

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 October 9, 2018 at 5:00 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	Present	
Jim Barfield	Commissioner District 2	Present	
John Tobia	Commissioner District 3	Present	
Curt Smith	Commissioner District 4	Remote	
Kristine Isnardi	Vice Chair/Commissioner District 5	Present	

**MOMENT OF SILENCE**

Chair Pritchett called for a moment of silence.

**PLEDGE OF ALLEGIANCE**

Commissioner Tobia led the assembly in the Pledge of Allegiance.

**MINUTES APPROVAL**

The Board approved the September 6, 2018, Zoning meeting minutes; September 11, 2018, 1st 2019 Special meeting minutes; September 18, 2018, Regular meeting minutes; and September 25, 2018, Special meeting minutes.

<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 E.3., RESOLUTION, RE: RECOGNIZING RODERICK HARRIS FOR 50 YEARS OF SERVICE**

Chair Pritchett read aloud, and the Board adopted Resolution No. 18-152, recognizing Roderick Harris for 50 years of service.

Roderick Harris expressed his appreciation for the Resolution. He stated he raised his family working for the County; God has really blessed him; and he made it this far only by the grace God.

Mr. Harris received a standing ovation.

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

**ITEM E.2., RESOLUTION, RE:    RECOGNIZING OCTOBER 14-20 AS INVISIBLE DISABILITIES WEEK**

Commissioner Isnardi read aloud, and the Board adopted Resolution No. 18-153, recognizing October 14 - 20 as Invisible Disabilities Week.

Mary Green expressed her appreciation for the Resolution. She stated this is very important to her as she is one of those people with more than one invisible disabilities; probably everyone in the room either has an invisible disability of their own or knows someone who does; diabetes, high blood pressure, kidney disease, and hearing impairment are all considered invisible disabilities; the reason she finds it important to educate people about this is because she sometimes gets harassed and bullied by members of the disability community because she does not need a wheelchair, crutches, or a cane; it is important that people realize when they see someone parked in a disabled parking spot that just because they do not see something physically wrong with that person does not mean they are not disabled; and just because someone is told they are disabled does not mean they cannot do anything. She explained the majority of people who have been diagnosed with some type of disability are still able to function and work; she is just trying to bring awareness to people that not every disability is visible; and if anyone knows anyone who is interested in learning more they can go to the website, [invisibledisabilities.com](http://invisibledisabilities.com) or their Facebook page.

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

**ITEM E.1., RESOLUTION, RE:   ENERGY MONTH**

Chair Pritchett read aloud, and the Board adopted Resolution No. 18-154, recognizing October as Energy Renewal Month.

Bill Young explained solar has been around a long time; it has been in Florida for a while; it was made in Miami, Florida in 1905; it first came out in 1890 in California; a real estate man in Miami bought the rights to make it in Florida; and he built a factory here. He displayed a picture of a Titusville house three houses down from his own house for the Board to see. He noted back before Thomas Edison people chopped wood to create heat; and solar helped make things easier for people to be able to take a bath. He stated he has been in Florida since 1953 and lived through a lot of hurricanes; he has used solar to make sure he has electricity, when others did not; back in 1954, a bunch of engineers with Bell Labs created a solar panel that they could power their telephones with out in the desert and in the country; and the Department of Defense wanted to use it to put on their Satellites. He added the first Satellites launched in this County had solar. He went on to say, since then the Coast Guard and other organizations have adopted a new solar program; the engineers created a solar club, American Solar Energy Society (ASES) and he is part of that club; and each State has its own chapter. He stated they have

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been doing a solar tour for 23 years showing off houses and businesses so that people who do not know about solar can talk to people who live by it; the cool thing about it now is the price, it is cheap, \$3. He mentioned back in 1905, California and Florida were the only two states to have solar.

Commissioner Tobia stated the Board made a decision recently that it would waive fees for the permitting of PV Solar Houses; he asked when Mr. Young goes around to spread his message to please include in conversation how the Board is taking the solar industry very seriously and it would like to incentivize as much as possible; people will still need a permit; however, they will not be charged for it.

Mr. Young announced last week he was in Miami for the climate change coalition and he was asked to present and speak about a program of placing solar on emergency shelter schools; they had received a grant to do 108 schools, and three of them are in Brevard, Apollo, Endeavor, and Palm Bay; and it was pledged with the school boards to have solar put on every one of the school shelters in three counties.

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

**ITEM E.4., RESOLUTION, RE: RECOGNIZING MARCIA GAEDCKE**

Chair Pritchett read aloud, and the Board adopted Resolution No. 18-155, recognizing Marcia Gaedcke.

Marcia Gaedcke expressed her appreciation for the Resolution.

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

**ITEM E.5., RESOLUTION, RE: HONORING SENATOR DOROTHY HUKILL**

Commissioner Tobia read aloud, and the Board adopted Resolution No. 18-156, honoring Senator Dorothy Hukill.

Angelique Rinaldi, Office of Senator Dorothy Hukill, stated since before Senator Hukill's ribbon cutting ceremony, she had a love for Brevard County; she had the pleasure of working with many of the Board members on important and local issues; everyone in her office is grateful of the Board to take time from its deliberations to pay tribute to Senator Dorothy Hukill; and may all her family, friends, and those who knew and loved her be comforted by her lasting legacy and fond memories.

**RESULT:**       **ADOPTED [UNANIMOUS]**  
**MOVER:**       John Tobia, Commissioner District 3  
**SECONDER:**   Jim Barfield, Commissioner District 2  
**AYES:**        Pritchett, Barfield, Tobia, Smith, Isnardi

**ITEM E.6., RESOLUTION, RE: MAKING STRIDES AGAINST BREAST CANCER DAY**

Commissioner Barfield read aloud, and the Board adopted Resolution No. 18-157, recognizing Making Strides Against Breast Cancer Day.

A representative for Making Strides Against Breast Cancer encouraged everyone to come out to the walk on October 27, at The Avenues, Viera; and he expressed his appreciation for the Resolution.

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

**ITEM E.7., RESOLUTION, RE: REAL MEN WEAR PINK**

Commissioner Barfield read aloud, and the Board adopted Resolution No. 18-158, recognizing Real Men Wear Pink Day.

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

**ITEM F.2., APPROVAL, RE: DONATION OF DRAINAGE AND FLOOD CONTROL EASEMENTS FOR THE HALL ROAD PUMP STATION DRAINAGE IMPROVEMENT PROJECT**

The Board accepted Drainage and Flood Control Easements (various owners) needed for the Hall Road Pump Station Drainage Improvements 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 F.3., APPROVAL, RECONSTRUCTION CONTRACT FOR GRIFFIS LANDING HURRICANE DAMAGE REPAIRS**

The Board authorized the County Manager to execute a construction contract associated with Bid B-3-18-41, in the amount of \$121,465, with County Attorney and Risk Management approval, to accomplish the post-hurricane Matthew damage repair work at the Griffis Landing site; and authorized any related budget change requests.

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

**ITEM F.4., FINAL PLAT APPROVAL, RE: CASABELLA PHASE 3 (18SD00007)**

The Board granted final plat approval, subject to minor engineering changes as applicable, and developer is responsible for obtaining all other necessary jurisdictional permits; and authorized the Chair to sign the final plat and contract for Casabella Phase 3 (18SD00007).

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

**ITEM F.5., FINAL PLAT AND CONTRACT APPROVAL, RE: PANTHER RIDGE PHASE 1 (17SD00006)**

The Board granted final plat approval, is subject to minor engineering changes as applicable, and developer is responsible for obtaining all other necessary jurisdictional permits; and authorized the Chair to sign the final plat and contract for Panther Ridge Phase 1 (18SD00006).

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

**ITEM F.6., APPROVAL, RE: PUBLIC SIDEWALK EASEMENT AGREEMENT FOR ADDITIONAL EASEMENT AREA WITHIN THE TRANSONA AT ADDISON VILLAGE - PHASE 3 SUBDIVISION WITH VIERA BUILDERS, INC. AND THE VIERA COMPANY**

The Board accepted a Public Sidewalk Easement Agreement from Viera Builders, Inc., and The Viera Company, Inc.

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

**ITEM F.7., APPROVAL, RE: CONTRACT FOR SALE AND PURCHASE OF EASEMENT FROM TEEN MISSIONS INTERNATIONAL, INC., FOR THE HALL ROAD PUMP STATION DRAINAGE IMPROVEMENTS PROJECT**

The Board executed the Contract for Purchase of Easement from Teen Missions International, Inc., for Hall Road Pump Station Drainage Improvements 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 F.8., AUTHORIZATION, RE: TERMINATION OF LEASE WITH THE HOUSING AUTHORITY OF THE CITY OF COCOA FOR PINEDA PARK**

The Board authorized the termination of the Lease with the Housing Authority of the City of Cocoa for Pineda Park; and authorized the County Manager to execute any documents related to the termination of the Lease with the Housing Authority of the City of Cocoa regarding Pineda Park, upon Risk Management and County Attorney review and approval.

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

**ITEM F.9., APPROVAL, RE: FIRST AMENDMENT TO BREVARD ZOO LINEAR PARK EASEMENT AGREEMENT**

The Board approved the First Amendment to Brevard Zoo Linear Park Easement Agreement; authorized the Chair to execute the Agreement; and authorized the County Manager to execute necessary budget change requests.

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

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**ITEM F.10., APPROVAL, RE: PROJECT AGREEMENT AMENDMENT WITH THE FLORIDA INLAND NAVIGATION DISTRICT FOR DOCK REPLACEMENT AT POW/MIA PARK**

The Board executed and approved the Project Agreement Amendment with FIND for the dock replacement at POW/MIA Park.

<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 F.11., APPROVAL, RE: AGREEMENT TO AMEND THE EXISTING JOINT USE AGREEMENT WITH THE SCHOOL BOARD OF BREVARD COUNTY**

The Board executed and approved the Amendment to Existing Joint Use Agreement with the School Board of Brevard County.

<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 F.12., APPROVAL, RE: TOURIST DEVELOPMENT COUNCIL (TDC) PROPOSED FY 2018/2019 MARKETING AND MEDIA PLAN; AND TDO STAFF TO NEGOTIATE AND EXECUTE AGREEMENTS WITH VENDORS OVER \$100,000**

The Board approved the TDC proposed FY 2018-2019 Marketing and Media Plan; authorized the Tourism Development Director or the County Manager, or his designee, to negotiate advertising rates, and to execute agreements with the vendors upon County Attorney approval; and authorized the Tourism Development Director to execute purchase orders for advertising vendors of ad placement and promotion costs over \$100,000, subject to County Attorney and County Manager, or designees approval.

<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 F.13., APPROVAL, RE: BUDGET CHANGE REQUEST**

The Board approved the Budget Change Requests.

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

**ITEM F.14., BOARD APPOINTMENT, RE: HOUSING FINANCE AUTHORITY**

The Board appointed/reappointed, **John Newton** to the Housing Finance Authority, with said term to expire December 31, 2022.

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

**ITEM F.15., REQUISITION, RE: FY 2019 BUDGET FOR BCSO**

The Board approved the requisition of one-twelfth of the FY2019 budgeted funds at the first Board of County Commissioners meeting in October 2018; and approved one-sixth of the budget in January 2018, and equipment (capital) budget.

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

**ITEM F.16., APPROVAL, RE: APPOINTMENTS/REAPPOINTMENTS**

The Board appointed/reappointed **Eddie Lebron** and **Andy Barber** to the Merritt Island Redevelopment Agency (MIRA), with said terms expiring December 31, 2022.

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

**ITEM F.17., APPROVAL, RE: BILLFOLDER**

The Board approved the Billfolder, as submitted.



<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 F.1., REQUEST TO ADVERTISE, RE: GRAND CANAL MUCK REMOVAL PROJECT**

Virginia Barker, Natural Resources Management Director, stated this is a request to advertise for the Grand Canal Muck Removal Project. She noted the requested action includes authorizing advertisement; confirming the review and qualification of committee members; authorizing the County Manager or Chair to execute construction contracts; authorizing the County Manager to execute TASK orders for engineering services which is mostly associated with construction oversight; and budget change requests as necessary.

Sandra Sullivan stated she is aware there is additional muck testing that has three test on the Grand Canal; she has concerns about the muck dredging; local governments are the delegate authority from the State to protect public health, safety, and general welfare of the residents; for a long time people have known about the World War II chemical dumps on Patrick Air Force Base and under South Patrick Shores, but have failed, in her opinion, on reasonable action; her neighbors have found concerning levels of thallium, radium, lead, and arsenic in their wells; in addition, from the last RAB meeting they discussed chemicals in the ground water; and analysis of these RAB documents needs to be made to determine what has entered into the groundwater. She continued the chemicals that enter the groundwater migrate to the Banana River; people need to know what they are dealing with because if they do not test for them, they will not be found; and she commented this is beyond the expertise of the County and it requires an environmental engineer assessment, She went on to say Commissioner Smith's group made a promise in her yard, when they found that the old military dump beneath this neighborhood, that the heads of the canals west of South Patrick Shores, and that the County would stop moving ahead with the dredging if there were problems with those tests; and they have failed to fulfill the promise to test the heads of the canals. She went on to say regarding health and safety, the County needs to stop the process of obtaining dredging contracts and instead start focusing on testing the canals on the stormwater and ground water entering the canals west of the military dump on South Patrick Shores; and regarding health and safety with PFOAs present, the County must verify with environmental engineering firms, with signed and sealed reports that it is safe to dredge and deposit muck on the island near the dredging. She stated regarding health and safety, the County needs to investigate not only the PFOA that has migrated through aging sewage infrastructure that it failed to reasonably upgrade over the years, how other toxic chemicals have infiltrated and spread contamination from sewage beach sewer and South beaches plants; regarding health and safety, how these toxic chemicals have infiltrated and spread contamination in the Banana River; it is imperative to investigate how the plumes have traveled and the risks to the citizens; regarding health and safety, there needs to be an update on action to involve State and federal resources regarding the dump on South Patrick's neighborhood; and also consider their involvement to clean it up with these issues and the other plumes.

Courtney Barker stated she would like to encourage the Board to move forward with tonight's action with the advertisement of the project; the concerns of the residents in Satellite Beach and South Patrick Shores are absolutely very, very important to consider; the testing is underway with the County as well as the City; these residents' concerns are very valid; she thinks the test results will be back before the construction and they can be discussed at that time; however, she feels it would be a mistake to hold up these projects. She added there are a lot of projects

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that the County and City are trying to get off the ground with the Lagoon tax and there is a lot of criticism from the community that nothing is happening; it is these delays that need to be moved past to get this going; and she thinks the concerns can be addressed while moving forward with the project to make sure they stay on track and on time.

Chair Pritchett inquired with the Natural Resources Management Director that testing is being done.

Ms. Barker responded they are testing about 40 wells around the County for the PFOA contamination; those are located in the South Patrick Shores area, the Cocoa Beach area, and then on north, central, and south mainland; there is also a control down in the South Beaches; in addition to that, they are testing the water in the north, central, and South IRL and north, central, and south Banana River; and as Ms. Sullivan has mentioned, they are testing muck in the Grand Canal System. She noted there were six samples pulled from the Grand Canal system, one from off shore of Patrick Air Force Base, and one down south in Melbourne Beach as a control.

Commissioner Barfield stated he knows staff is monitoring samples for the chlorinated contaminants, and asked what else they are looking for.

Ms. Barker stated in the majority of the samples, they are only looking for the PFOA contaminants; in the South Patrick Shores area they are also planning two wells in the heart of what is thought to be the old munitions dump, landfill area where they are testing for the full list, 126 EPA priority pollutants, herbicides, pesticides, radio nuclides; they are trying to be very comprehensive in anything that might be there that could be a concern; they have been through the reports that were done in 1991 and 1992 by the State and federal agencies of what they found at that time; and they are making sure they are sampling for any of those contaminants.

Commissioner Smith informed the Board that he, his staff, and many County staff visited Ms. Sullivan's back yard and they saw the outline of a lot of debris; it was sound and radar tested to be underground; they do not know what those objects are or what they consist of, but it is obvious there is a lot of stuff there; he reached out to Congressman Posey's office and his staff; he told them something needs to start happening with the federal government; and they are now reaching out to the Department of Environmental Protection (DEP), Environmental Protection Agency (EPA), Center for Disease Control (CDC) because of the contamination in the water. He noted he also reached out to Tallahassee because he sits on the board with the IRL Council with the Associate Deputy of the DEP, Drew Bartlett; Mr. Bartlett and his staff have agreed to reach out to the State level of DEP and EPA as well; there are a lot of people looking into this; they need to make determinations on how much contamination is there, what is there, and what can be done about it; and he just wanted the public to know that.

Commissioner Isnardi asked if staff is anticipating having the testing results back before the muck dredging begins.

Ms. Barker replied affirmatively. She stated the muck samples were pulled this past Friday; the labs are taking three to four weeks to send results back; and they should definitely have the results back before the bid opening.

Commissioner Isnardi inquired if Ms. Barker will notify the Board.

Ms. Barker responded she would.

The Board authorized advertisement of the Grand Central Muck Removal Project; confirmed the Review and Qualification Committee members as John Denninghoff, Assistant County Manager

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to Development and Environmental Services Group; Jim Helmer, Utility Services Director; and Virginia Barker, Natural Resources Management Director, or their designees; authorized the County Manager or Chairman to execute all associated construction contracts and change orders; authorized the County Manager to execute task orders up to \$250,000 for engineering services necessary to complete this Capital Improvement Project approved by the County Commission in the Save Our Indian River Lagoon (SOIRLPP) Project Plan, as amended; and approved budget change requests associated with the Grand Canal Muck Removal Project.

<b>RESULT:</b>	<b>ADOPTED [UNANIMOUS]</b>
<b>MOVER:</b>	Jim Barfield, Commissioner District 2
<b>SECONDER:</b>	John Tobia, Commissioner District 3
<b>AYES:</b>	Pritchett, Barfield, Tobia, Smith, Isnardi

### ITEM G., PUBLIC COMMENT

Sandra Sullivan stated her yard has areas as large as 30 feet long of debris from an old military dump; she has read the Florida Department of Environmental Protection (FDEP) report, the Environmental Protection Agency (EPA) report, the Army report, and a lot of other reports; from the reports she learned there are 55-gallon containers of unspecified liquids, there are barrels of oil, barrels of hydraulic fluids, there are jeeps, there are ammunitions, a probability of DDT barrels being buried, and of course the base was doing a lot of photography and no one knows if those chemicals are in there; she dug up a few things; and when she spoke with the County about involving them, she felt that those promises with the County were not being met, so she went back out to dig a little further and found a mortar practice bomb. She explained the reason why she is concerned is because of some of the things she has dug up such as lead, copper, metal, chemicals, and old transformers with cloth covered wires; she has a half-acre yard and this is concerning to her, having three children; she does not know whether she should live there any longer; she has two properties back to back; and there are higher than normal cancers in the area. She added when she spoke about health and safety, she really meant it; there are four instances of children in a small area that have cancer because it affects children more; and she stated she would like to appeal to the Board's hearts and logic that no one ever thinks should they have to check and see if there is a dump site under their property, they look at schools, neighborhoods, and the quality of life their family would have in the area. She added no one would ever expect to have a dump site under their home.

Gail Meredith stated she thinks it is too late in this budget session to consider, but any civilized place takes care of the poor, the arts, and has a transportation system; many of the Board members report to be Christians and everyone knows what Jesus said about caring for the poor, that it is the most important mission of Christians; and she thinks this community seems to be missing the boat. She noted she still hopes that in the future this Board will come to its senses and look at the big picture to start caring for the poor and the organizations that serve them.

Chair Pritchett stated on the ballot in November there will be an ability for the voters to vote for an extra homestead exemption; if that goes through, there is a possibility of a \$12 million cut next year; and the fact that the Board did not cut anything this year was pretty malevolent because the budget is pretty tight right now.

Daniel Willemin stated he just wanted to recognize the Board's initiative in the testing of the ground water in South Patrick Shores, the Lagoon waters, and the testing of the muck; he had a very productive meeting with Ms. Barker today where he learned County staff has tested the

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muck and samples had already been sent to the lab, which was a big concern of his; and he believes the County is trying to get ahead of this and that is a big step forward.

Stel Bailey stated she is known as the girl who had cancer; in the same year she had cancer, her brother, her father, her uncle, and the family dog were all diagnosed; she is an advocate of those in Satellite Beach, the beach-side communities, Cocoa Beach, and Melbourne; she has been working with them, they spent over \$10,000 of their own money to do their own independent testing; there are a lot of concerns; and, she wanted to recognize Ms.. Barker and Commissioner Smith for taking the initiative to do the testing and stepping up to the plate to help this community. She continued she thinks there is a lot of people feeling a void; this void needs to be filled and these people need to feel secure in knowing the County is doing something to clean this up; one of her biggest concerns is contaminated fish with PFOA and PFOS; when they did their independent testing it showed that it is in the river; and she thinks their next step will be to work with the scientist who did the testing with the dolphins to see if they will help with testing the fish. She went on to express her appreciation to the Board for its initiative.

Tiffany Johnson stated she did not intend to speak tonight, however, this has been an organization that she has taken kindly to in the last month because her grandfather was born and raised in Satellite Beach; he was a football coach for many years; they lived for a short time in Satellite Beach in South Patrick Shores in a rental home; in that period of time both of the family dogs got tumors; when they moved away, four months later her mother was diagnosed with breast cancer at 37 years old; and three days prior to Erin Brockovich coming to Brevard County, she found out that the place they had moved to on the west coast, the same things are happening there. She noted her father has been battling leukemia for the past six and a half years. She went on to say people need to protect the children; something needs to be done inside of the school systems; independent testing is being done and it can be confirmed that there are extremely high levels of PFOA and PFOS; it can be confirmed that the radium is out of control here; and she asked if the Board has looked into the school systems and if the County is doing anything to protect the kids. She stated she has some great ideas that she is planning on bringing back to the Board at a later date; she felt compelled to say that today; everyone stands together in unity and everyone is better together; this is a world of so much hate and division that it is heart breaking; this County stands for a lot of really good things, it has some tremendous people; and everyone really does need to stick together here. She noted she read an article talking about California and its water issues; it has taken them 27 years to take an action plan and make it become an action; it takes a very long time; and this County has developed preventative measures through technology and different resources and sciences for this County to start being proactive and protecting this community while it continues to take the initiative to make a difference in this community. She stated this County has tons of businesses, people love Cocoa Beach and Ron Jon Surf Shop, and there are a lot of people who come here; but Cocoa Beach has some of the highest levels reported in their groundwater; children play in the sprinklers and in the little pools, and people are using this water every day in their daily lives; a lot of these people do not have the means to protect themselves, by themselves, so it takes the community to stand up and be a voice for them; and she encouraged the Board to continue working with the community on this.

Charles Tovey stated he grew up in Satellite Beach and one of his good friends was one of the first people to be diagnosed. He mentioned those were his old stomping grounds, he drank the water, there is an uncanny problem, and this is a symptom of what has been going on there for years and years. He went on to say he believes the road conditions have had a big impact on the Lagoon and that a lot of the contaminates have been leaked out from the road conditions; if the roads are improved it would improve the percentage; he believes that one of his works has been one of the biggest impacts of the Lagoon in restoring it; he unclogged it and has been doing it for years; he has provided pictures and has video of it; and he announced in Tokyo they have two football field sized tanks underneath the city in order to off-set the flooding, where all

their rain water goes into the storage tanks. He added he has mentioned DERAs, Designated Environmental Recharge Areas; the County can process this water, instead of what Tokyo does, they just hold it and then put it into the river; this County can recycle the water before it gets into the Lagoon; the County already recycles sewage water and pours it into the Lagoon; he thinks this is a no-brainer about the feds cleaning or dredging up the Lagoon; the State and County should both have an impact on it; and he noted he is finishing up a lot of his personal issues, then he will produce what he has been working on for years and years. He stated flooding is a symptom of people's behaviors for decades and now they want to do something about it; and he suggested the Board visit a third world country because this Country is one day away of becoming a third world country.

**ITEM H.1., ORDINANCE, RE: AMENDING BAREFOOT BAY RECREATION DISTRICT CHARTER TO IMPOSE TERM LIMITS**

Chair Pritchett called for public hearing on an ordinance amending Barefoot Bay Recreation District Charter to impose term limits.

Eden Bentley, County Attorney, stated this is the ordinance amending the Barefoot Bay Recreation District Charter to impose term limits pursuant to a referendum; this procedure is established by Statute; the Board created the Ordinance for the District; and the Recreation District attorney is in attendance for any questions the Board may have.

There being no comments or objections, the Board adopted Ordinance No. 18-22, amending Ordinance No. 84-05 which created the Charter of the Barefoot Bay Recreation District; specifically amending Article V to limit the number of terms of members of the Board of Trustees of the District to no more than three (3) successive complete two (2) year terms; allowing term-limited trustee's to serve again two (2) years after the trustee's last successive complete term; providing for severability; and providing an effective date.

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

**ITEM H.2., PETITION TO VACATE RIGHT-OF-WAY, RE: MELBOURNE BEACH - THOMAS AND ELIZABETH VITELLA**

Chair Pritchett called for public hearing on petition to vacate right-of-way by Thomas and Elizabeth Vitella, on Waneta Way, Section 3 Sunnyland Beach, Melbourne Beach.

Dan Jones, Interim Public Works Director, stated this is a petition to vacate a portion of right-of-way located in Sunnyland Beach, Melbourne Beach; the petition would like to use the area to enhance their landscaping and improve the security to their property; and proper notifications were issued with no objections.

There being no objections, the Board adopted Resolution No. 18-159, vacating part of a public right-of-way, Section 3 Sunnyland Beach, as petitioned by Thomas and Elizabeth Vitella.

<b>RESULT:</b>	<b>ADOPTED [UNANIMOUS]</b>
<b>MOVER:</b>	John Tobia, Commissioner District 3
<b>SECONDER:</b>	Jim Barfield, Commissioner District 2
<b>AYES:</b>	Pritchett, Barfield, Tobia, Smith, Isnardi

**ITEM H.4., ORDINANCE, RE: REPLACING THE 150-DAY CONVENTIONAL SEPTIC MORATORIUM**

Chair Pritchett called for public hearing on an ordinance amendment to update the existing septic codes.

Virginia Barker, Natural Resources Management Director, stated this is the ordinance replacing the 150-day conventional septic moratorium; there are two parts to this requested action; one is to approve the second and hopefully final reading of the proposed ordinance codifying an on-site treatment and disposal system, nitrogen reduction overlay that would require advanced septic systems that remove 65 percent of the nitrogen loading; and the second is to direct staff regarding the Board's interest in developing a grant program to assist the community in complying with the new ordinance.

Frank Gidus stated he is the Director of Habitat and Environmental Restoration of Coastal Conservation Association of Florida (CCA); it is a non-profit organization with over 100,000 members nationwide and over 20,000 in Florida; the purpose of their organization is to advise and educate the public on the conservation of marine sources; and their objective is to conserve, promote, and enhance the present and future availability of those coastal resources for the benefit and enjoyment of the general public. He went on to say septic systems are currently the largest single source of Nitrogen reaching into the Indian River Lagoon in Brevard County; CCA Florida is in full support of the Brevard County ordinance replacing the 150-day septic moratorium; they are in agreement that all new onsite sewage treatment and disposal systems within 40-60 meters of the Lagoon and the barrier islands require aerobics or advanced septic systems that remove at least 65 percent nitrogen before being released into the ground water; this is an important step towards reducing nitrogen and other pollutants currently loading into the Lagoon; and in the step of restoring the Lagoon back to health. He continued the County is currently spending millions of dollars of taxpayer money to remove these and other nutrients from the Lagoon; and it is critical that the County stop allowing other nutrients to enter it.

Andy Steinburg stated he is chairman for the Habitat Committee CCA State-wide, representing 41 different chapters including one in Brevard County; he agrees with what Mr. Gidus just stated; he believes the County has to save this Lagoon for the children; and he noted that is what CCA is all about.

Lew Koutnik stated he supports the adoption of the ordinance; he agrees with the logic that initially got the Board to look at the question whether the County can and should impose restrictions and improve requirements by septics; he is impressed by staff analysis and has attended the meetings and reviewed the documents; and he mentioned upward of 60,000 septics contributing 18 percent of the nutrients into the Lagoon and an additional 800 that are being added each year, needs to start being addressed head on. He went on to say he believes the ordinance is that first step; it is great to see the research and science that has gone into this; and he reiterated he fully supports the program and encourages assistance to low income people who will be affected by this.

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Gail Meredith thanked the Board for the improvements on the septic rules. She stated her family came here in 1970 and they have watched what has happened to the Lagoon, and it is heartbreaking; this seems to be a good first step in bringing regulations to the picture; there has been a lack of will before this, to regulate and enforce what everyone knows to be best practices; and she hopes going forward everyone will start taking care of this national treasure. She continued she strongly supports helping the low income people be able to afford the upgrade to their septic systems; she feels people of wealth should be able to partner with the County to afford these systems; and there needs to be some engagement with these people in a way that allows them to use that wealth to help bring the Lagoon to where it should be.

Philip Stasik, Space Coast Progressive Alliance, stated they do indeed endorse this ordinance because it is very, very important; he has been in the workshops and they all agree they must defend the Indian River Lagoon (IRL) for it is one of the County's most precious resources; they understand this is not just for their quality of life but for the financial value to the community; they stand with the IRL Coalition and their work in defense of the Lagoon; and they also support the transition of septic to sewer in as many homes as possible. He commented they encourage what the Board has done in raising the standards of septic systems to get as many that are on septic that cannot go to sewer to the highest possible standards that technology can provide; what the County has done is very good, but it must do more; the County's sewer systems must be expanded and updated; the sewer systems are outdated, and insufficient to meet the County's needs; and he thinks everyone in the room understands that. He went on to say he believes the sewer system has been neglected for a very long time; it is time to fix that; whenever there is a major storm there are releases of raw sewage, which is completely unacceptable; and this County must proceed faster, get the money to make this happen, and do the planning to execute as quickly as possible. He noted he has actually been in some of the County's wastewater treatment facilities; the people who work there are amazing; they work very hard with outdated equipment and insufficient supplies; and Ms. Barker's staff works hard to improve the quality of life in Brevard County. He stated he thinks sometimes all the County employees are taken for granted; he thanked the Board for taking the leadership to make this happen; and he encouraged it to do more and to do it as quickly as possible.

Tony Sasso stated he is representing Keep Brevard Beautiful (KBB) in support of this; as the Board knows, KBB started up the Lagoon friendly lawn program right after the fish kill about a year ago; they have gotten nearly 300 lawns to stop using fertilizer and pesticides, and to keep other lawn debris from going into the Lagoon; and they are trying to expand it dramatically. He noted it is muck removal, and many other things that they are looking at, including sewage and septic; they very much support what the County is doing; people are really concerned about all this stuff in the water and what is being done to the planet right in their backyards; and they want to see all of this fixed. He thanked the Board and asked that it keep taking the stand because the community is behind it in trying to make this right. He talked about when he was a Boy Scout at camp; how his boys took there swimming test in the Lagoon; and he has a Cub Scout pack that is just starting and he would like them to be able to swim in the Lagoon again. He asked the Board to be as aggressive as it can in helping get this fixed for the next generation.

Pam LaSalle stated she is opposed to the sales tax; she thinks they are regressive and it should have been insisted on to do a property tax because it would have been more equitably distributed, although they are also regressive; the idea of grants is adding insult to injury; she knows of two women who are not well off; one lives near the water and she really wanted the tax to pass so she would not have to pay for her new septic system; the other lady has no idea what is going on, but she is in her 70's, still working, and has to ride the bus to get there; they are both paying sales taxes but the lady who needs to get the new septic system, a few months after the sales tax passed, she got a new car; and she thinks this is very inequitable and she does not think the County should be making capital improvements for people who could finance

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them. She added she believes Martin County provided that they would give interest free loans for 10 years to pay for it; that was not in this Lagoon plan and she realizes people should have read what they voted for; she does not feel the County should be subsidizing new construction costs for the Lagoon tax; she paid an impact fee for where she lives, she gets to pay a CDD tax, she gets to pay County tax, and now she gets to pay the sales tax while living nowhere near the water; she feels like it is the County's responsibility to try and not take advantage of anymore people that are financially compromised because sales tax takes a lot more out of the pocket of a person who does not make much money as opposed to someone who is wealthy; and she believes the property tax would have compensated for that.

Mary Sphar stated Sierra Club strongly support this ordinance to protect the IRL; they were really happy at the September 25, 2018, meeting seeing the Board working together to help the Lagoon; the Board decided to review the ordinance after the report from Applied Ecology was finalized; that will be before August 2020; one change the Board was going to look at is whether to make the ordinance County-wide; the report from Applied Ecology is only for the IRL watershed; the report provided an analysis from different parts of the watershed in terms of flooding potential, and soils; and what is not a part of that report is an analysis for another part of the County that was just done for the St. Johns River watershed. She asked the Board to have Applied Ecology research the St. Johns River watershed as well as the IRL watershed and complete this research by 2020 so the Board will have studies to help it determine if the advanced septic treatments should become County-wide; she stated the St. Johns River watershed is a major challenge and different from the IRL; she hopes the research on the St. John's River watershed could study not only nutrient pollution from septic systems but also the effects of the application of sewage sludge from sewer plants and agricultural lands; residual sewage sludge is called bio-solids and it is high in nitrogen and phosphorus; and when people hear high in phosphorus she thinks they should hear alarm bells ringing. She advised Deseret Ranch applies 40,000 tons to 30,000 acres and that is just class B bio-solids; people do not know how much other bio-solids are in the form of AA; this is a very alarming situation for those who are aware of it; and she noted St. Johns River watershed has a combination of septic pollution and bio-solid pollution both which are bi-products of human waste. Again, she asked that the Board request a study of the St. Johns watershed to be completed in time for the planned review.

Bo Platt stated there were about 23,000 people living in Brevard back in the early 50's when his family moved here; now there is about a 2,500 population increase since that time and he does not think there are many areas with that kind of population growth; there were a lot of things that could have been done 70 years ago that the Lagoon could recover from, that cannot be done now; he is in support of the ordinance; septic is part of the nutrient influx to the Lagoon, there is also muck flux, stormwater, and other parts of the puzzle that still need to be considered; however, he commended the Board on its foresight to look at this. He mentioned he advised he also supports the grant idea; in a perfect world there would be plenty of money and everyone would be able to take advantage of it, but the fact that this applies to new septic, people that amortize this over 15 or 30 years, the cost will be pretty insignificant; the people with more wealth should be able to handle that; he thinks the next step is to look west, the nutrients from the septic do not just flow towards the Lagoon, they also flow towards the St. Johns which has its problems too; and he would like the Board to consider that.

Courtney Barker stated she is proud to be a Brevard County resident right now; she thinks the Board is doing a great job; and she thinks once again, Brevard County will become a leader in addressing environmental issues, particularly with the water quality, and this is a great step in that direction. She noted she thinks County staff did an excellent job in putting this together; she is obviously in favor of the ordinance; however, she thinks if the County puts a grant program together it would be great to send that back to the Citizen Oversight Committee (COC) to be debated on. She added the COC could really put something together to meet the objectives of



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the plan and she thinks it would be great to have those conversations with other County Departments.

Chair Pritchett stated that is what she was thinking; the Board could send this to the COC and they could come back with something that would not violate the program that was set up; and so it would work to fit within the plan.

Ms. Barker stated it will also fit with all the other programs that are already out there for very similar things; CBDG does a lot of that work; and maybe they could meet with a lot of the cities and put together some parameters on how to do that.

Chair Pritchett stated she struggles with that; and she thanked Ms. Barker for the suggestion.

Vince Lamb expressed his support of the ordinance and his appreciation of the leadership the Board has provided. He stated he thinks with the current condition of the Lagoon, they cannot afford to miss any opportunities to protect and restore it; all this ordinance effects is new properties and remodeling to add a bathroom; he thinks there are a lot of other existing conventional septic tank systems out there, he happens to own one of them; and a lot of them are in areas like South Merritt Island where there is no hope for getting sewer lines, therefore, no opportunities for conversion of septic to sewer. He noted he would like to see moving forward some sort of grant program, matching funds, or financial incentives; and he thinks there are a lot of people who, if there was matching funds, would be encouraged to add something to their conventional septic system that would take the nutrients out. He went on to say he supports the thought of protecting the St. Johns River from septics and bio-solids as well.

Commissioner Barfield stated this is not the answer for everything, there still needs to be a focus on sewer and getting rid of septic tanks; that is going to require a lot of arm twisting with the developers as the County moves forward; the County really has to push forward with this; and at some point there needs to be more capability and more capacity. He continued that has to be the priority when it comes to septic tanks to sewers; he understands there will be some legislation that others will try to push through to get some of the matching funds; he thinks it is important to focus on the Brevard legislation delegation to push it through; there is a lot of things going on and the County is dealing with 50 years of neglect; and like it was said before, if people knew then what they know now, things would have been done a lot differently. He went on to say he grew up on the Indian River; this is a good start, although he wishes the County could do more; however, financially the County cannot eliminate every septic tank in the County right now.

Commissioner Isnardi stated she will forever be an advocate to take care of the infrastructure; it feels really good to be putting in these septic systems but the benefits will not be seen for decades because the biggest offenders are the old systems that are failing, not the new ones going in; she was the one who said she thought this should be County-wide; and as more of a concern, it is the drinking water because it is more of a health and safety issue for her. She noted she has seen failing septic systems and it is disgusting, but until the County addresses the infrastructure and increase the sewer capacity, it is all for nothing. She commented she is glad this is happening but until the County addresses capacity and gets people off of septic she does not think it is going to make a difference; she is not going to justify or continue to support projects when she has to answer to the residents why there is sewage being dumped into the Lagoon; and when there is millions of dollars more than was anticipated in the Lagoon fund, she will not agree with the idea that some of those should not be used to upgrade sewage capacity and that the County continues to do other things while raw sewage is being dumped into the Lagoon; to her it makes no logical sense; she is hopeful in the future that will change and some of those funds will be used for infrastructure but instead of doing that right now, they have just moved up the other projects; however, she will not justify it any further and she will never be an

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advocate for the Lagoon Sales Tax if the County does not address the capacity and removing people from septic altogether. She stated she will advocate for that whether she has the votes to change it or not.

Chair Pritchett stated she agrees the County is going to have to work on the infrastructure; her hope would be all the municipalities start adjusting rates to do that because if the County can get the Lagoon fixed and remove the Lagoon tax, she thinks that would be wonderful; she wants the County to focus on what it needs to do to; and everybody needs to be responsible to pay for their own waste and their own homes. She added the rates are going to have to increase; where she lives the rates have been increased three percent every year until there is enough to make sure all the sewer pipes are lined and everything is working correctly; she reiterated she agrees with Commissioner Isnardi 100 percent that the County needs to start moving forward with a strategic plan; she thinks the Board needs to talk to the State representatives to get them to change whatever needs changed; she believes there should be mandatory inspections on septic systems; and she knows that is not politically popular, but it is something that she believes should be done. She commented she thinks this is a great Commission, a great community, and she thinks the County is going to make some progress moving forward.

There being no further comments or objections, the Board adopted Ordinance No. 18-23, regarding the installation of Onsite Sewage Treatment and Disposal Systems (OSTDS), also known as septic systems; amending Chapter 46, Environment, Article II, Onsite Sewage Treatment and Disposal Systems and Water Well Permitting, Division 1, generally; amending Section 46-36 Definitions; specifically creating Division 4, nitrogen reduction overlay to require alternative septic systems reducing nitrogen by 65 percent in an overlay area; specifically creating Section 46-89 overlay area on the barrier islands including Merritt Island and on the mainland within 60 meters, except Melbourne Tillman Drainage District which shall have an overlay of 40 meters, of the Indian River Lagoon System including all natural and manmade tributaries; creating Section 46-90 Nitrogen Reduction Requirements; creating Section 46-91 Notice of OSTDS Operating Permit; creating Section 46-92 Exemptions; providing for conflicting provisions; providing for severability; providing for area encompassed to be Countywide; providing for inclusion in the Code; and providing for an effective date.

<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 H.4., ORDINANCE, RE: REPLACING THE 150-DAY CONVENTIONAL SEPTIC MORATORIUM**

Commissioner Smith stated he really enjoys the passion of the people who want to fix the IRL; he thinks people understand there is not one silver bullet, it is going to take everyone working together to get this done; and the County needs to focus on that and keep moving forward.

Chair Pritchett recommended the County send this to the Save Our Indian River Lagoon Citizen Oversight Committee and have them come back with some ideas if the County is going to do grants; she has been reading over all the information that has been sent to her for the last few days; and she advised she would like the Board to allow the SOIRL COC to come back with some recommendations on grant funding.

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Commissioner Tobia thanked Ms. Barker for putting together the chart on the potential costs for grant funds for low income applicants as well as all septic permits. He stated he does not think it is a bad idea to send it back to the COC and get some recommendations; he does have some questions, so that group can get the most accurate information as possible; and he asked if staff took into account Florida Statute 381.0065, the one that mandates anaerobic systems must already be constructed under certain criteria due to the Florida Springs and Aquifer Protection Act when they had estimated 480 tanks per year.

Ms. Barker stated she believes that Florida Statute is for the Spring Sheds.

Commissioner Tobia advised the criteria is within 75 feet from private portable well, 50 feet from any non-portable well, 10 feet away from any storm or sewer pipes, five feet away from buildings or property lines, and 75 feet away from any service water bodies; and it is his understanding that it would work for the IRL.

Ms. Barker responded those are set back requirements for new systems; they were analyzing the location of existing systems, some of which are closer than that; and some of which pre-date that rule.

Commissioner Tobia stated he is confused. He stated he is looking at the table where Ms. Barker estimated 800 a year and to do one-third on septic, 60 percent overlay, there would be 480; and he asked if that would be correct.

Ms. Barker responded affirmatively.

Commissioner Tobia commented to take his house for example, if he lived very close to the IRL and he was mandated under State Statute to have an anaerobic system and he put one in prior to this ordinance that would go through, his argument would be he purchased that home before the regulations went into place, so he should not be eligible for any type of grant; and he asked Ms. Barker if she pulled out from the 480 any homes or properties that would have to do that regardless of the Board passing this ordinance.

Ms. Barker stated the 480 was only based on new, not the existing; and she did not subtract how many would have to put in the advanced systems because the State would require them.

Commissioner Tobia advised he is just trying to get the \$9.6 million down to a more reasonable number; he thinks the more she can work this down, the number would decrease; he understands she probably did not have that amount of time, but when she takes it back to the COC he would like to see something that takes into account State Statute so there can be a more accurate cost analysis; other suggestions would be if the County does offer grants that it offers them equitably; if there is no test on one he does not think there should be a test on another for consistency sake; and he noted the I&I has one-one hundredth of an impact on the Lagoon as septic tanks. He went on to say he thinks if the County is going to try to incentivize people, then it should incentivize the folks who are creating 99 times the amount of nitrogen and phosphorus loading into the Lagoon creating much less than this; he appreciates the analysis of the \$19 dollars, but he believes this needs to be looked at more than just on a month to month basis; taking the \$19 and multiplying it by 360, the 30 years, that is almost \$7,000; that is certainly quite a bit of money no matter what type of home someone lives in; and he reiterated he believes consistency is extremely important. He inquired that there was a pilot program in Satellite Beach were Ms. Barker recognized there were nine homes in the analysis; he asked if that is a program that will continue County-wide; he did the analysis of what that would potentially cost; and he asked if that is an area that continues the need to be looked into.

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Ms. Barker stated although that smoke testing only found nine leaky laterals, it also found 89 missing clean out caps; when the caps are missing stormwater can overwhelm the system and cause the overflows that are obviously a concern; there were also some problems discovered through the smoke testing to the public part of the system, manhole covers, and other issues; those other repairs can now be budgeted and completed because staff is now aware of them; therefore, the value of the smoke testing is much larger than the nine leaky laterals that the Lagoon funds would address. She went on to say what the oversight committee spoke about at last month's meeting was encouraging cities and waste water service districts who have experienced overflows or were close to experiencing overflows to look at neighborhoods that have the largest I&I problems and apply for funds to do the smoke testing there; the idea with doing the smoke testing is it might identify a small handful of privately owned leaky laterals that need to be repaired; and also it could identify other flaws in the system that could be repaired with other funds, like \$4 clean out caps that could avoid millions of gallons of overflow for a very small amount of money.

Commissioner Tobia stated he appreciates the information although he was not advocating for or against that, he was just looking for more information; one other thing he would like for her to do is when she speaks with the COC, is to discuss functioning conventional systems, while not anaerobic, it is still probably much better than a non-functioning 50 year old system; and he thinks that they may get more bang for their buck if they used the grant program for the 60,000 septic tanks that are currently out there; while he understands that it might be a great cost, but to analyze that and find out the cost per dollar of nitrogen reduction, because he thinks they would find out that even a conventional one at a lower cost will provide more of a benefit to the Lagoon than a non-functioning one. He went on to say he thinks that, at the very least, is worthy of looking into.

Ms. Barker stated there is about \$20 million in the Plan; it is a grants program to upgrade existing old conventional septic tanks to the more advanced systems; they did an initial analysis to identify the worst systems, and that is what is in the plan now; what they have underway at the moment is taking the work that Applied Ecology did to develop this ordinance and verifying or updating exactly which of those systems are the worst and most polluting conventional systems out there; and she reiterated there is a grant program already, but they will look at whether that is the correct amount or balance of funding to put towards that program or what the other priorities are.

Commissioner Tobia asked what the cost share is on and what the grant would be.

Ms. Barker stated there is \$16,000 per system if upgrading from conventional to the 65 percent reduction advanced system and there is also \$20,000 available for hooking up to sewer.

Commissioner Barfield stated he thinks a grant program is great but he thinks it would have to be consolidated, because someone could ask for a grant for hookup to sewer or to upgrade their system; he thinks it should all be uniform and altogether; he knows in North Merritt Island they are putting forced main all the way up Courtenay, but he asked how the funding is going to happen when there are laterals out from there; he commented a lot of other things need done; and he has concerns for the future. He mentioned he knows there are matching grants with the DEP and things like that, however, he thinks staff needs to address that to the point where the County may have to give matching grants to do that work too, as Commissioner Isnardi was talking about; and if staff could do the request for grants and make it very consistent where it makes it simple for people to ask for it.

Chair Pritchett stated she really likes Mr. Lamb's suggestion also; she would rather see the grant funds used for people who do not have to do anything to their system, that it would just encourage them to upgrade; she would rather that over new construction because when

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someone is building people realize they have the extra cost, and construction costs are going up anyway; and she believes in her heart that it is people's responsibility to take care of their own lifestyle.

There being no further comments or objections, the Board directed staff to forward the Board's recommendations regarding a grant program to assist low income applicants with the potential increased cost of complying with the proposed Nitrogen Reduction Overlay Ordinance, to the Brevard County Save Our Indian River Lagoon Citizen Oversight Committee for its review, staff to work with the Committee, and to bring it back to the Board with recommendations.

<b>RESULT:</b>	<b>ADOPTED [UNANIMOUS]</b>
<b>MOVER:</b>	Jim Barfield, Commissioner District 2
<b>SECONDER:</b>	John Tobia, Commissioner District 3
<b>AYES:</b>	Pritchett, Barfield, Tobia, Smith, Isnardi

### **ITEM H.3., ORDINANCE, RE: AMENDMENTS TO UPDATE EXISTING SEPTIC CODES**

Virginia Barker, Natural Resources Management Director, stated this is an ordinance updating the existing septic codes; when preparing the other ordinance and researching the Code, they found a lot of old Code; and Darcie Magee is going to summarize the changes.

Darcie Magee stated they found many pages of remnant Code related to when Brevard County administered the septic and well permitting program which is now done by the Department of Health (DOH); she is going to try to boil down the 30-plus pages to four substantive changes that they made; the first one is they deleted many, many pages related to the permitting program for the septic and the well; the second thing was with the section relating to the variance board, on-site sewage disposal systems variance board, in which they struck that and created a section where they now have a section for administrative waivers called Density Restrictions, so the variance board is no longer under this proposal; and the administrative criteria, which was existing criteria, that is not related to the permit standards, is now included in the density restrictions. She continued the third change, in the Lake Washington Ordinance, they removed some duplicative criteria established in Chapter 62 which is the flood plain protection and surface water protection ordinance related to stormwater management; they have revised the minimum lot size from .41 acre to .5 acre for consistency with DOH requirements; and they removed the language related to the County on-site sewage disposal variance board, so now Lake Washington residents will have the option of the administrative variance or they could come before the Board of County Commissioners for an appeal related to their lot size. She added Chapter 62, Surface Water Protection, the setbacks for the class one, two, and three, etc. remain at 100 feet, that is already existing; they clarified and simplified the language to allow setbacks to 75 feet for insufficient lot depth regardless of the year in which the lot was created; and they also allow, if it was pre 1972, for people to reduce the set back to 50 feet in accordance with DOH requirements, however, they would have to meet the overlay with regard to the type of system, but they could be closer to the water; they removed the language related to the advance waste water treatment because that is now also established in the overlay; and yesterday the changes were presented to the LPA, they had no questions, and they voted to pass it unanimously.

George Rosenfield stated Items III, and IV, are different ordinances but they are all part of the same environmental science problem; he stands behind what he said at the last meeting, even the better septic tanks are better than an outhouse or a small hole in the ground; and he mentioned there are steps for a better solution, making sewage treatment plants available to the

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entire population of the County by installing pipe lines for connection, enlarging existing ones, and building additional ones when necessary.

Mary Sphar stated this ordinance updates language and procedures; there should be nothing controversial about it; and she urged the Board to pass it as written. She advised that Ms. Barker said at the September 25, 2018, meeting, the SOIRLPP half cent sales tax allocates \$68 million to moving or retrofitting the worst septic tank systems in the County over the next 10 years; that \$68 million will address 3,734 of those worst systems; however, DOH has permitted nearly 800 septic systems per year while the County is trying to address the worst ones. He continued the County is currently losing ground; at the September 25 meeting she brought up the fact that the County still allows new subdivisions on septic systems; she also suggested the Board ask staff to investigate whether the municipalities did this; and to her surprise staff tried to find the answer to whether cities are allowing new subdivisions on septic. She provided a chart made by staff. She went on to say on the chart it shows most municipalities do not allow new subdivisions on septic; it is time for the County to change its Code to protect the IRL; she now believes that Code is part of the land development regulations for subdivisions, not anything they are considering tonight; and stopping new subdivisions on septic is a subject for another time and hopefully the Board will think about this.

There being no further comments or objections, the Board adopted Ordinance No. 18-24, regarding the regulation of onsite sewage treatment and disposal systems (OSTDS), commonly referred to as septic systems; amending Chapter 46, Environment, Article II, Onsite Sewage Treatment and Disposal Systems and Water Well Permitting to update terminology and reflect current regulatory authority; amending the title of Chapter 46; amending Section 46-37 Penalty; amending Section 46-38 Declaration of Intent; amending Section 46-39 Incorporation of Applicable Florida Statutes and Florida Administrative Code Sections; creating Section 46-40 Density Restrictions to Replace Variance Board; amending the title of Division 2, Permit; deleting Section 46-61 required; application generally; deleting Section 46-62 Soil Profile Test; deleting Sec 46-63 Conditions for Issuance; deleting Section 46-64 Connection to Public Sewer Required; deleting Section 46-65 Additional Criteria for Permits in Limited Capacity Sewer Service Areas; deleting Section 46-66 Onsite Sewage Disposal Systems in Commercial, Manufacturing and Industrial Area; amending and renumbering Section 46-67 Fees; deleting Section 46-68 Suspension or Revocation; deleting Section 46-69 Variance Board; deleting Section 46-70 Well Construction Permits; amending Division 3, Lake Washington Permits; amending Sec 46-82 Minimum Building Area Requirements, variance from the minimum building area requirements, habitable first floor elevations and setbacks for the ordinary high water levels; amending Section 46-83 Exemptions; amending and renumbering Section 46-84 Appeals; deleting Section 46-86 Administration; amending Chapter 62, Article IV, Concurrency Management; Division 1, Generally; amending Section 62-602 Concurrency Evaluation Procedure; Article VI, Zoning Regulations; Division 5, specific criteria for permitted uses with conditions and conditional uses; amending Section 62-1946(4) Security Mobile Homes; amending Article X, Environmental Protection and Conservation; Division 3 Surface Water Protection; Section 62-3666 General provisions to alter setbacks Subsections (14) and (15); amending Chapter 110 Utilities, Article II, Division 2, specifically amending Section 110-66(d)(7) Use of Pubic Sewer Required; amending Section 110-67 (c) Private Sewage Disposal; amending Division 3 Sewer Connections, Subdivision I General Provisions amending Section 110-91 Definitions; amending Article II, Water and Sewer Systems; Division I, Generally; Subdivision II, Permit; amending Section 110-143 limited capacity service area septic tank permits and package facility permits; providing for conflicting provisions; providing for severability; providing for area encompassed; providing for inclusion in the Code; and providing for an effective date.

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

**ITEM J.1., BOARD CONSIDERATION, RE: REQUEST FOR APPROVAL OF THE RELEASE OF CODE ENFORCEMENT LIEN AND ASSOCIATED SETTLEMENT AGREEMENT FOR ATLANTIC MORTGAGE SERVICES**

Tad Calkins, Planning and Development Director, stated this is a request to accept a Special Magistrates recommendation to reduce the accrued fine from \$ 67,406 down to actual cost of \$1,907, execute the settlement agreement, and release the lien for the Code Enforcement Case at 4345 Carolwood Drive, in Melbourne; this matter went to the Special Magistrate on June 21, where he heard Atlantic Mortgage Services' request to reduce the fine; and at that time he made a recommendation to bring the fine down to \$8,647. He added after that hearing Atlantic Mortgage Services filed an appeal with the 18th Judicial Circuit Court stating they were contesting the lien and the case; the matter was brought back before the Special Magistrate in September, and based on the evidence presented at that time he recommended reducing the fine down to actual cost; and by the Board executing the settlement agreement and the release of lien it will allow the County to cover the cost that have occurred; and it will also allow them to settle without any further litigation expense.

Commissioner Isnardi stated there is quite the history with this case; she does not see a problem with it; it covers the County's cost; and that is what most of these Code Enforcement cases should be.

Commissioner Barfield stated this appears to come back from what happened many years ago with banks taking back or not taking back the property to avoid having to take care of the property; they would not always officially take control of the property but they would go into foreclosure; it was a battle, back then; if he remembers correctly there was talk of doing a registry just to keep up with all of the foreclosures; and to him it is ironic that the banks are wanting help now, when they did not help back then. He inquired with the County Attorney, Eden Bentley, because it states settle all further litigation expense, if there is any litigation cost for this.

Eden Bentley, County Attorney, stated what has happened, in order for them to preserve the right to appeal the Special Magistrate's recommendation, there was a deadline for them to file the appeal, so there is litigation going on, but it is in the form of an appeal at the Circuit Court level.

Commissioner Barfield asked if there is a cost to the County.

Attorney Bentley replied there is an internal cost, it is not a substantial amount of money, but there are additional costs and there could be some court cost as well if the County were to lose; she noted the lots have been combined and they have cured the violation; and that is why staff was in favor of the settlement.

The Board considered the Special Magistrate's recommendation to reduce the accrued fine of \$67,406 to the actual enforcement cost of \$1,907; and executed and approved the Settlement Agreement and Release of lien for Atlantic Mortgage Service, Inc. - Case No. 05-4545/11CE-01026 at 4345 Carolwood Drive, Melbourne.

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

**ITEM J.2., LEGISLATIVE INTENT AND PERMISSION TO ADVERTISE, RE: CODE REVISIONS TO REGULATE TINY HOUSE CONSTRUCTION**

Tad Calkins, Planning and Development Director, stated this is a request for approval of legislative intent and to grant permission to advertise the amendment to Chapter 22, Buildings and Building Regulations, by adding a new Article X for tiny homes, providing minimum construction standards for tiny homes on wheels as a permanent residence; this is the second piece of the Tiny Home initiation; and what they looked at was the construction piece. He added all the other conversations were about the Zoning aspect of it; with this, since the Building Code does not really apply to tiny homes on wheels, they are using the American National Standard Institute of Recreational Park Trailer Standards for the basis of the Code to allow them as permanent residences; there is a Code attached that staff will be using as the baseline for the Code as they go through the legislative process; and that will start tomorrow with the BCAC, then moving on to the LPA on November 5, and it will come back to the Board for adoption, based on their input. He added that is when the Zoning piece will come before the Board as well, so both of the ordinances will come before the Board on the same night.

Michael Cheatham stated he is only there to thank the Board for putting this together and for the Building Department spending so much time and effort on this. He stated part of the tone he has heard in the meeting tonight, is wanting to do more, do things better, and change how Brevard County handles things; potentially tiny homes could be a small piece of that puzzle in the future; there are a lot of people looking to reduce their carbon footprint; even septic systems are a part of that carbon footprint; in the tiny home space, there are a lot of people looking to go to composting toilets and different things to go off-grid; and there are a lot more things that can potentially be done. He thanked the Board for its open-mindedness on this and the Building Department for spending so much time on it.

Commissioner Tobia thanked Mr. Cheatham for his help in the building aspect of this; he stated the Board chose the option with the most stringent Codes, that Mr. Cheatham is already building to; the second part is the one he thinks will be a little more touchy, and that is where the homes will eventually be allowed to be placed; and he requested that Mr. Cheatham remain engaged because the Board is making decisions when it really does not have an understanding of the marketplace. He noted Mr. Cheatham is the one who deals with and hears from the customers where they would potentially like to place these homes; it does not mean the Board will follow that, but the it values his input on where to place them, the same as it valued what regulations were needed to build them; and he asked Mr. Cheatham to stay in contact with the Commissioners and the Planning and Zoning Department as well, so they can handle both aspects. He went on to say if the County has a consensus on how to build them, but does not allow them in Brevard County where people can afford them, then that would probably be disservice; and he noted this is half way there, but they would like him to help them get the second half there.

Mr. Cheatham stated everything starts with the first step; they are all moving in that direction; and if anybody has time in November there is a large tiny home event in Jacksonville; the number one question he gets asked is where people can put one; and he would love to able to tell them, Brevard County.



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The Board approved legislative intent and granted permission to advertise amendments to Chapter 22, Buildings and Building Regulations, by adding a new Article X, Tiny Houses, providing for minimum construction standards for Tiny Houses on Wheels used as permanent residences.

<b>RESULT:</b>	<b>ADOPTED [UNANIMOUS]</b>
<b>MOVER:</b>	Jim Barfield, Commissioner District 2
<b>SECONDER:</b>	John Tobia, Commissioner District 3
<b>AYES:</b>	Pritchett, Barfield, Tobia, Smith, Isnardi

**ITEM J.3., APPROVAL, RE: RENEWAL AGREEMENT FOR STATE OF FLORIDA, DEPARTMENT OF HEALTH AGREEMENT**

Ian Golden, Housing and Human Services Director, advised this is the annual contract with the Department of Health (DOH) in Brevard County; the contract itself is for \$167,415; these dollars have already been approved in the budget by the Board on September 25, 2018, this is just the contract itself; additionally, as part of this item he is asking for approval of the fee resolution that comes from DOH, which are the user fees; and there are a number of them. He went on to say they have to do with tattoo inspections and septic inspections that are going to have some increases; those increases are suspected to generate around \$85,000; and those additional dollars will allow DOH to hire two additional inspectors which will hopefully help make those inspections of the septic systems more efficient. He noted there are multiple people from DOH in attendance if there are any questions.

Commissioner Tobia asked Mr. Golden to go over some of those increases.

Mr. Golden stated he does not have the percentages, but they are in the Agenda Item; they included a summary when they put it together; some of them are tied to different vaccinations such as Hepatitis A going from \$56 to \$59, Measles is going from \$86 to \$88, Typhoid Fever is going from \$83 to \$84, and Influenza from \$25 to \$30; under environmental health and body piercing, the resolution fee is increasing \$20, the initial license is going from \$150 to \$170, temporary establishment is from \$75 to \$95, and annual renewal is going from \$150 to \$170; he believes that is due to some changes at the State level regarding the inspections themselves; the inspectors now have to go in and observe an actual tattooing taking place and body piercing, and so on as part of the inspection process; tattooing is going up by \$20 which is the initial establishment from \$200 to \$220, temporary establishment is \$200 to \$220, and annual renewal is \$200 to \$220; food services inspection fees are going up an additional \$20, the annual permit for school cafeterias is going from \$170 to \$190, and for operating for more than nine months it is going from \$200 to \$220; and the septic and sewage treatment and disposal systems, the application fee is going from \$100 to \$115, for initial inspection of septic tanks it is going from \$75 to \$85, the inspection scheduling fee is going from \$0 to \$30; and that fee was something that was requested by the contractors to DOH. He reiterated the estimated revenue that will generate per year is \$85,930.

The Board approved and authorized the Chairman to execute the Renewal Agreement with State of Florida, Department of Health, for operation of the Brevard County Health Department for FY 2018-2019; adopted Resolution No. 18-160, establishing and revising certain fees and charges for Brevard County Health Department and Health and Environmental Services, as authorized by the State of Florida Administrative Code or Policy; authorized the County Manager, or his designee, to execute an agreement and fee resolution, and any future agreements, amendments, or modifications, contingent upon approval of Risk Management and

the County Attorney; and authorized the County Manager to execute necessary budget change requests.

<b>RESULT:</b>	<b>ADOPTED [4 TO 1]</b>
<b>MOVER:</b>	Kristine Isnardi, Vice Chair/Commissioner District 5
<b>SECONDER:</b>	Jim Barfield, Commissioner District 2
<b>AYES:</b>	Rita Pritchett, Jim Barfield, Curt Smith, Kristine Isnardi
<b>NAYS:</b>	John Tobia

**ITEM J.4., ACCEPTANCE, RE: JUVENILE DRUG COURT GRANT (\$400,000)**

Ian Golden, Housing and Human Services Director, stated back in June his Department submitted a grant to the Department of Justice (DOJ) to support the County's Juvenile Drug Court; the grant itself was not brought back to the Board because the match was not a required amount to come in front of the Board; the treatment provider offered up that match in cash; he found out on September 25, or September 26, that the grant was awarded; therefore, this Item is to accept the grant and because of the late notice he was not able to put this into the budget. He noted this is to accept the grant, authorize the County Manager to sign contracts with the treatment provider, and the program and treatment evaluator, which is required by the grant; authorize the Housing and Human Services Director to act as the authorized grant official for reporting and other requirements; authorize the finance manager for the Housing Department to act as the fiscal point of contact; authorize mandatory grant travel because they were unable to put that into the budget before it was approved; and finally authorize the County Manager to do any necessary budget change requests.

Chair Pritchett inquired if that means there is no impact to the General Fund.

Mr. Golden confirmed there is no impact to the General Fund.

The Board accepted a grant award with the Office of Justice Programs at the United States Department of Justice; authorized the County Manager to endorse contracts with a substance abuse treatment provider and a Program Evaluator, upon the approval of County Attorney and Risk Management; authorized the Housing and Human Services Director to act as the Authorized Grantee Official; authorized the Housing and Human Services Finance Manager as the Financial Point of Contact for the grant; authorized the mandatory grant related travel; and authorized the County Manager to execute necessary budget change requests.

<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 J.5., AMENDMENT TO LEASE AGREEMENT, RE: VIERA COMPLEX FOOD SERVICES INC, FOR COURT HOUSE CAFE RENT RELIEF**

Paul Novik stated the last time his Lease Agreement was amended with the County there were certain weeks of the year where he received rent relief in the Moore Justice Center because the Courts are basically out of business on those weeks; he does not know if it was a mistake that it did not get put in the Agreement when it was amended, or if it was never discussed, but there

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were two additional weeks where there is virtually no business in that building which is the week of Good Friday and whatever week New Year's falls on; and he would like those two weeks added to the contract amendment if that is possible.

Commissioner Tobia inquired how many days he is currently receiving rent relief.

Mr. Novik stated Labor Day week, the week between Christmas and New Year's, Thanksgiving week, Fourth of July week, and Memorial Day week. He explained that courthouse is virtually dark 20 percent of the year.

Commissioner Tobia inquired if Mr. Novik has asked for rent relief in the past outside of what is in the initial contract.

Mr. Novik asked what he means by outside the initial contract.

Commissioner Tobia explained Mr. Novik signed a contract.

Mr. Novik responded he took over an existing contract.

Commissioner Tobia inquired if he voluntarily entered into a contract; and since he entered into that contract if he has asked for rent relief that was not in the contract.

Mr. Novik responded that the weeks he gets rent relief, he has asked for it.

Commissioner Tobia asked how many additional days Mr. Novik is asking for.

Mr. Novik replied he is asking for an additional 10 days.

Commissioner Tobia inquired if the courthouse is open during those additional days.

Mr. Novik responded the courthouse is open; however, the majority of the courtrooms are dark on those ten days.

Commissioner Tobia asked Mr. Novik to explain the rationale of the request since the courthouse is still open on those days, although there is no court.

Mr. Novik stated that he has employees and normally in this industry when there is no business, employees are sent home; he does not operate that way; one of his employees is a young single mom trying to raise a child and the other is trying to pay a house mortgage; he cannot in all good conscience take away their income; he is losing money anyway, but he would like to lose as least amount as possible; and that is why he is asking for the request.

Commissioner Tobia inquired if he will remain open during these days.

Mr. Novik advised he will remain open during those days because he chooses to pay his employees.

Chair Pritchett stated this is a request for 10 days and he is only being charged \$24 per day which is approximately \$480 per month.

Mr. Novik explained his normal rent is \$1,200 per month.

Chair Pritchett inquired why this request is for \$247.

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Mr. Novik explained because it amounts to about \$28 per day.

Chair Pritchett asked the County Manager if this is a typical request when there is a negotiated contract.

Frank Abbate, County Manager, stated to amend the contract as it has occurred in the past, when similar request are made, it has to come before the Board; there is no authority for the County Manager to do any modifications or amendments to the contract; and that is why it is before the Board today.

Chair Pritchett stated it does not make sense to her for this amount to make a change in the Contract.

Commissioner Isnardi stated she knows he has been there for many years; and she asked if he services a lot of employees.

Mr. Novik responded not in that building; the employees he serves are in this building; the previous owner had a terrible reputation and it has been hard to overcome that; he did it over here, but not over there; and virtually all the customers in the other building are from outside traffic.

Commissioner Isnardi asked if he runs tabs for a lot of County employees in this building.

Mr. Novik responded he does because sometimes the people either do not have cash, or they may only get paid once a month; and he tries to make it as employee friendly as he can.

Commissioner Isnardi stated she thinks it is wonderful that he and his employees treat everyone who works for this organization in such a way; she does not have a problem with this unless the County Manager can say this \$240 will really impact the budget; and to her the return he gives to the employees in this building is justifiable to her.

Commissioner Smith stated this operation is extremely unique; his business is limited to the people who are in the building; if he has two weeks where there are no people in the building then he is not getting any business off the street; he thinks it is a hardship for Mr. Novik and not a big deal for the County; and he would be in support of this.

Commissioner Barfield stated he would like to know why in the future this should have to come before the Board; he thinks this process needs to be reviewed for \$247; and he asked staff to look into it.

The Board approved the request by Paul Novik, owner and operator of the Viera Complex Food Services, Inc., located in the Moore Justice Center, for reduction in the rent revenue in the amount of \$247.21 per year; authorized the County Manager to execute the Amendment to Lease Agreement in accordance with the Board's action; and approved any budget changes associated with this request.

<b>RESULT:</b>	<b>ADOPTED [4 TO 1]</b>
<b>MOVER:</b>	Curt Smith, Commissioner District 4
<b>SECONDER:</b>	Jim Barfield, Commissioner District 2
<b>AYES:</b>	Rita Pritchett, Jim Barfield, Curt Smith, Kristine Isnardi
<b>NAYS:</b>	John Tobia

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**ITEM L.1., BOARD REPORT, RE: FRANK ABBATE, COUNTY MANAGER**

Frank Abbate, County Manager, advised there is not a topic for the September 18, 2018, Board Workshop; and he asked if the Board would like to cancel that Workshop.

The Board approved cancelling the October 18, 2018, Board Workshop.

<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 L.5., BOARD REPORT, RE: JOHN TOBIA, COMMISSIONER DISTRICT 3**

Commissioner Tobia stated he shadowed another employee who deals with the 800 MHZ towers; he knows he is supposed to go out and learn about the jobs these employees do but he was astounded by one of the County employees, Warren Hall; his family came over from Jamaica, neither his mom nor his dad had college degrees; Warren is an electrical engineer; his brother is a mechanical engineer, and the black sheep of the family is a registered nurse; the amount of education and the love this man has for this country and this County is astounding; and he passed it on to his kids who are all either about ready to enter college or are in college. He noted the towers were exciting to look at but meeting someone who has worked so hard and had succeeded so much in the U.S. is a testament to all County employees.

**ITEM L.6., BOARD REPORT, RE: CURT SMITH, COMMISSIONER DISTRICT 4**

Commissioner Smith stated in addition to Commissioner Barfield for wearing his pink shirt and pink socks, he would like to give a shout out to Assistant County Managers, John Denninghoff and Jim Leisenfelt, along with Ian Golden, Housing and Human Services Director, for their pink attire.

**ITEM L.7., BOARD REPORT, RE: KRISTINE ISNARDI, COMMISSIONER DISTRICT 5, VICE CHAIR**

Commissioner Isnardi stated she wanted to speak with the Board about the possibility of allowing Chair Pritchett the authority to choose an optional Canvass Board Member if need be; it says it can be approved by the Commission, but has to meet certain criteria; she knows Commissioner Tobia was going to check his schedule to make sure he was eligible for election day; and she wanted to make sure the Board would be okay with it and to make a motion to give her the authority to find a member who is eligible as an alternative.

The Board authorized the Chair to appoint a Canvassing Board Member in her absence.

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

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Upon consensus of the Board, the meeting was adjourned at 7:37 p.m.

ATTEST:

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

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