 2018; and the next slide talks about reprioritization of project funds that they already have so they do not have to raise rates to accommodate most of their projects. He continued some of these projects were not anticipated when they were approved for the 10-year, \$134 million program; the first one is 1.1 miles section of force main in South Patrick that they are in the process of replacing which goes from Desoto Parkway to Banana River Parkway; that project is nearly down, but it was not planned for in the long-term plan and cost almost \$3 million; the other force main they talked about earlier is down in North Riverside Drive area and it is a 3.4 mile section that will cost \$10 million to replace and will require some long term funding, and borrowing some money from the State Revolving Loan Program; and they have \$1.9 million that is being reprioritized from various areas of the County to go for the south beaches system only. He went on to say the color coded map shows south beaches on-going sewer lining and what has already been lined, what does not need to be lined, and what is not yet lined; the cost to line the remainder is about \$14 million; the cost to repair laterals on private property is not known because that is the homeowners costs which could be anywhere from a \$3 clean-up cap to complete replacement

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of their lateral system and the line for maybe \$2,500; they have been talking about the B-20 Lift Station Basin because that is where most of the action happened in terms of the discharges; and by the end of Fiscal Year 2018 they will have 100 percent of the clay pipes relined in the system and be done with B-20 by the end of this Fiscal Year. He added what can be expected from the pipelining and repair program is the EPA has done studies that indicate 30 percent reduction in inflow and infiltration (I & I) could be achieved; it does not appear to be a complete solution, but they think if they could get 15 percent I & I reduction that could be enough to eliminate problems like the ones they had; the Utility can only repair what is in the right-of-way so they need cooperation from the homeowners and they formed a partnership with the City of Satellite Beach for a pilot test of an incentive program for inspection and repair of homeowner plumbing; and they have been in discussion with Indian Harbour Beach. He stated this slide is the result of a smoke test that took place in 2000; what it shows is little puffs of smoke coming out of yards, storm drains, roof drains, and so forth, which demonstrates the problems they could have in the private systems; other alternatives are available; they could do nothing and accept that overflows occur 0.3 percent of the time, it is the lowest dollar cost but the highest health risk and is unacceptable; they could increase capacity of the sewer system, oversize facilities, great big infrastructure and pipes, but the pipes would not be flushed the other 99.7 percent of the time because they are too big, which would result in high costs of over hundreds of millions of dollars; they could store overflow which would be 20 million gallons in retention basins, expand what they have now to avoid canal discharge, but it is land intensive with 12 acres for 20 million gallons, and that would be unpopular with local residents and cost \$25 million; and they could use storage tanks on soccer fields in Indian Harbour Beach, 20 tanks at 75 feet in diameter, 40 feet high, on six acres of coverage for \$30 million. He added they could further reduce inflow and infiltration which would create incentives for homeowners to repair but it would be unfunded and they do not know the costs until they were to do the smoke testing which would need to be done on an ongoing effort to maintain the I & I level and the smoke testing would be funded for \$185,000; the pilot program is with Satellite Beach and they are going to help with public outreach and information so people will know what they are doing; they could construct a waste water treatment plant in Indian Harbour Beach and he thinks it would be a valuable alternative because it would replace the B-20 problematic system and would be a 6.0 MGD treatment plant that is unfunded costing at least \$50 million if not more and would require acquisition of property, rate increases, and would take four to five years to construct; however, it is something to think about. He went on to discuss the discharges from force main sewer breaks; the primary sewer main comes just south of Patrick Air Force Base to Melbourne Beach, known as the B-19 force main; they have to shut off three major lift stations when they have a force main to repair; for breaks south of B-01 lift station it would take a tanker every two minutes and of course they cannot keep up with that, so they need to get things repaired; and what they are doing to stop the force main breaks, is replacing PVC pipes with ductile iron pipe. He continued the sewer force running from Desoto to Banana River Drive is in the second and final stage of replacement; the Board had approved that design and construction of the 1.1 mile section of pipe on an emergency basis, some time ago; the South Riverside force main has experienced several breaks, including two recently; an engineering task order with HDR Engineering was approved earlier tonight; the three-mile section of the force main will be replaced at a cost of approximately \$10 million; and they will be applying for funds from the Florida State Revolving Fund to finance this replacement. He commented the proactive measures include continuing inflow and infiltration reduction program identifying priority areas for lining public sewers, creating partnerships with municipalities, smoke testing sewers and working with home owners, and exploring funding for incentives to home owners to make the repairs; and they also want to explore opportunities for overflow storage and treatment, accelerate the PVC force main replacement; and continue the capital improvement program. He went on to say the implementation of the improvements discussed should reduce the magnitude and duration of future storm event impacts on the waste water collection system.

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Mr. Abbate stated he would like to add a few items that would be good for them to add as part of the dialogue; they have tried to aggressively be proactive in a variety of areas, that is why they did the reprioritization of lining and addressing specific areas as it relates to B-20; as that occurs and is part of the solution, that is moving forward along with the 3.4-mile line, which is now funded for the engineering, and will be moved expeditiously with the Board's approval; that leaves the area to look at of what kind of impact will these items have on future events, which he believes will be significant impact; one way they will be able to determine that is by looking at the capacity on a daily basis for each residential home on beach side compared to where it is on the mainland; and he let Mr. Reagan talk about that because as it is evaluated and if they see that those numbers become closer to what is on the mainland, then they would have higher hopes that the result will be better for the system and would have less discharge.

Mr. Reagan stated in Viera, which is a relatively new collection system, was built with primarily with PVC pipe in 20 foot lengths; the soil conditions and ground water conditions are different; and they find that the average daily flow from a residence is about 162 gallons per day in Viera compared to beach side at 286 gallons per day, which is a difference of 100 gallons per day per residence.

Mr. Helmer added what they are trying to find out, with the six and a half average daily flow in the south beaches plan, is if they can tighten up the system and the private property side of the system and get the gallons per day down close to what the Viera system has; they might see that average daily flow at the plant from six and a half go down lower, which would indicate winning the I & I war; if they get it down to 5.75 as an average daily flow that would free up capacity at the plant and in the system; and that would be a significant number to see that much difference between south beaches customers and Viera customers and must be from I & I.

Mr. Abbate stated the last point he wanted to make is everything the Board has heard this evening outside of the building of a another waste water treatment facility, can be accomplished and is expected to be accomplished within the existing rate structure that they have; all the reprioritization and everything the Board is improving, while it may result in the County taking some State Revolving Loans, can be accomplished within that existing rate structure; just the waste water treatment facility which is a four to five year undertaking, staff believes the best approach would be to take all the other steps and see what can be accomplished and if the I & I is reduced, which would have a very significant impact on the potential for discharges in the future if it is successful; and then they could move forward with that plant, if in fact, they cannot reduce the I & I and the 280 gallons per day beach side. He mentioned he feels that is probably down the road considering it is going to be four or five years and would probably involve a rate increase or some other kind of financing opportunity or revenue source.

Commissioner Smith asked how they propose to lower beach side I & I; he stated he knows one of the problems is probably that there are more retired people there that are home all day compared to Viera where people are younger and moving about; and he inquired what some of their ideas might be to reduce that.

Mr. Helmer stated he thinks they should continue to do the pipe relining which he feels will give them the most bang for the buck; he thinks they need to work with home owners because they do not know what they will find out from the smoke testing; he expects there will be a lot leaky laterals and problems with the private side; they need to figure out how they will get home owners to repair those things; and he thinks between the combination of those avenues they should be able to reduce the I & I. He added as Mr. Abbate had stated, they would like to be able to measure it down the road to see if they are making measurable reductions, be that is their expectation and what they are hoping for.

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Commissioner Smith stated if that can be achieved then it will reduce the cost moving forward because the County would not have to expand the system.

Mr. Helmer stated it would lessen the need for expansion, opens up more capacity at the plant for septic to sewer conversions, or any growth that may come in the future.

Commissioner Smith stated he spoke with Utilities yesterday; and he asked Mr. Helmer to explain to the public how the smoke testing works, what they would be looking for, and what it will show them.

Mr. Helmer stated the smoke test, and there will be plenty of public information and education before they do that, is not a dangerous type of smoke and does not cause any problems with the house; once the smoke goes into the system they will see smoke rise from leaking laterals; and on the private side people may experience smoke coming from illegal connections like putting the roof drains into the sewer system, or with swimming pools, or with just taking the cap off in the middle of the yard and letting it drain through the swale into the sewer system. He continued what they are trying to do is keep storm water and so forth out of the sewer system and leave it for treating the sewage.

Commissioner Smith inquired if the purpose is to show smoke; and if someone had a home and there was smoke coming out of the rain gutter, if that would tell utilities that the home owner is illegally dumping rain water into the sewer system.

Mr. Helmer stated yes, it shows the smoke has gotten from the sewer system up through their rain gutter; and that is an indication of an illegal connection.

Commissioner Smith stated he mentioned approximately a \$50 million cost for a lift station in Indian Harbour Beach; and he inquired if the taxpayers would be on the hook for that \$50 million.

Mr. Helmer stated the rate payers would be on the hook; the system is funded through water and sewer rates, the rates that the customers pay; and that is why the rates would have to go up if they decided to do that kind of undertaking, or to finance the debt service that would be required to build such a facility.

Commissioner Barfield stated in 2013, prior to any of the current Board Members being on the Commission, there was a move to get the funding to restore the system to where it needs to be; he asked for Mr. Helmer to elaborate on the history of this because he knows they go back to the package treatment plants and all the infrastructure there; and to him it seems over that time period there should have been else something done at that point.

Mr. Helmer replied he thinks some of the utility went for a period of time, not all of which he was part of the utility, when there was not a lot of money available, the economy was not very good; there was a reduction in staff at the Utilities Department and they did not have a lot of money for capital program; it got to the point where they actually had an internal audit done in 2012 or 2013 that indicated Utilities was woefully underfunded and something needed to be done; it had \$400 million of infrastructure; and even if that lasted 40 years, that is \$10 million a year, for the cost to put it in. He added they knew they were way behind the power curve there; most all of their stuff was 50 years old in the south beaches; they needed to come up with a way of funding to get this stuff taken care of; that is why they went with a 10-year plan and series of rate increases so they are able to fund the 10-year program; and it has been up to them since priorities have changed to meet the change and re-prioritize some of the capital program to meet those needs.

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Commissioner Barfield clarified they have been behind the power curve all along; the County is probably 20-30 years behind trying to get this done; and what Utilities is doing is looking at the risk areas and trying to get those done and work from there.

Mr. Helmer stated they are because of what has happened; he thinks since they are only in year three and a half out of the 10 year program, they have a long way to go with the money they have been given; they will have a big bite out of that after that 10 years and everybody can take a look at what else needs to happen at that time; and they have been making progress because of the funding they have been given.

Commissioner Isnardi thanked both Mr. Reagan and Mr. Helmer for trying to solve people's sewage and storm water issues, and there are several others; she has had some angry people in her office, and they have worked hard working with her staff to get this stuff done; she thinks what people are having a hard time wrapping their head around, besides from the I & I because that is a pretty simple process to understand when water is leaking in and whether it is some of the County's fault in the system but what the unknown is and what the smoke testing is for, the big issues seems to be basically the County has old pipes that has water seeping in from the ground, and when there is heavy rain that water is basically going into the sewage plant; she thinks the Viera example is a fine example because there are many retired people who live on beach side and many large families that live in Viera; and if they were to look at their water usage she thinks Viera uses much more water than the beach side residents, so the fact that their system is only contributing about 160 compared to beach side's 286 is a big deal. She continued another thing that is difficult to explain and maybe even for herself to understand, with partially treated sewage being dumped into the Lagoon, is how this is not much bigger than anything else the County has on the table right now as far as the Lagoon projects especially when people can look at the pounds of nitrogen and phosphorus and the impact; she asked Mr. Helmer to talk about where he took that same from.

Mr. Helmer stated he believes it was from the anchor canal.

Commissioner Isnardi stated it was before the discharge in the Lagoon; she asked him to explain; she stated it does not make it any better, but it was partially treated; and she inquired how dumping partially treated raw sewage not be the number one priority versus some of the demucking that is going on with other projects.

Mr. Reagan stated the sample where the results were shown on the slide during presentation, was taken from the B-20 lift station; it was the lift station that was releasing the water into the Lagoon; during the height of the storm, the water was being discharged into a drainage ditch directly connected to the canal; he would expect the concentrations that were going into the canal as those shown on the slide; as the storm went on they were able to redirect that discharge into an adjacent stormwater retention pond, which allowed some time for sedimentation, filtration, some aeration, and disinfection through ultraviolet light; therefore, it was receiving some treatment, not sufficient treatment, but it was better than the direct discharge into the canal.

Commissioner Isnardi asked again how does this not rank as a number one priority as far as what is going on for the IRL sales tax projects; she knows with Utilities they can only do so much with the money they have, as far as prioritizing projects; and she would hate to see, with all these clean-up projects and all this muck removal, more partially treated raw sewage dumped into the Lagoon, it defeats the purpose.

Virginia Barker, Natural Resources Management Director, stated that was one of the reasons that Mr. Reagan calculated how many pounds that 20 million gallons was equivalent of, so his calculation of 1,835 pounds from that release for comparison in the 10 year plan, if all the

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projects were implemented, they would expect to reduce the annual loading every single year by 762, 174 pounds; of that, some is from septic removal and some is from septic system upgrades, and then there is muck removal and other project types in there; even just looking at the septic programs, those total about 90,000 pounds a year of load reduction; and while no one likes to see 1,800 pounds go into the Lagoon during an emergency, it is not going to stop them from succeeding with this plan.

Commissioner Isnardi inquired if Ms. Barker would say that is a safer option than delaying any of the current Lagoon projects, if she had to decide.

Ms. Barker stated what she would choose is the most cost effective projects that she could implement the quickest; one of the challenges with this overflow problem is we know how much overflow, we do not know how much is leaking every single day into the ground water or parts of those privately owned pipes that are above the ground water; once they have the smoke testing results, they will have a much better idea of where those leaks are and what else is going on underground that they are not yet aware of; once they have that information, then they have a better picture of what the true impact is of leaky pipes on the Lagoon; and then they can compare the cost of making those repairs or replacements to other projects that are in the plan.

Chair Pritchett stated on the point of leaking pipes, if there are leaking pipes then there are also things that the County does not want leaking into the ground or the water system.

Mitchell Roffer stated he would first like to thank *Florida TODAY* for keeping the public informed prior to today's presentation; it is obvious to him and many other people that the community needs faster public reporting of the dumping of sewage into their neighborhoods; it should not take a photo on Facebook to bring this to the public's attention; he is also glad the Board realizes the importance of expanding the infrastructure; if they if has to plan for the next 20-30 years, it cannot just put a band-aid on it and forget about the population increasing and the changes in weather and climate that is going to occur in the next 20-30 years; he asked to Board not to talk to him about BOD and nutrients, he wants to talk about E.coli that was dumped in the water and other human pathogens, human health risks, and ecosystem risks and there consequences; when talking about BOD people think it is just a minor thing; and he commented this is a modern civilization and things like this should never happen regardless of the weather. He continued clean water is a basic societal need; the County must spend whatever it takes to guarantee clean water, clean air, and a healthy ecosystem; it must spend the money, it must raise the rates, and do whatever is needed to maintain the present infrastructure in planning for the future before spending it on beach renourishments and tourist attractions; he does not want the County to poison the well that brings the community a high quality of life that it presently has; and the state of the IRL ecosystem in terms of the water quality still remains terrible, in part due to the hurricane; the lack of seagrass is still a major issue in the Lagoon; the Board may not hear about the lack of fish, but there is a lack of fish; and he is in the industry so he knows it affects the number of fisherman and the associated industry in the Lagoon.

Scott Hoffman stated that Brevard County pumped five times more sewage than all the other counties in Florida combined; somehow this County is behind the eight ball compared to all the rest of the communities and they all suffered the same storm Brevard County had; the IRL is nastier than it ever has been; and in his opinion it is not okay to dump millions of gallons of sewage into the IRL regardless of what kind of math is done saying it just affects nitrogen because of biological pathogens, and prescription drugs that affect marine mammals and fish. He continued Brevard County homes are built to a hurricane standard, yet the sewer systems are not built to a hurricane standard; the system is sized only to deal with normal activity and hurricanes cause a problem; in the last seven to 13 years the County has dumped sewage into the IRL and it is not going to get any better because there are going to be worse storms over the next 10 years; there are problems with leaking pipes and the Board was very astute in

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mentioning the fact that when the storm water is not leaking in, then sewage is leaking out of the pipes into the ground water which is leaking into the IRL through the sewage system; basically the streets are a big septic system; and it needs to be addressed. He went on to say he sees that there are four problems; the sewage system is broken and needs to be lined and repaired; the pumping needs to be aggressively repaired; there needs to be more aggressive ground water, storm water as they are destructive to IRL probably more so than the sewage problem; the Save Our Lagoon Program is fixated on the Nitrogen thing and only on dredging, the water quality is not a factor to them; this Board should be interested in the water quality which includes salt, bacteria, pathogens, and prescription drugs that are flowing in through the dumping; somehow laws can be passed about grass clippings but nothing can be dealt with about the sewage problems in homes; it is a little ridiculous; this County needs to own the responsibility for our water quality; and it needs to employ water a water quality measurement program. He asked the Board to make a decree that it is not okay to dump sewage into the IRL because only in third world countries do they dump their sewage into their recreation areas; he asked the Board to compel the Utilities Department to more aggressively line the pipes because lining the pipes will probably address 80 or 90 percent of the issue, and it is not a solution to have as a fall back to dump into the canal; the sewage is not treated and the fact that it is said to be coming from a rain retention pond does not meet EPA requirements and is not treatment; the sun may be hitting it, but watching the flow from the pipe, it goes right through the box that is supposed to keep stuff out, right underneath South Patrick; and people can literally see fecal matter and toilet paper flowing well past October 10. He noted he has a video if the Board wants to see it. He continued he wants to create a program that addresses homeowner broken problems; he lived in upstate New York and they fined people for having their sewage connected to the rain because it puts a tremendous burden on the whole sewage treatment; if the Board would address some of that, in the long run it will pay off because the County will be treating less sewage; he wants a hurricane building code for the storm water systems and the sewage systems so the County can ride through a storm and not have to dump; compel to Save Our Lagoon Organization to be in conformance with the Ordinance which the tax was designed for states they were to come up with a plan for sewage, storm water, and dredging; and it appears all they are interested in is nitrogen and dredging, which is not found in the Ordinance and is not what the taxpayers signed up for. He added he wants a water quality management program where the Board receives a report of what the water quality is on a month to month basis, so in the meeting every month the Board will know what the water quality is and the bacteria floating around; it will know how clear or muddy the water is from the horrible run off problem; the reason the water is so dark is because it is full of suspended solids that came from the roads; and he noted he thinks with the Boards leadership and forward thinking, that this can be a nicer place and protect the resources the County has so people can enjoy their life on an everyday basis.

Deborah Harmon stated she is representing the Marine Isles Homeowners Association; she began by reading an excerpt of a letter they sent to Commissioner Smith just last week; she read, "They set a discharge of millions of gallons of untreated sewage into the Indian and Banana Rivers we live following Hurricane Irma, is simple unacceptable. Further the public communication to beach side residents regarding the ongoing overflow situation was poor and in some cases it was nonexistent and must be improved. Facebook doesn't do it for us. The increasing frequency and severity of storms affecting coastal areas dictates that our community should invest and plan ahead to prove the storm resiliency of public infrastructure. The issues is important not only to beach side inhabitants or to the rate payers, but also to businesses and employees who depend on tourism, visitors, and the new residents who will be moving into areas of new development that were recently approved in beach side Brevard County. We believe the health of local residents, the IRL system, Brevard County's economy, and our property values are contingent upon developing a plan to increasing the capacity to prevent future overflows of the extent witnessed after Irma. It went on for a very long time and not a lot of people knew about it, until it was too late. I am asking us all to engage the community and be

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transparent in what are very complex issues." She noted she would like to thank the gentleman who are working on this problem, and the County Manager who is reprioritizing, because those are all good things to do; these are very complex issues and everyone needs to be better informed; there are Risk Management issues and tradeoffs that have to be made; before she moved to Brevard County permanently in 2014, she had worked for more than 25 years in environmental consulting and water resources, including seven years running the infrastructure practice of a major national engineering firm; in 2004 after Hurricane Charley, she was in her show, after seven days without power, and the sewage started to back up into her home; a few years later, Orange County moved forward with a program to assess its aging infrastructure and come up solutions; and through her professional and personal experiences she knows solutions are available, and the Board has heard some of them from the prior two speakers. She added the County needs to take action and increase the urgency; and she thanked everyone for what they are doing, but stated it is not enough, they need to do more.

Mark Ryan handed out documentation to the Board; he stated he is not going to read the whole thing, it was provided to the Board through email; Indian Harbour Beach was ground zero for the discharge of 20 million gallons of sewage in the canals and retention ponds behind homes and businesses in the community; residents and businesses had the unfortunate experience of dealing with the odors, the solids, and whatever else floating down the canals near their homes; it impacted their lives, businesses, it impacted one business where they just sent employees home; it was discharged very close to a daycare center; and it was real. He added coincidentally when this transpired they had already engaged a consultant to do some sampling of the discharges in the community as how they relate to things such as nitrogen, phosphorus, ammonia, and so on because they wanted a base line to be able to come back and scientifically prove what improvements that are done for the Lagoon are working; nobody wants to see improvements, millions of dollars spent, if it does not work, they want the scientific basis for what is being done; and what they did was some sampling after the storm. He continued the analysis taken in September and October revealed some significantly higher rates of ammonia at 7.0 milligrams per liter, TKN at 10.5 milligrams per liter, total nitrogen of 10.5 milligrams per liter, and phosphorus of 1.20 milligrams per liter; these are significant and they are only in the areas of the discharge; when looking at the charts tonight, the Board will see how those samples result to other areas in the community; and what they concur with is there is an I & I problem. He went on to say there are millions of gallons of water infiltrated into the system; he understands they are looking at other options, such as a new treatment plant that might solve the problem; he asked what the economic impact would be to those home where the plant is considered being built; typically people in a community, when they buy a home next to a wastewater treatment plant, they know the plant is there, they know what they are getting into when they buy, but this is the reverse, the Board would be implanting a facility behind those homes; and he asked again what is the economic impact, he does not know, but it is something that needs to be examined as the County decides to go down this path. He stated the same thing with the 20 storage tanks that Mr. Helmer talked about; those 20 tanks could have an economic impact on the value of those homes; he believes the County is going about it right, and the number one priority is I & I; the side impact he wants to share is the flow of sewage into the canals in this community, had unintended consequences of impacting future dredging projects; and he asked how much additional stuff is now in the canals, no one knows; and now there is an increase in potential costs to remove that stuff.

Dr. Leesa Souto, Executive Director of the Marine Resources Council (MRC), thanked the Board for working very hard for the Lagoon; she stated they are behind the Save Our Lagoon Plan 100 percent; MRC is a charitable organization that has been striving to protect and restore the IRL for over two decades; they were instrumental in leading the community in passing the IRL Act in 1990 which was the first act that disconnected the direct discharge of waste water into the Lagoon; unfortunately, there were loop holes that were written after the fact that allowed these discharges to occur during unusual rain events; and 27 years later the County is

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experiencing the consequences of letting those loop holes go on. She continued this means they need to close these up and be done with these unusual events as they have been described as discharges and really clean up the Lagoon; there are three points she wanted make; she feels like the sewage discharges are being under reported or under represented; what was heard from the speaker was there were seven discharges in 13 years and she thinks they are defining them as the unusual rain event, storm water related discharges, but she has a report from the State of Florida for just this year's September and October discharges by demonstrating there have been 67 raw sewage discharges in Brevard County alone; and almost half of them are on the mainland not on the beach side. She noted for people to be aware that there are more discharges occurring than what was understood before and that they are happening all over; this unusual event that has been described is not as unusual after all; in fact three of those discharges were before the hurricane even hit; there were 31 after the hurricane was long gone; this happens with big rain events as described by Mr. Helmer and Mr. Reagan, but it also happens for a myriad of other reasons; it happens sometimes during rain events and sometimes when there are not rain events; of the 67, 27 were on the mainland, 34 were in September, 31 were in October, and 10 of the 67 reported were obviously reported as discharging directly into the IRL; 10 were described as being discharged into the IRL, the Banana River, and the Eau Gallie River and the Eau Gallie goes into the Lagoon; 47 were described as discharging into a storm drain, retention pond, or other unknown location; and just to clarify that 1,100 storm drains in Brevard County all go directly into the Lagoon, at least most of them, some may go into the St. Johns. She stated that discharging into a storm drain is pretty much discharging into the Lagoon also; the overflow, especially after a rain event, if the pond is full, it will not have the capacity to take on millions of more gallons of sewage so it is going to be a direct discharge into the storm system going into the Lagoon; and she just wanted to clarify it is happening way more and people can call it whatever they want but it is untreated sewage being discharged into the Lagoon either through a retention pond, through a tributary, or it is in a watershed, but it is getting into the Lagoon through other means; she thinks there is inadequate monitoring of the fecal chloroform, they would love to do a water quality program and advise the Board on what is going on with the Lagoon, but it is not being monitored because most of the monitoring, by the Department of Health (DOH), has not monitored it since 2011; the St. Johns does not monitor it at all; the St. Johns does monitor two of the tributaries, the Eau Gallie River and Crane Creek because they are impaired for fecal chloroform; the Lagoon is not impaired for Fecal Chloroform because everything dilutes once it hits the Lagoon; and unfortunately the Lagoon monitoring is very limited, there are four stations in Brevard County monitoring for fecal chloroform in the IRL. She mentioned they cannot report to the Board or the public on fecal chloroform; and the public health issue has already been described as fecal matter and heavy bacteria.

Commissioner Isnardi asked Dr. Souto, given the gravity of the situation, as a professional, if she believes the County should be doing these other projects before at least contributing to the Utility, because she knows the Utility can only do so much, rate payers can only do so much, they have the increases, they have reprioritized, and they have done everything they can on the Utility end; she asked if Dr. Souto believes some of that IRL tax should go towards upgrading the sewer system to prevent these discharges.

Dr. Souto commented she knew Commissioner Isnardi was going to ask her that.

Commissioner Isnardi stated she has to because she considers herself somewhat of a scientist given her medical background, however Dr. Souto is the expert in this area, and she respects her opinion.

Dr. Souto stated she appreciates that; the IRL plan is very rational in the way that they have established trying to reduce nitrogen and phosphorus at the best cost.

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Commissioner Isnardi inquired if Dr. Souto believes they are doing all of these discharges and that they are under reported; she stated she knows she is supportive of the plan.

Dr. Souto stated she believes better math can be done to find out how much nitrogen is really in the Lagoon from waste water discharges; it may end up being more than 1,800 pounds; then it would fall into the same rational choice scenario.

Commissioner Isnardi stated it is not really rocket science or marine science; they are talking over 10 years the impact on the poundage and measuring the BOD as opposed to if the County fixes the sewage system now, the impact would be greater because the sewage system would be fixed; as far as how much over 10 years versus how much, if the problem is fixed over two years, because it is a multi-million dollar problem.

Dr. Souto replied she agrees it is a big problem; and she stated she thinks that there might need to be some consideration about the other pollutants because waste water comes along with a lot more than just nitrogen.

Commissioner Isnardi replied she agrees.

Dr. Souto stated if the County could monitor and find these things it would have a better understanding of how bad it is; no one sees it because no one is monitoring it or reporting; the public does not know about it, so it must not exist; and to her that is a problem.

Courtney Barker, City Manager of Satellite Beach, stated she wants to thank the Board and staff for the coming up with solutions they have presented and for presenting at the Citizen Oversight Committee; she asked to read some of the comments that she gets on Facebook; a lot of people do not differentiate between the City and the County so they cannot even put that they are getting solar in city hall on their Facebook page without getting comments like, "We have a crisis situation that caused dumping of sewage into the Lagoon and you are putting solar into City Hall," "Wow, install the solar panels while you are dumping sewage into the Lagoon," "Now if you could just fix the sewer system."; when her staff initially met with the Utilities Department on this issue after Hurricane Matthew they had started out wanting to get mad, but it is clear after meeting with Mr. Helmer and Mr. Reagan, this is a long term problem and it has a lot to do with the geology and the age of the pipes; when they talked about the slip lining and the pipe replacements on beach side, there is still the private side issue; and that is how she came up with the idea of looking at smoke tests and developing an incentive program to start the pipe replacements on the private side. She continued in that instance she does see grant opportunities maybe for the Lagoon tax, but also from other agencies like St. John's River Water Management District (SJRWMD) and things like that entering into the equation; and she does believe developing a program like that is going to be a model for the rest of the State because the problem is not just here. She went on to say when talking about sewer discharges, it is very important for the public to know they are only talking about Brevard County; there are many other utilities in this County but they are only talking about the County; many of the discharges that Dr. Souto was talking about, did not occur with this particular utility, they happened with municipal utilities that are throughout the County; she is very supportive of the smoke test and her City will be happy to offer education, write grants, and other things to educate the residents in getting involved to get this done and hopefully making that a model program; and she does believe this is an I & I problem. She added the difference of sewer usage between Viera and beach side easily demonstrates that; she thinks if they look at pipe replacement first and start looking at how those lift stations are reacting to those before they start sewer plans and things like that they will be in much better shape; she also thinks the Board has an excellent staff and she could not be more happy with their reaction and the time they have given her; and she thanked Commissioner Smith for taking all of her phone calls, he has been very supportive, and she really appreciates it. She stated she also talked with staff about how the City could help

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after storms; they started to create those partnerships with the County because they want to make sure that they are definitely part of the solution, and not just complaining; and she mentioned if there is anything the Board or County needs from them, she would be happy to help.

M.J. Waters, President of the Indian River Lagoon Coalition, stated the coalition is very active in the educational effort that passed the SOIRLPP last year; it is very clear to them that Brevard County and all of Florida has a huge plumbing problem that has been around for a long time; it is time for everyone to really look at how to address the long term infrastructure problems here; this is not just in Florida, it is across the whole Country right now because nobody ever wants to pay for maintenance, they want to pay for new things; she thinks looking at the fact that 67 percent of the citizens voted for the project plan, every single precinct passed the sales tax to save the Lagoon, there is a palpable support for protecting and supporting the Lagoon; and when she was at the Ocean Reef Beach Festival in Satellite Beach this past weekend and every single person who stopped by their exhibit, asked them about the sewage. She continued it is really out there, it is not just those in the audience it is regular families and the folks in the community wondering what the heck is going on; there may be more support for a comprehensive plan than the Board may think, to address this; the outreach is also palpable as she is sure the Board has felt and saw in their offices, as well as in the audience tonight; she knows it is not just the County, there are other Utilities throughout Brevard County; and she inquired if there is a way to somehow coalesce with some of those groups and have a comprehensive plan. She went on to say they know there are many bills coming up in the Legislature next year to make additional funding and some matching funding available for some of the kind of projects the County is looking at; she would encourage the County to look at a comprehensive approach, a long term approach to really once and for all solve this; the fact that the County has 50 year old clay pipes is pretty amazing; instead of figuring out how it is going to do this for the next 10 years, she thinks the County should look beyond that; and she thanked the Board for listening.

Mike Evans stated his guess is the Utility knows how much water he consumes on a daily basis because he receives a bill at the end of every month; they know how much every resident consumes; if the Utility assumes that every gallon he consumes goes directly down the drain then they should also be able to measure how much outflow at various points in the system is going out of the system; there is no need for a comparable, the Utility Department should know how much Viera people consume, how much Indian Harbour Beach people consume, and it should be able to map out at this point in the sewer system it is shooting out 10,000 gallons a day and all the people that feed that, feed in 1,000 or 5,000 gallons; and he inquired if they have even tried that. He commented if Utilities knows that then it should know where the problems are; he does not think they should shotgun the whole smoke testing approach trying every neighborhood; it should know where the heavy hitters are and that is where they should start; and he inquired if that is possible.

Commissioner Pritchett stated she thinks the water that goes into a house is always more than what comes out of it because some people use it on their lawns, and other things; and not everything that enters the sewer system.

Mr. Evans stated most people water their grass with a well.

Mr. Reagan stated Mr. Evans is exactly right, the Utility does know from the water bills how much water is being sent to the house and they expect that much back, that is how they know on average what the average flow for residents is; however, in each neighborhood, for example, that has a collection system with a pumping station, they know what the capacity of the pump is and they monitor the run times so they can count the houses and take the flow and know how much that pumping station is pumping versus what they should expect; they can calculate it

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neighborhood by neighborhood by neighborhood; and so they have ranked neighborhoods, or localized collection systems to the pumping stations by the worst ones at the top and just created a list. He continued they stated the lining program for the public sewer years ago, and they are hitting those in the order that they pop up on the list; and the way Mr. Evans suggested it be calculated is exactly right, and what they are doing, hitting the worst ones first.

Mr. Evans inquired if they would publish that information.

Mr. Reagan commented yes, sure; he can get him that list, but there is a complication where one pumping station pumps to another pumping station so if it is just a number of houses collected into a pump and pumping directly to the pump that is a simple one; if it pumps to another collection system then it becomes more difficult to segregate it, however the list is available.

Mr. Evans inquired if that is how Utilities is prioritizing the smoke test.

Mr. Reagan replied affirmatively.

Mike Dana stated he used to have a job managing assets for a lot of municipalities and they still manage a lot of them; he is a board member now; the County has done a lot of good things here; however, there is expediency here. He continued he cannot say how visceral it is, he lives on Lansing Island and it is an awful nice neighborhood, but to go down by the dock it has stuff flowing by; he is part of a bike group in the morning now, and they see big pumps, then they smell them and they see a huge field where the County is pumping sewage into the field; it then goes in and around Lansing Island; and it is a visceral situation. He commented people cannot get fined, they should get awards, they are a quaint part of the world; everyone wants to move to Brevard County; at the last meeting he thinks someone said this County is going to get 1,000 people a day moving into Central Florida; well not to build the treatment center, maybe should be thought about if it is going to take five years; they also have a potential tax difference; he thinks a lot of people will be moving down here from New York; and his point is, there would be more people who want to move here, but the plumbing needs to be fixed. He went on to say they are going to one source of funds, but there are some others; there are some creative things the County could do; there is a very low interest rate scenario going on right now; he thinks the County has an A rating for the bonds; there are not enough municipal bonds out there; and he thinks the County has an opportunity there, if it wants to do it. He stated one of his accounts was the Milwaukee treatment center and they take the processed sewage and turn it into fertilizer to go into fields; there are some creative things that can be done to get the money other than what is possibly being done now; and he thinks there is great potential for folks moving in here.

Mr. Reagan stated he needs to correct something he said to Mr. Evans; he asked if they were prioritizing the smoke testing by the list; and the answer is no, they are prioritizing the lining of the sewer by that method, the smoke testing is going to start in Satellite Beach.

Terry Casto stated he serves on the board with the MRC and also with Courtney Barker on the Citizen's Oversight Committee; he thinks the County was involved when they passed the referendum that got them the half-cent sales tax; he heard a lot when Mr. Reagan presented at the COC from citizens who are understandable outraged at raw sewage and fecal matter floating by their docks and their high priced water front homes; even the people who do not live on the water the fact that there is unprocessed sewage or diluted sewage running into the canals, it is understandable why they are outraged; there is a call for action, something needs to be done; and he wants to speak on behalf of the project plan. He continued he remembers when the project plan was based on the best scientific data the County had at the time; an analysis of the contributions of nutrients and other matter that contribute to the algae blooms

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and the fish kills in the Lagoon, his message is do not respond to the urgent by misappropriating the money; if they were to move all of the money to restoring the sewer system to a fail-safe, no fecal matter, no nitrogen phosphorus at all, the County would still have a problem with the IRL; the muck that is built up over the years is a 40 percent contributor of the nitrogen and phosphorus loading in the Lagoon and it contributes to the fish kills; 80 tons of animal waste gets washed into the Lagoon every year from surface water that is coming in through the storm sewers; muck removal is number one, storm water abatement is number two, sewer to septic connections is number three; and those are the big drivers in the plan. He added the plan deliberately did not look at earmarking money for infrastructure to move sewage to the treatment plant; they did look at what they could do with the plan to aid homeowners to make connections to those sewer plants in the areas where it makes sense to get off of septic and on to sewer; and it does not make sense necessarily in every home in Brevard County. He stated he just wants the County to be cautious and understand that while the sewage outflows, the raw sewage into the Lagoon is an emotional matter, it is a health matter, and as Dr. Souto stated there needs to be more testing; and he believes this is a County that understands the importance of the Lagoon and the environment to the overall economic and health of the population. He noted if the County was to come forward with a plan, not unlike what they did with the Save Our Indian River Lagoon Project Plan that the Board would find it has considerable support.

Rick Dorminy stated he moved here in June with his wife; they do not flush any more than the people in Viera; there is an influx of water going in; talking to his neighbors in Satellite Beach, they are all for fixing the system; most of them are retired and living on fixed incomes, but if there is some type of grant that can be applied for, they are amenable to fixing their part of the system, if that is what it takes; and to answer the question of fixing this before the Lagoon, if she a pool in her back yard with sewage running into it, if she would just clean the sewage out of her pool or would she fix that first and then clean the sewage out of her pool. He feels like that needs to be fixed first, but not cleaning out the IRL budget to do it because then there will be a Lagoon that cannot be fixed without the money; he is not speaking for everyone, but maybe there can be a small amount that can be added to the sewage bill to get this fixed; he rode by South Patrick not too long ago and there was a line of kids fishing off the little bridge, so they stopped and the smell was horrible; and they were hoping those kids did not take the fish home and eat it. He reiterated that is something that needs fixed, because people cannot live with that; he stated everyone he has talked to says the same thing; he thinks this needs to be a priority and the sense of urgency needs to be ramped up a little bit; this happened in September and now it is December; this meeting should have already been scheduled; and he does not think that 10 years down the road is going to work for this.

Commissioner Barfield stated it seems to him there are two different issues with this that needs to be corrected; the first part is the County needs to continue to fix the old infrastructure and on-going leaks; there is a capital improvement plan which may need to be reprioritized and he believes that is being done; he would like that come back to the Board to see what it can do; it could maybe re-emphasize putting more of the bonded money into it to expedite getting it finished; and the second situation is what the County needs to do when it receives 36 inches of rain. He continued flooding is a major issue; they had people in Merritt Island that had water up to their waist after the hurricane; they had septic tanks with the same situation, the difference is at least its theirs; the thing is, it is not just infrastructure it is flooding and drainage; and he received information looking at the average height of the IRL versus 10 years ago, it is 12-18 inches higher now; what that means is regular water flows slower into the Lagoon; the flooding is impacting all utilities and the County needs to evaluate that and come up with another plan overall of what the drainage system is; and he suggested the Board set up another meeting to evaluate how the drainage can be done, development, and maybe increase the requirement on development to one to one because he does not want to see 20 years down the road the people in Rockledge having waterfront property. He stated he thinks what they need to take care of

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now can be done with the utility budget; he agrees with Ms. Barker about looking at the IRL money and put that as grants for individual property owners for their I & I situations to help offset the cost for redoing the pipes; he believes the output can be monitored to see if the total gallons going through versus the baseline right now; as that is being done it should be a good indicator of where things are improving; the idea of lining with the ones that have the most flow makes sense to him; he reiterated he thinks the County needs to re-evaluate the flooding, drainage, and the emergency side because there were people in Rockledge whose houses were totally flooded and located nowhere near the river, Lagoon, or the St. John's River; they had the same situation in West Cocoa; it happens all the time; and the problem is the water needs to drain as fast as possible so it does not build up, and that is not happening.

Commissioner Isnardi stated she agrees with Commissioner Barfield on the storm water; staff has been wonderfully helpful; there are neighborhoods that actually have zero storm water drainage maintenance and it is just mind blowing; she asked Ms. Barker to give some insight on what the Board would be tasking them with when asking to help homeowners to with pipe repairs for I & I; obviously the IRL sales tax issue will come up again and she would guess that in the future the Board will probably put it back on the ballot; and she wondered how much the Board should direct them to allocate given it understands how substantial the problem is. She added the Board can only fix what is wrong with the County system; and she inquired if the majority of the system is privately owned, how much the Board would be willing to commit to that or at least a ball park to direct staff to look into.

Ms. Barker stated she understands the concern that this based on pounds of nitrogen and when there are sewage overflows it is not just nitrogen that is overflowing, there is also fecal chloroform and health concerns, and she acknowledges that; to have a level playing field for comparison they chose to pick nitrogen as the standard; if they use that standard and look at the 1,835 pounds that happened from this overflow, they look at the recurrence of those overflows which was seven times in the past 13 years; Dr. Souto talked about 67 reports of releases this go-round, so the 20 million gallons that staff has reported from Satellite Beach and Indian Harbour Beach is from multiple different days and multiple different reports, so she wanted everyone to understand that 67 includes County and City and is multiple different reports for them to have rolled up into 20 million from this one area during the days and months surrounding Hurricane Irma; and to take the 1,835 pounds and looking at what the nutrient level benefit is of the Lagoon of reducing the risk for that recurring seven out of every 13 years, and back into a number of \$830,000 that could be available from the Lagoon fund to try and reduce that occurrence. She continued she thinks that could be available for a pilot program; as they get into that pilot program, doing the smoke testing, seeing what the actual cost are, how far the dollars go, how big the need is, what the other benefits are, and they can expand; and she thinks that would be enough to get the program started and to learn what is needed to identify how big of a program is actually needed.

Commissioner Barfield stated his concern is also the Lagoon, but if private property owners' pipes are leaking all the time anyway, then there is now way to know how much damage has been done.

Ms. Barker stated that is correct; they need ground water testing; and they need other information.

Commissioner Barfield stated the point of it is if the County knows that is happening then it also knows there is an influx when a storm arises, so they would be killing two birds with one stone; and that is why he thinks it would be a good thing to look at doing.

Commissioner Tobia thanked everyone for showing up and explaining the problem; he stated he represents the south part of the County and he is not receiving many of these phone calls, but it

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has been made very clear that this is a large issue; his parents live in Satellite Beach and he grew up there so he certainly does not want this happening anywhere in Brevard County, whether it is his District or another District; the way government chose reprioritization is how it chooses to spend its funds; through discretion of the Board, there has been \$16 million allocated for projects like stadiums and lighthouse keepers museum; unfortunately, or fortunately depending how people see the issue, the Board, because of Statute, is not able to spend those resources for items such as the IRL; while the people have given the Board much to look at, spend time with, and prioritize on, he would like to ask something of them; Representative Randy Fine is sponsoring a Bill in the Legislature, he believes it is House Bill 585, in which he would take those resources which are currently being expended on multi-million dollar stadiums, placing artificial turf on a Viera stadium, and a Lighthouse Keepers Museum which may be worthy projects but not to the level of sewage in the people's backyards, and give the Board the ability to use those current resources that the County collects; and the IRL is not a river, it is an estuary, so all Representative Fine's Bill would do is to allow the County to use those resources that were already collected, to fix the waste water that is backing up into people's backyards. He stated he would like to send kudos out to Representative Fine, who through Facebook brought this issue to the forefront; he stated he has also taken it a step further trying to provide the County with another tool so it can do this; this is not something that could come around until after the Legislative session and it has passed, so the County certainly needs to continue, or at least start with a smoke testing because this is something that will not have the County have to increase rates or millage, it would be just using resources that are currently being used; he thinks it would be very difficult for him as a Commissioner to say that a stadium is more important than sewage backing up into people's backyards; and he asked the people to send Representative Fine a Facebook message or call his office and let him know the people think the Commission should have the discretion to use the tens of millions of dollars that it collects every year to help the Lagoon. He added he knows it is tourist money but many tourists come to this County for the wonderful things the Lagoon provides; and just because of that little syntax there with estuary and river he thinks it is an absolute shame.

Commissioner Smith stated he wanted to thank everyone for showing up; his good friend and the Director of the IRL Council said there is no rationalization for failure; there has been failures in the system and it is tragic; he thinks perspective is important as well; he thinks someone had just said earlier tonight that Brevard County was the only County who had a problem with the State; in fact, there were 268 failures within the State during this rain event; in Houston when they had their storm, they had 100 percent failure the in the sewer systems; and he feels some of the points made tonight are extremely important, one of which was at what point should this be over built and the money spent for something that may or may not happen six times in 13 years, or may happen every year. He noted those are the kind of questions that have to be asked to come up with rational answers. He went on to say it would be nice if someone had a magic wand, but that does not exist; there are perspectives and parameters to be looked at; having sewer water going into people's backyards by way of river into retention ponds is not good and does not benefit anybody; he inquired if people would rather have it come up in their showers if that were the only alternative; and he commented they have to change the alternatives to make this one not exist. He stated there cannot be an either/or, the County must solve the problem; he believes the County is on its way to do that; Representative Fine's Bill would be worth looking at; it could give options, but he is unsure it can get past the legislature; he collaborated with Representative Fine last year on inspecting septic systems upon the sale of homes that was within the water shed area of LaCasa Lagoon or any other watershed; it made all the sense in the world to both of them; and apparently it can leak a lot of bad stuff into the ground that is not supposed to go there. He went on to say unless they are inspected who would know that; the idea was when going into an agreement to sell property people would be required to let the person buying know there is a septic system; the septic system would have to be inspected, as roofing inspection is required upon sale of a home; he inquired how much more important is it to inspect a septic system; and unfortunately Representative Fine found out

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that in Tallahassee it may be more important to inspect a roof than a septic system because they were not interested in the Bill. He noted those are the kind of things that politicians locally, at the State level, staff, counties, and cities are all dealing with and they all have to come up with solutions.

Commissioner Barfield stated the County needs to be monitoring public health and E.coli; years ago that used to happen here, when there was a Scallop and Oyster industry there was routine sampling down for E.coli; the Department of Public Health did it and he does not know why it stopped, but he intends to find out; if it is strictly a funding issue then the Board needs to work with the House and Senate Representatives to get that pushed through; it makes no sense to him why they are not monitoring for public health of the Lagoon when the Lagoon is used for a public recreational source; and he reiterated that needs to be looked into.

Chair Pritchett stated probably the Lagoon and beaches should be monitored if the Board is going to monitor those types of items; from what she was briefed on with a State Loan program, they have a few low interest rate, so she thinks that would be a good thing; and she inquired if they were going to look into some funds to utilize this.

Mr. Helmer replied affirmatively.

Chair Pritchett stated the County is going to have to get started on this because it is going to be a long term process; they are going to need a strategic plan; she knows there is some stuff that is already in the works, as Commissioner Barfield pointed out; maybe some switching with it needs to be done to figure out what the County needs to accelerate or maybe put towards the end; this is more of a user situation because the whole County does not use this process; the Board has to do what is equitable for the County; and other municipalities are paying for their own systems and they will have to pay extra as well. She continued there were 36 inches of rain during the Hurricane Irma period and that is typically as much rain as Brevard County gets in a year; in her District she had people with water in their houses, alligators swimming by, and some really bad situations; she inquired since the river has risen 12-18 inches if that is accelerating or stabilizing or if the County is looking at receiving another 12-18 inches in the next 10 years; she asked if the County needs to start planning more strategically, because if the County receives another 12-18 inches it is going to lose some of the barrier islands; and she inquired how this projects into the plans because it will drastically change what they are trying to do now.

Ms. Barker stated she does not believe she has all the data she would need to answer that question, but she has seen the water levels rise in the IRL over the last 50 years and she anticipates that they will continue to rise; as the Commissioner explained, that challenges the current drainage system; and they do need to be designing future drainage systems and retrofitting the existing drainage systems while taking all of that into account.

Chair Pritchett stated this is going to be a lot of money and she knows the IRL fund is projected as \$32 million; she inquired if Ms. Barker is projecting \$36 million; she stated the thing Ms. Barker is challenged with is what specifically the funds could be used on, because it was a voter referendum and have to be used on new projects; she knows that is challenge; she was thinking when they start with the Satellite Beach project they will get an idea of what the County is looking at as far as those types of things; and she inquired if they are planning on working towards a low interest loan. She inquired what is being asked for this evening.

Mr. Helmer stated he would like to have the Board's approval to move forward with the State revolving loan program for the project that they have to replace the 3.4 miles section of pipe that breaks frequently; the SRF loan they received for the south central area was \$1.04 percent for 20 years so it was a tremendous savings compared to conventional financing; they think the

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savings is still there, but unsure if it is 1.04; he just thinks it will be a lot cheaper; and the initiation costs of the loan are a lot less also.

The Board acknowledged and discussed PowerPoint Presentation regarding Hurricane Mitigation Efforts; and authorized staff to move forward with funding for the replacement of a 3.4 mile section of the County's South Riverside Drive force main utilizing the State Revolving Fund (SRF).

<b>RESULT:</b>	<b>ADOPTED [UNANIMOUS]</b>
<b>MOVER:</b>	Jim Barfield, Commissioner District 2
<b>SECONDER:</b>	Curt Smith, Commissioner District 4
<b>AYES:</b>	Pritchett, Barfield, Tobia, Smith, Isnardi

Chair Pritchett inquired if Mr. Helmer was able to gain enough information to start putting some ideas together.

Mr. Helmer responded he has all the information and he will definitely try to incorporate it into the future plans and reprioritization.

Chair Pritchett stated she would like to make a request for Mr. Helmer to return in a couple of months to update the Board on where they are at on this.

Mr. Helmer replied that is not a problem.

Commissioner Barfield stated he will get with Assistant County Manager John Denninghoff to discuss setting up a plan on the raw drainage.

**ITEM VI.D.1., COUNTY DEEDS WITH CITY OF COCOA, CITY OF PALM BAY, CITY OF TITUSVILLE, AND TOWN OF GRANT-VALKARIA, RE: CONVEYANCE OF PROPERTY ACQUIRED BY TAX ESCHEATMENT DEED TO MUNICIPALITIES**

Scott Knox, County Attorney, stated this is an Item where the County has prepared four deeds to send off to various municipalities on property that was given to the County for lack of paying taxes; and all these properties are located in the cities, so by Statute they have to be deeded over to the cities.

The Board adopted Resolution Nos. 17-245, 17-246, 17-247, and 17-248, and executed Deeds with City of Cocoa, City of Palm Bay, City of Titusville, and Town of Grant-Valkaria for conveyance of property acquired by tax escheatment deed to the jurisdictional municipality pursuant to Section 197.592, Florida Statutes.

<b>RESULT:</b>	<b>ADOPTED [UNANIMOUS]</b>
<b>MOVER:</b>	Kristine Isnardi, Vice Chair/Commissioner District 5
<b>SECONDER:</b>	Curt Smith, Commissioner District 4
<b>AYES:</b>	Pritchett, Barfield, Tobia, Smith, Isnardi

**ITEM VII., PUBLIC COMMENTS**

Mitchell Roffer stated his comments are in regards to Hurricane Irma and building construction; driving home before evacuating in Melbourne Beach he noticed construction sites were still be

loaded with roofing tiles and materials right before the hurricane came on to shore, while there were hurricane watches and warnings; he thinks in the future this need to be stopped as they became projectiles during the storm and additional damage was had; he does not know who to go to on this whether it be Building and Zoning, Construction, or Code Enforcement; he has pictures of them unloading roofing tiles just two blocks from his house and that was a problem on Melbourne Shores; and maybe he can go on-line to learn how to deal with this. He went on to say regarding comments the Commissioners made, please stay the course on the SOIRLP; the Lagoon needs to be fixed and separately fund the infrastructure that has been under-funded for so many years; drainage is a major problem with feces on the road due to lack of proper drainage in his neighborhood; and he agrees with Commissioner Tobia supporting Representative Fine to spend the tourist dollars on much more important issues than baseball fields, etc. He noted regarding Commissioner Smith's comments, he recently spoke to Senator Bil Nelson and Senator Marco Rubio's staff about providing leadership in fixing infrastructure in America because it is certainly not a Melbourne or Brevard County problem, but a nationwide problem; they may not want to give money, but certainly leadership is needed to raise the issue; and the Board now knows that infrastructure needs to be funded, although it may not be pretty, people are going to be around for a long time and this needs to be funded properly.

**ITEM VIII.B., SCOTT KNOX, COUNTY ATTORNEY**

Scott Knox, County Attorney, stated he had an executive session on the Williamson case that involves the pre-meeting prayer and he would like formal permission from the Board to file the appeal on that case.

The Board granted permission for the County Attorney to file an appeal on the Williamson v. Brevard County case regarding the pre-meeting prayer.

<b>RESULT:</b>	<b>ADOPTED [UNANIMOUS]</b>
<b>MOVER:</b>	Curt Smith, Commissioner District 4
<b>SECONDER:</b>	Jim Barfield, Commissioner District 2
<b>AYES:</b>	Pritchett, Barfield, Tobia, Smith, Isnardi

**ITEM VIII.D., JOHN TOBIA, DISTRICT 3 COMMISSIONER**

Commissioner Tobia stated he proposed a resolution regarding comments made by the chairman of the Tourist Development Council (TDC), Mr. Ridenour, towards a member of the delegation; after the meeting, he learned that he had actually apologized to the Representative; had he known he had apologized he would have pulled the resolution; he definitely appreciates the fact that Mr. Ridenour was able to recognize the impact of such remarks; and he wanted to thank him for contacting Representative Randy Fine personally and he would like to put this matter behind them and move forward for the citizens of Brevard County.

**ITEM VIII.E., CURT SMITH, DISTRICT 4 COMMISSIONER**

Commissioner Smith stated the Board has talked a lot about infrastructure and people's homes; assuming there are many people who have laterals in their yards and are failing, there is a program that the County is going to consider called the PACE program; it would allow for people to access the value of their homes for low cost loans; and he wanted people to know that will be an important tool that people can use.

**ITEM VIII.F., KRISTINE ISNARDI, DISTRICT 5 COMMISSIONER/VICE CHAIR**

Commissioner Isnardi stated she met with the PACE folks and thought it was interesting; she has a meeting with them next week; she knows people are probably sick and tired of hearing it, but the effort the County staff has put into her office, her staff, and to the residents of Indialantic, is overwhelming; it is a simple ask and they are out until 7:30 p.m. in a neighborhood with five or six residents that have sewage in their back yard, but willing and able to help with a plan; Mark with his engineering genius and Jim with his excellent way of explaining it to people; Brian and Buster trying to fix people's stormwater issues; she has a meeting tomorrow and County staff is asking how many people she needs and who she would like to be there; and she commented she cannot thank them enough. She went on to say everyone knows this is a problem and everyone wants to solve it; she is just so very proud of all of them; and she thanked the County Manager, Frank Abbate, for his leadership.

**ITEM VIII.G., RITA PRITCHETT, DISTRICT 1 COMMISSIONER/CHAIR**

Chair Pritchett stated she has one thing to mention; she would like an update soon on the pharmaceutical zoning that staff has been working on for the changes of medical marijuana; she would hope it is as simple as possible to resolve those issues; and there are a lot of people who are constantly contacting her office so she would like to know where staff is at on this.

The meeting adjourned at 7:39 p.m.

The meeting was called to order at 7:42 p.m. for Board liaison appointments.

Chair Pritchett stated she needs to move Commissioner Isnardi on the East Central Florida Planning Council; she is not able to attend that one, so if anyone would like to have it right now that would be fine, otherwise she will figure it out this week and bring it back up; however, the Board does need to vote on the Children's Council.

Commissioner Isnardi stated she will do that one; and she inquired when they meet.

Chair Pritchett stated they probably meet every other month in the afternoon at the School Board.

The Board appointed Commissioner Isnardi to serve as Commissioner Liaison to the Children Services Council for 2018.

<b>RESULT:</b>	<b>ADOPTED [UNANIMOUS]</b>
<b>MOVER:</b>	Jim Barfield, Commissioner District 2
<b>SECONDER:</b>	Curt Smith, Commissioner District 4
<b>AYES:</b>	Pritchett, Barfield, Tobia, Smith, Isnardi

Chair Pritchett inquired if anyone would like to serve on the Value Adjustment Board.

Commissioner Tobia volunteered.

The Board appointed Commissioner Tobia to serve as Commissioner Liaison to the Value Adjustment Board (VAB) for 2018.

December 5, 2017

**RESULT:** ADOPTED [UNANIMOUS]  
**MOVER:** Kristine Isnardi, Vice Chair/Commissioner District 5  
**SECONDER:** Jim Barfield, Commissioner District 2  
**AYES:** Pritchett, Barfield, Tobia, Smith, Isnardi

Chair Pritchett stated she needs a second volunteer for the Value Adjustment Board.

Commissioner Barfield volunteered.

The Board appointed Commissioner Barfield to serve as Commissioner Liaison to the Value Adjustment Board (VAB) for 2018.

**RESULT:** ADOPTED [UNANIMOUS]  
**MOVER:** Kristine Isnardi, Vice Chair/Commissioner District 5  
**SECONDER:** John Tobia, Commissioner District 3  
**AYES:** Pritchett, Barfield, Tobia, Smith, Isnardi

Upon consensus of the Board, the meeting adjourned at 7:46 p.m.

ATTEST:

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SCOTT ELLIS, CLERK

\_\_\_\_\_  
RITA PRITCHETT, CHAIR  
BOARD OF COUNTY COMMISSIONERS  
BREVARD COUNTY, FLORIDA