

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

9:00 AM

The Board of County Commissioners of Brevard County, Florida, met in regular session on January 28, 2014 at 9:00 AM in the Government Center Commission Room, Building C, 2725 Judge Fran Jamieson Way, Viera, Florida.

CALL TO ORDER

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

INVOCATION

The invocation was given by Pastor Mark Charles, St. Andrews United Methodist Church, Titusville.

PLEDGE OF ALLEGIANCE

Commissioner Trudie Infantini led the assembly in the Pledge of Allegiance.

APPROVAL OF MINUTES

The Board approved the Zoning minutes of December 5, 2013.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Robin Fisher, Commissioner District 1
SECONDER:	Chuck Nelson, Commissioner District 2
AYES:	Fisher, Nelson, Infantini, Bolin Lewis, Anderson

ITEM I.A. UPDATE, RE: CURRENT STATUS OF ORION AND EXPLORATION PROGRAMS

Rob Salonen, CEcD, thanked the Commissioners for having Economic Development Commission (EDC), Boeing, and Lockheed Martin companies here this morning to discuss the Exploration of Orion. He added the excitement builds towards the test launch in the fall of the Orion test vehicle; and it reminds them of where they have come from since the 2006-2007 time frame. He stated the EDC, the State of Florida, the Board, and Kennedy Space Center has worked so hard to bring the Orion production to Kennedy Space Center; and he introduced Jules Snyder, Lockheed Martin, and Mark Gager from the Boeing Company to give the Board an indication of where they are today.

Jules Snyder, Assembly Integration and Production Senior Manager for Lockheed Martin at the Operations and Check-out building at KSC, stated Exploration Flight Test I is being assembled; over 200 people are working seven days a week, 24 hours a day to complete EFT 1, for a launch in September 2014. He added Orion is going to operate beyond low earth orbit, and for

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exploration missions to the moon, asteroids, and eventually to Mars. He advised there are three major components to Orion, the crew module, where the crew will work and live; the service module is power, propulsion, environmental control, and the launch abort system is there to save the crew in case of emergency. He went on to say EFT 1 is going to fly in September of this year, that will fly off of Launch Complex 37, on a Delta IV Heavy, the next test flight will be in 2017, that will be called EM1, and will be the first Orion SLS flight that will launch off of Launch Complex 39, which is the old Space Shuttle launch pad. He noted there is the ascent abort, which is to prove the launch abort system during ascent in 2018; that will launch out of Cape Canaveral; in 2021 they will launch again off of Complex 39; and will be the first crewed mission. He stated Orion comes from all over the Country, but it all ends up in Brevard County; pieces and parts are built all over the United States, and some in Europe, but it all ends up in Brevard County. He noted if it were not for the partnership with Lockheed Martin, Space Florida, and the EDC, this kind of work would not be happening in Brevard; it would probably be happening somewhere else at a Lockheed Martin Spacecraft Manufacturing Facilities. He advised the service module is basically complete, and is undergoing structural testing at this time; and the EFT 1 launch abort system is also just about complete and they are waiting on the service and crew module. He stated the EFT 1 mission will do one lap in low earth orbit, then it will burn into an elliptical orbit, approximately 3,600 miles out and then come back and land somewhere off the coast of Southern California. He advised it will be the farthest they have sent a human rated spacecraft away from Earth and returned since the Apollo mission.

Mark Gager, Boeing Company, stated Boeing is very fortunate to have a rich history here in Florida with Mercury and Apollo through the Shuttle Program and the International Space Station (ISS); and now into exploration and commercial crew and SLS as well. He added from an impact perspective, there are over 400 employees in District 8, and over 3,000 retirees; it is a great place to live. He added there are over 100 suppliers that Boeing makes a significant investment to, over \$100 million; and the company is also big on charitable giving and being a part of the community. He went on to say in Brevard the three big customers are NASA, the United States Air Force, and Boeing; NASA has people working on the ISS program, SLS, and then commercial crew, which has a long standing program here working with GPS satellites for ULA. He added recently the announcement was made on X-37; they also work locally for other parts of Boeing; and they have worked on the 787, some of the commercial airplanes, and other parts of Boeing as well. He added it is not as big as the work, volume wise that they do with NASA or the Air Force, but it is significant. He stated with all of those programs, they appreciate the support from the State of Florida, the EDC, and the Board; it is an outstanding support system; and that helps them bring business here to Brevard County. He stated the SLS is the two rockets, and it is the largest, most powerful rocket to have been built by the time they get to the 130 ton bearing. He added what is being launched first is the 70 ton bearing unit, the architect from NASA has done an excellent job of getting the most lift for the least amount of money. He added the boosters that are on the rocket are a variance of reused parts from the Shuttle; the engines are being reused; and there is a lot going on to keep the cost down. He stated it is a very flexible vehicle as well; it is built to have Orion and take people beyond low-earth orbit, but it is capable of doing heavy payloads such as scientific payloads as well; and is a very flexible system. He went on to say the low earth orbit area is being looked at having commercial partners doing that; there are some commercial things happening to the International Space Station; and soon the launch and crew. He added the SLS and Orion is intended to go way out there; targets or possibilities include the moon, or La Grangian Point, which is on the other side of the moon; there is also things like asteroids or near Earth objects that are millions of miles away; and the big goal is to get to Mars. He added there are a group of people in Titusville that are designing parts of the rocket and preparing to do some testing at Stenis; the rocket needs to be run for a full duration, they will put it in a test stand and run it much like it has been done before.

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Commissioner Nelson stated he finally gets to hear some of his friends complain about working too many hours, because with the retirement of the shuttle, so many people were associated with that fell on hard times because they were looking for other opportunities; and putting them back to work has been great.

Chairman Bolin Lewis stated it is good to say that there are rocket scientists again in Titusville.

ITEM I.B. RESOLUTION, RE: CONGRATULATING RETIRED MAJOR GENERAL JOHN CLELAND

Colonel Danny McKnight, for Chairman Bolin Lewis, read aloud the Resolution.

The Board adopted Resolution No. 14-007, congratulating Retired Major General John Cleland on his induction into the Florida Veteran's Hall of Fame; and thanked him for his service to country, state, and community.

Chairman Bolin Lewis congratulated Mr. Cleland; and requested he speak about his accomplishments.

Retired Major General John Cleland thanked the Board for the honor he has received; when he retired from the Army, he became a consultant, his wife Clara and himself discovered one can consult without living in Washington D.C.; and he and Clara started looking for a home. He added they started looking in South Carolina, and ended up in Brevard County; it took them two years, but they found the right place; this is a wonderful County in which they live; 32 years ago when they moved here, there was no beautiful County Government Complex, it was Duda and Sons pasture land; and as this County grew in the past 32 years, they are proud and pleased to be with it because as the County grew from a small County, to the great County it is today, the basic ethos of this County did not change. He added there are still wonderful people, still good leaders, still a progressive, moving County that takes care of itself; and it has been their great pleasure to be here. He added the County Chairman was none other than Joe Wickham, and he got to know him quite well, he was a remarkable man, Wickham Road is named after him, he was always proud to say he insisted that Wickham Road be four-lane, so it can grow with the County and it did. He added among the other great things that he did, was a traffic light for the community; and in other words this was a good County just like it is today. He stated he is proud to have played a small part as the County has grown; he thanked the Board for the honor it has bestowed today; and he thanked his wife, Clara and his friends who have given him solid support through the years, and introduced them all.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Robin Fisher, Commissioner District 1
SECONDER:	Andy Anderson, Chairman/Commissioner District 5
AYES:	Fisher, Nelson, Infantini, Bolin Lewis, Anderson

ITEM I.C. RESOLUTION, RE: RECOGNIZING THE RETIREMENT OF BCSO CORPORAL BARRY LIFORD

Commissioner Anderson read aloud, and the Board adopted, Resolution No. 14-006, recognizing Brevard County Sheriff's Office (BCSO) Corporal Barry Liford for his outstanding and selfless service to the community over the past two decades.

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Judge Charlie Roberts congratulated Barry Liford on his retirement and thanked the Board for recognizing Mr. Liford. He added he would like to acknowledge that everyone is blessed to be served by some really wonderful, dedicated, and talented people; it has been an honor serving with them; and he would specifically like to thank Mr. Liford for his service with Judge Lisa Davidson, Judge Morgan Reinman, Judge George Maxwell, himself, and Lori Todd and Chris Trammell.

Barry Liford stated he was born and raised in this County and it is a good place to live.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Andy Anderson, Chairman/Commissioner District 5
SECONDER:	Chuck Nelson, Commissioner District 2
AYES:	Fisher, Nelson, Infantini, Bolin Lewis, Anderson

ITEM I.D. RESOLUTION, RE: NAMING THE ENTRANCE ROAD LEADING TO THE RITCH GRISSOM MEMORIAL WETLANDS AT VIERA AS "CHARLIE CORBEIL WAY"

Chairman Bolin Lewis read aloud, and the Board adopted, Resolution No. 14-008, naming the entrance road leading to Ritch Grissom Memorial Wetlands at Viera, Charlie Corbeil Way, in honor of his tireless service, steadfast dedication, and outstanding volunteer contributions.

Charlotte Corbeil thanked the Board for the recognition; and stated it is an honor for her late husband, Charlie.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Chuck Nelson, Commissioner District 2
SECONDER:	Andy Anderson, Chairman/Commissioner District 5
AYES:	Fisher, Nelson, Infantini, Bolin Lewis, Anderson

ITEM I.E. RESOLUTION, RE: RECOGNIZING ARMY SERGEANT KEVIN L. ROBERTS

Commissioner Anderson read aloud, and the Board adopted, Resolution No. 14-009, recognizing Army Sergeant Kevin L. Roberts for being given the USAMPS Commandant's 100 Award, and for meritoriously serving his Country in Afghanistan.

Major Mike Flurry, executive officer of the 733rd Military Police Battalion in Fort Gordon, Georgia, presented the Patriot Award to Army Sergeant Kevin Roberts; this award was created by the Employers Support for the Garden Reserve to publicly recognize individuals who provide outstanding patriotic support and cooperation, who like the citizen warriors before them, have answered this Nation's call to serve. He went on to say supportive supervisors are critical in maintaining the strength and readiness of the National Guard and Reserve Units, which have been critical in defending this Nation's freedom; and recognized Sheriff Wayne Ivey.

Mr. Roberts thanked Sheriff Ivey for his support; and stated without the experience and training he received at the Sheriff's office, he would not have been able to receive this award from the military.

Sheriff Wayne Ivey stated the Brevard County Sheriff's Office (BCSO) is honored to have Kevin Roberts as part of its team; the BCSO has a very rich tradition of supporting military veterans;

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and Kevin is a continuing example of those that serve the United States. He added he got a chance to speak with Mr. Roberts in the morning before coming to the Board meeting; Mr. Roberts starts back on active duty with BCSO on February 15, 2014; asked him if he was taking a little time off before coming back to work; and he responded that he was ready to come back, and has his uniforms, and is ready to get at it. Sheriff Ivey noted BCSO is very proud of him and thanked the Board for recognizing him.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Andy Anderson, Chairman/Commissioner District 5
SECONDER:	Chuck Nelson, Commissioner District 2
AYES:	Fisher, Nelson, Infantini, Bolin Lewis, Anderson

ITEM I.F. RESOLUTION, RE: RECOGNIZING HERITAGE HIGH SCHOOL FOR WINNING THE ARMY STRONG CHALLENGE

Commissioner Anderson read aloud, and the Board adopted, Resolution no. 14-010, recognizing Heritage High School for being the Army Strong Challenge National Champions.

Dr. Harris, Principal of Heritage High School, stated Mr. Mansion, the Guidance Department Chair, was the catalyst behind the program; and he is very proud of his efforts and the efforts of all of the students and staff. He added they have a mantra at Heritage saying it is a great day to be a Panther.

Mr. Mansion thanked all of the students and teachers that supported them, because without their continuous motivation and school spirit, they would not have achieved this goal, nor would they continued to achieve excellence as a standard in Brevard County.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Andy Anderson, Chairman/Commissioner District 5
SECONDER:	Chuck Nelson, Commissioner District 2
AYES:	Fisher, Nelson, Infantini, Bolin Lewis, Anderson

COMMISSIONER REQUEST, RE: COMMISSIONER ROBIN FISHER

Commissioner Fisher requested that the Board move the Board reports to the end of the meeting; he needs to leave a little bit early from the meeting; and he asked that the important items were out of the way.

ITEM III.A.1, APPROVAL, RE: AMENDMENT TO MEMORANDUM OF UNDERSTANDING (MOU) WITH BREVARD ZOO FOR STORMWATER PUBLIC EDUCATION AND OUTREACH PROGRAM

The Board approved Amendment to Memorandum of Understanding (MOU) with Brevard Zoo, substantially in the form of the draft and subject to final language change approval by the County Attorney's Office, Risk Management, and Brevard Zoo, in the amount of \$139,970, for Stormwater Public Education and Outreach Program.

RESULT: ADOPTED [UNANIMOUS]
MOVER: Robin Fisher, Commissioner District 1
SECONDER: Chuck Nelson, Commissioner District 2
AYES: Fisher, Nelson, Infantini, Bolin Lewis, Anderson

ITEM III.A.2., APPROVAL, RE: ACCEPTANCE OF FIRST AMENDMENT TO THE SIDEWALK EASEMENT AGREEMENT BETWEEN THE VIERA COMPANY AND BREVARD COUNTY RELATED TO THE PLAT OF STADIUM VILLAS

The Board executed First Amendment to Sidewalk Easement Agreement with the Viera Company Related to the Plat of Stadium Villas.

RESULT: ADOPTED [UNANIMOUS]
MOVER: Robin Fisher, Commissioner District 1
SECONDER: Chuck Nelson, Commissioner District 2
AYES: Fisher, Nelson, Infantini, Bolin Lewis, Anderson

ITEM III.A.3., FINAL PLAT AND CONTRACT APPROVAL, RE: ARRIVAS VILLAGE - THE VIERA COMPANY

The Board granted Final Plat approval for Arrivas Village; and authorized the Chairman to sign the final plat and Subdivision Infrastructure Contract with The Viera Company.

RESULT: ADOPTED [UNANIMOUS]
MOVER: Robin Fisher, Commissioner District 1
SECONDER: Chuck Nelson, Commissioner District 2
AYES: Fisher, Nelson, Infantini, Bolin Lewis, Anderson

ITEM III.A.4., CONTRACT AND SURETY PERFORMANCE BOND, RE: HERITAGE ISLE, PHASE 7B - LENNAR HOMES, LLC

The Board executed Subdivision Infrastructure Contract with Lennar Homes, LLC for Heritage Isle, Phase 7B.

RESULT: ADOPTED [UNANIMOUS]
MOVER: Robin Fisher, Commissioner District 1
SECONDER: Chuck Nelson, Commissioner District 2
AYES: Fisher, Nelson, Infantini, Bolin Lewis, Anderson

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ITEM III.A.5., RESOLUTION RELEASING PERFORMANCE BOND, RE: HERITAGE ISLE, PHASE 7B - LENNAR HOMES, LLC

The Board adopted Resolution No. 14-011, releasing the contract and performance bond with Lennar Homes, LLC, dated February 7, 2012, for Heritage Isle, Phase 7B.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Robin Fisher, Commissioner District 1
SECONDER:	Chuck Nelson, Commissioner District 2
AYES:	Fisher, Nelson, Infantini, Bolin Lewis, Anderson

ITEM III.A.6., APPROVAL, RE: CONTRACT FOR PURCHASE OF EASEMENT RIGHTS AND ACCEPTANCE OF A PERMANENT DRAINAGE EASEMENT FROM ABC BUILDING, LIMITED PARTNERSHIP PERCONTEE, INC., JOHN GUDELSKY PRESIDENT, FOR USE IN CONJUNCTION WITH CRANE CREEK (LAMPLIGHTER) DRAINAGE PROJECT

The Board executed Contract for Sale and Purchase of Easement Rights and Accepted Drainage Easement from ABC Building, Limited Partnership, by Percontee, Inc., for use in conjunction with the Crane Creek (Lamplighter) Drainage Project.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Robin Fisher, Commissioner District 1
SECONDER:	Chuck Nelson, Commissioner District 2
AYES:	Fisher, Nelson, Infantini, Bolin Lewis, Anderson

ITEM III.A.7., APPROVAL, RE: LANDSCAPING AGREEMENT WITH PERRONE PROPERTIES FOR LANDSCAPING IMPORVEMENTS AND MAINTENANCE AT 119 MUSTANG WAY - MERRITT ISLAND

The Board executed Landscaping Agreement with Perrone Properties for landscaping improvements and maintenance at 119 Mustang Way in Merritt Island.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Robin Fisher, Commissioner District 1
SECONDER:	Chuck Nelson, Commissioner District 2
AYES:	Fisher, Nelson, Infantini, Bolin Lewis, Anderson

ITEM III.A.8., APPROVAL, RE: SIGNAGE AGREEMENT WITH THE VIERA COMPANY FOR SIGNAGE WITHIN PHASE I OF THE SROM PARK SUBDIVISION

The Board executed Signage Agreement with The Viera Company for signage within Phase I of the Strom Park Subdivision.

RESULT: ADOPTED [UNANIMOUS]
MOVER: Robin Fisher, Commissioner District 1
SECONDER: Chuck Nelson, Commissioner District 2
AYES: Fisher, Nelson, Infantini, Bolin Lewis, Anderson

ITEM III.C.4., APPROVAL, RE: SALE OF SURPLUS REAL PROPERTY BY BIDDING PROCESS

The Board granted permission to advertise and sell seven surplus parcels of real property by bidding process, pursuant to Florida Statute 125.35 (1) (a).

RESULT: ADOPTED [UNANIMOUS]
MOVER: Robin Fisher, Commissioner District 1
SECONDER: Chuck Nelson, Commissioner District 2
AYES: Fisher, Nelson, Infantini, Bolin Lewis, Anderson

ITEM III.C.5., APPROVAL, RE: SALE OF SURPLUS REAL PROPERTY BY PRIVATE SALE TO ADJACENT PROPERTY OWNERS

The Board approved the private sale of a surplus parcel of property pursuant to Florida Statute 125.35 (2); and authorized the County Manager, or his designee, to negotiate the terms of the private sale per Section 2-243 (b), Code of Ordinances of Brevard County.

RESULT: ADOPTED [UNANIMOUS]
MOVER: Robin Fisher, Commissioner District 1
SECONDER: Chuck Nelson, Commissioner District 2
AYES: Fisher, Nelson, Infantini, Bolin Lewis, Anderson

ITEM III.C.6., AGREEMENT TO RELEASE NORTH AMERICAN SPECIALTY INSURANCE COMPANY, RE: RECEIPT OF PERFORMANCE BOND FOR NICK'S LAWN SERVICE

The Board executed Assignment and Release Agreements to accept the payment of five (5) checks totaling \$7,680.50 from North American Specialty Insurance Company, the surety for the performance bonds for three (3) Parks and Recreation, one (1) Natural Resources, and one (1) Facilities Department lawn maintenance agreements which were terminated by the County.

RESULT: ADOPTED [UNANIMOUS]
MOVER: Robin Fisher, Commissioner District 1
SECONDER: Chuck Nelson, Commissioner District 2
AYES: Fisher, Nelson, Infantini, Bolin Lewis, Anderson

ITEM III.D.1., AUTHORIZATION, RE: INCENTIVE PAY FOR NON-BARGAINING UNIT UTILITY SERVICES DEPARTMENT EMPLOYEES

The Board authorized incentive pay for non-LIUNA, Utility Services Department employees, consistent with the LIUNA Labor Agreement; and the effective date would be the first pay period following Board approval.

RESULT: ADOPTED [UNANIMOUS]
MOVER: Robin Fisher, Commissioner District 1
SECONDER: Chuck Nelson, Commissioner District 2
AYES: Fisher, Nelson, Infantini, Bolin Lewis, Anderson

ITEM III.D.2., ACCEPTANCE, RE: ANNUAL INVESTMENT PERFORMANCE REPORT FOR YEAR ENDED SEPTEMBER 30, 2013

The Board accepted the Brevard County Annual Investment Performance Report, for the Year-Ended September 30, 2013.

RESULT: ADOPTED [UNANIMOUS]
MOVER: Robin Fisher, Commissioner District 1
SECONDER: Chuck Nelson, Commissioner District 2
AYES: Fisher, Nelson, Infantini, Bolin Lewis, Anderson

ITEM III.D.3., APPOINTMENTS/REAPPOINTMENTS, RE: CITIZEN ADVISORY BOARDS

The Board reappointed **Leonard Beckett**, **Glenda Fox**, and **Catherine Mitchell**, to the Community Development Block Grant Advisory Board; reappointed **Benjamin Brotemarkle** to the Historical Commission; appointed **Suzanne Valencia** to the EEL Program Recreation and Education Advisory Committee; appointed **Ned Kellar** to the Health Facilities Authority; reappointed **Todd Starkey** to the Investment Committee; reappointed **Steve Brode** to the Mims/Scotsmoor Public Library Advisory Board; appointed **Marcia Booth** to the Parks and Recreation South Service Sector Advisory Board; reappointed **Johnny Albert Diggs**, and **Cindy Shahenn** to the Personnel Council; reappointed **Robert J. LaMarr** and **Harry Smith** to the Planning and Zoning Board; appointed **Margaret St. Coeur** and reappointed **Laurie Chase** and **Loretta Surface** to the South Mainland Advisory Board; appointed **William Thompson** to the Tourist Development Council; and appointed **Wayne Snyder** to the Zoning Board Adjustment.

RESULT: ADOPTED [UNANIMOUS]
MOVER: Robin Fisher, Commissioner District 1
SECONDER: Chuck Nelson, Commissioner District 2
AYES: Fisher, Nelson, Infantini, Bolin Lewis, Anderson

ITEM III.C.3., AUTHORIZATION TO UTILIZE THE CITY OF DAYTONA BEACH CONTRACT 0113-1010, RE: CURED-IN-PLACE PIPE LINING OF SANITARY SEWERS

Michael Hartman stated this item is approving three contracts on a no-bid basis awarding work to a Jacksonville contractor; when he looked at the write-up, he did not see anywhere where it said that this was an emergency, which would justify awarding this on a no-bid basis. He went on to say he spoke with local officials and there are locally qualified companies that do this sort of work; he spoke with one of the Cape Canaveral City Councilmen two days ago, and they had a local company do the exact same work in their City; and when the job was bid out, he was happy to tell him that the price came in over \$100,000 lower than what they had originally estimated. He added in the bid of this Jacksonville contractor, they have to cover the cost of moving all of their equipment here and bringing their people down here; lodging them in hotels, paying their meals, and using a local contractor does not have all of those costs; while it may take a little time and money, he believes ultimately if the Board has it bid for local contractors, it will save more money. He advised unless it is an emergency, he believes it is only fair that the Board gives local contractors a chance to bid on work; \$600,000 is going to leave this County and go elsewhere, he would really like to see those tax dollars stay in Brevard.

Commissioner Fisher stated he had some concern when he saw this item the day prior; he spoke to staff, and it is his understanding that there is not a local contractor that can do this specific job; and inquired if Mr. Hartman had the name of the contractor that can do it. Mr. Hartman responded that he can get it for him, and that it was Councilman Bob Hogan that he spoke with in the City of Cape Canaveral that had stated there was a Cocoa based contractor that just did this exact same work in the City of Cape Canaveral.

Commissioner Fisher inquired if there was any truth to that. Robert Adolphe, Utility Services Director, stated he does not know the exact process of what Mr. Hartman is talking about, but there are several processes that can be used; this in-situ process is a formed in place; and inquired if it this work was a fiber coated, and cured-in-place. Mr. Hartman responded the contractor did not have to tear up any roads; and according to Councilman Hogan it was the exact same process. Mr. Adolphe stated there are several types, so it could be a different type, also these contracts, when they piggy-back, or when using another contract from another municipality; that contract has been bid, so that process when going and using another contract, they are not re-bidding, but using the original bid process that the municipality used or another County used; and then they will partner off of that contract. He added they have done that in the past. Mr. Hartman stated he understands that. Mr. Adolphe stated this is a very reliable process and the County Manager has asked about it; he gave him a brochure of the known life expectancy, which is 40 years, with an advertised life expectancy of farther than that; and it has been an open process where it has been bid previously, it has been used before, and they felt this was an appropriate thing to do.

Commissioner Fisher inquired if there was a contractor in Brevard County that can do this sort of work. Mr. Adolphe stated he did not go through that process. Commissioner Fisher stated he would like to go through that process to check and see if there are any contractors in Brevard that can do this sort of work.

Commissioner Infantini stated she was going to request that the Board look for a local contractor because the item does not seem to be time sensitive.

Commissioner Nelson inquired if Stockton Whitten, Deputy County Manager, had any information he could provide to the Board.

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Mr. Whitten stated according to the Purchasing Office, there are no local contractors that can do this specific process. Commissioner Nelson stated they will be back at the end of the meeting for reports; and inquired if Mr. Whitten could do a quick check and get back to the Board.

Commissioner Infantini inquired if this is time sensitive, or imperative that it be dealt with this week. Mr. Adolphe stated it is not extremely time sensitive, but they would like to move on with the process and will do the appropriate investigation for it. Commissioner Infantini stated she would rather that than rushing to get this all done and resolved within one meeting, she believes if it was brought back at the next meeting they would have time to evaluate and find out if there were other contractors.

The Board tabled consideration to utilize the City of Daytona Beach's Contract 0113-1010 for Cured-In-Place Pipe Lining of Sanitary Sewers, the February 4, 2014, Board meeting.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Robin Fisher, Commissioner District 1
SECONDER:	Trudie Infantini, Commissioner District 3
AYES:	Fisher, Nelson, Infantini, Bolin Lewis, Anderson

ITEM III.D.4., APPROVAL, RE: BILLFOLDER

Commissioner Infantini stated this allows for the Board to approve items in the Billfolder; one item that caught her attention was for a lunch that was attended by someone in the Tourist Development Commission (TDC); and it was attended in Tallahassee for \$1,331. She advised she likes lunch just as much as the next person and she like going to Tallahassee, but the board needs to start looking at how it is spending and start getting approvals prior to asking for permission to attend something after it has already been attended; and she will not approve this item.

Commissioner Fisher inquired if she contacted TDC to see what the money was for. Commissioner Infantini responded she contacted staff.

Howard Tipton, County Manager, stated as a reminder to the Board, all of the travel, he does not recall this one specifically, but all travel is reviewed and approved administratively. He added it is not the TDC deciding they want to go and do something; there are a series of reviews that take place.

The Board approved the Billfolder, as submitted.

RESULT:	ADOPTED [4 TO 1]
MOVER:	Robin Fisher, Commissioner District 1
SECONDER:	Chuck Nelson, Commissioner District 2
AYES:	Robin Fisher, Chuck Nelson, Mary Bolin Lewis, Andy Anderson
NAYS:	Trudie Infantini

ITEM IV., PUBLIC COMMENTS

John Pilley stated the economic development tax abatements, grants and things like that remind him of a line at the end of *The Man Who Shot Liberty Valance*, "When the legend becomes fact, print the legend"; and inquired who is investigating all of the claims about economic development. He stated at the last meeting, Commissioner Fisher stated it was a waste of time to discuss this, not to waste Commissioner Fisher's time, or his own time; and quite frankly, that was one of the most inappropriate, non-democratic, both small and large things a public official could say. He added those who are sure rarely have all the facts; while those who strive to gather all of the facts are rarely sure; there may be something that he missed, or any of the Commissioners missed; and everyone needs to keep an open mind and try to get all of the facts. He stated a little over a year ago, when discussing Cocoa Expo, Commissioner Nelson voiced an opinion based on traffic studies; he disagreed with assumptions that were made by professional traffic engineers; and he applauds the skepticism; and things should be questioned. He inquired why the Board does not question the assumptions of non-professional licensed people; stated those economic development numbers that come in from the EDC are not coming from professionals, they are plugging numbers on a little form and telling the Board to look at the great impact this company will have and there is no proof behind it. He stated the Miracle City Mall deal was a joke, these things are supposed to go for high-tech, high-paying jobs; and unless maybe Einstein Bagels counts as high-tech, he believes a retail property is not high-tech and not high-paying, so this needs to stop being abused. He added the Board needs to stop abusing the tax abatement and grant process, the Board is picking winners and losers and that is not its job; the County does not need cronies capitalism, let the free market decide.

Scott Ellis, Clerk of Courts, stated he had questions taken from him at the last meeting on the animal issue a couple weeks ago; and he inquired if those questions will be answered or not. He added they were taken in writing and he expected the reason for that was so that he would get answers in writing; he has not received any answers thus far; and he was curious if he would even get answers to those questions. He stated he does not necessarily need them today, but a yes or no answers would be nice. Commissioner Infantini inquired if staff would be able to answer Mr. Ellis' questions.

Stockton Whitten, Deputy County Manager, stated the questions will be answered, and there were a lot of statements in what he was given; staff will go through it again and provide answers to the questions. Mr. Ellis stated that was fine, he was not contacted to go over the questions with anyone; and he inquired if Mr. Whitten is saying that those will questions will get written answers. Mr. Whitten replied yes, sir. Mr. Ellis stated if there is clarification needed staff knows where to contact him.

Trudie Infantini, District 3 Commissioner, stated she has some pictures she intended on showing during Board Reports at the beginning of the meeting, but they were moved to the end, and these pictures need to be shown at the beginning of the meeting. Chairman Bolin Lewis stated it was the pleasure of the Board to move Board Reports to the end of the meeting; and she inquired if a Commissioner could speak during Public Comment. Commissioner Nelson stated she does not follow the rules any other time, so why not. Ms. Infantini stated there is a bridge that goes over to Scout Island at Longpoint Park. She added Longpoint Park is one of the facilities that is operated by Brevard County Parks and Recreation Department, it is one of the County's more profitable parks; as the pictures show, the bridge is in complete disrepair; it is one of the unfunded needs of Brevard County Park system; and the Board today is going to be considering a new community center in Melbourne. She stated the County does not need another Community Center; it is being built because the County wants to; she is trying to appeal to the Board the incredible disrepair the bridge is in that the Scouts use to cross over and any other tourist uses at Longpoint Park; it is an unfunded need, yet the Board is going to fund a \$2.5 million Community Center which is a want for the City of Melbourne. She stated she is

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appealing to the Board to trying to get the Board to rethink its priority list, apologizes that she could not do this under Board Reports, but understands that Commissioner Fisher needed to leave early; and she would like his point of view on the prioritization of the Board's spending.

Chairman Bolin Lewis stated the item that was brought up will be under Unfinished Business, Item VI.B., and it will take a super majority vote; and she inquired if the Board would like to address that particular item at this time. Commissioner Nelson replied he would like to stay on the Agenda.

ITEM V.A., RESOLUTION, RE: PETITION TO VACATE RIGHT OF WAY - OLEANDER STREET IN MAP OF DELESPINE ON INDIAN RIVER/KEITH AND JAYNE SARR/RICHARD AND JUDITH BARNES

Chairman Bolin Lewis called for a public hearing to consider vacating a right-of-way on Oleander Street in Map of Delespine on the Indian River.

There being no comments or objections, the Board adopted Resolution No. 14-012, vacating a right-of-way on Oleander Street in Map of Delespine on the Indian River, as petitioned by Keith and Jane Sarr and Richard and Judith Barnes.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Robin Fisher, Commissioner District 1
SECONDER:	Andy Anderson, Chairman/Commissioner District 5
AYES:	Fisher, Nelson, Infantini, Bolin Lewis, Anderson

ITEM V.B., RESOLUTION, RE: PETITION TO VACATE PUBLIC DRAINAGE EASEMENT - GENERAL BOULEVARD IN PINE LAKE MOBILE HOME ESTATES/MATTHEW W. KELLEY

Chairman Bolin Lewis called for a public hearing to vacate public drainage easement on General Boulevard in Pine Lake Mobile Home Estates.

There being no comments or objections, the Board adopted Resolution No. 14-013, vacating a public drainage easement on General Boulevard in Pine Lake Mobile Homes Estates as petitioned by Matthew W. Kelley.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Robin Fisher, Commissioner District 1
SECONDER:	Chuck Nelson, Commissioner District 2
AYES:	Fisher, Nelson, Infantini, Bolin Lewis, Anderson

ITEM V.C., ORDINANCE, RE: REGULATION OF SYNTHETIC DRUGS

Chairman Bolin Lewis called for a public hearing to consider an ordinance regulating synthetic drugs.

There being no comments or objections, the Board adopted Ordinance No. 14-02, creating Brevard County Code of Ordinances and Laws Chapter 74, Article VIII; prohibiting the possession, use, sale, distribution, production, manufacture, display, advertisement, marketing, or offer to sell synthetic drugs; providing a statement of intent; providing for a title; providing for

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definitions; providing for determination of a product which constitutes a synthetic drug; providing for prohibited acts; providing for enforcement and penalties; providing for conflicts of law; providing for severability and applicability; providing for inclusion in the Brevard County Code; providing for filing of the Ordinance and an effective date; providing for amendment by Resolution.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Robin Fisher, Commissioner District 1
SECONDER:	Andy Anderson, Chairman/Commissioner District 5
AYES:	Fisher, Nelson, Infantini, Bolin Lewis, Anderson

ITEM V.D., ORDINANCE, RE: AMENDING CHAPTER 94 RELATING TO SOLID WASTE REGULATIONS

Chairman Bolin Lewis called for a public hearing to consider an ordinance amending Chapter 94 relating to Solid Waste Regulations.

Commissioner Infantini stated this refers to Solid Waste Management and the allocation of fees, assessment of collection and other things. She added there are a lot of new rules in this that she does not think are for the benefit of all of the community; she believes the Board should have more public discussion because it is a pretty comprehensive item; and has a lot of stricken language that she believes would limit the ability of certain collection facility organizations, such as Waste Pro, or any others perhaps putting materials into the County's Solid Waste Disposal system. She advised she would like to table this item; and would like a little bit of time to review this if at all possible.

There being no further comments, the Board adopted Ordinance No. 14-03, amending Chapter 94, of the Code of Ordinances of Brevard County, Florida Entitled "Solid Waste"; specifically amending Sec. 94-1 Definitions; Sec 94-2 Authority of Board to operate solid waste disposal system; Sec. 94-32 mandatory collection of solid waste; Sec 94-46 requirements governing removal of solid waste from commercial property; Sec 94-62 commercial receptacles; Sec 94-76 requirements for disposal and removal of construction and demolition debris and land clearing debris; limited exemption for on-site disposal; limited exemption for on-site incineration; Sec 94-91 collection agreements authorized; public hearing; notice; permits; Sec. 94-92 unlawful to operate without a collection agreement or permit; Sec. 94-93 roll-off collection service permit application, fees, duration; Sec. 94-97 general permit conditions; Sec. 94-117 recycling containers; curbside recyclable materials collection service; placement of recyclable materials; Sec. 94-118 ownership of recyclable materials; Sec. 94-119 maintenance of properties; 94-197 disposal prohibitions; Article IV. - Fees; Division 2. - Special assessments; Sec. 94-233 public hearing; Sec. 94-234 preparation and certification of annual special assessment rolls to Tax Collector; Sec. 94-235 Method of collection of annual special assessments; Sec. 94-236 special assessments prior to initiation of first full year annual special assessments; payment of prorated special assessments; discharge of lien; Sec. 94-237 separately prepared annual special assessment notices; Sec. 94-238 correction of errors and omissions; petition to board; Sec. 94-240 annual special assessment to governmental agencies, county agencies and leasehold interest in improved real property leased to or by a governmental agency; Sec. 94-241 exemptions from annual collection and recycling program special assessments; criteria; Sec. 94-242 exemption application; filing date; review; denial; appeal; revocation; Sec.94-244 applicability of special assessments to tax exempt improved real property; Sec. 94-245 vacancy adjustment for improved real property from annual special assessments; criteria; Sec. 94-246 vacancy adjustment petition; filing date; review; denial; appeal; Sec. 94-258 imposition of solid

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waste impact fee; Sec. 94-260 payment of impact fee; Sec. 94-263 exemptions; Sec. 94-276 public hearing to determine amounts; Sec. 94-277 landfill gate accounts, payment of deposits, special rates, delinquency; collection; exemptions; providing for resolution of conflicting provisions; providing for severability; providing for inclusion in the Code of Ordinances of Brevard County; and providing an effective date.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Robin Fisher, Commissioner District 1
SECONDER:	Chuck Nelson, Commissioner District 2
AYES:	Fisher, Nelson, Infantini, Bolin Lewis, Anderson

ITEM V.E., RESOLUTION, RE: AMENDING RESOLUTION 13-139, SOLID WASTE SPECIAL ASSESSMENT RATES, FEES, AND CHARGES FOR NON-RESIDENTIAL IMPROVED REAL PROPERTY AND IMPROVED PROPERTY NOT WITHIN THE BENEFIT UNIT, AND THE OPPORTUNITY TO CHOOSE SIZE OF CARTS FOR THEIR BUSINESS

The Board adopted Resolution No. 14-014, amending Resolution 13-139, Solid Waste Special Assessment Rates, Fees, and Charges for Non-Residential improved real property and improved property not with the benefit unit, and the schedule of compensation rates to be paid collectors for curbside collection provided to all improved residential real property with the Solid Waste collection and recycling benefit unit for the County's fiscal year beginning October 1, 2013.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Robin Fisher, Commissioner District 1
SECONDER:	Chuck Nelson, Commissioner District 2
AYES:	Fisher, Nelson, Infantini, Bolin Lewis, Anderson

ITEM VI.A., APPROVAL, RE: CONTINUATION AND MODIFICATION OF BOARD POLICY BCC-03, CONFLICT OF INTEREST

Commissioner Nelson stated this is a result of the previous Board Workshop, so it has been discussed.

The Board authorized the continuation and modifications to Board Policy BCC-03 Conflict of Interest, as recommended and discussed at the Board's Ethics workshop on August 15, 2013.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Chuck Nelson, Commissioner District 2
SECONDER:	Robin Fisher, Commissioner District 1
AYES:	Fisher, Nelson, Infantini, Bolin Lewis, Anderson

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ITEM VI.B., RESOLUTION AND LEASE AGREEMENT FOR OPERATION AND MAINTENANCE WITH THE CITY OF MELBOURNE, RE: WICKHAM PARK COMMUNITY CENTER

Jack Masson, Parks and Recreation Director, stated this is a request for authorization for the Board to execute the Resolution; staff included the proposed contract with the City of Melbourne for execution as well.

Mary Ann Bowman, City of Melbourne, Leisure Services Director, stated she is here for questions in regards to the agreement with the County on operating the Wickham Park Recreation Center.

Commissioner Fisher inquired what the hours of operation would be. Ms. Bowman stated the operation hours would be the same as the other recreation centers, specifically, Eau Gallie will be operating seven days per week; and she believes this particular center in Wickham Park will be extremely popular and highly used. She stated for now, seven days a week, all day, and in the evening; and they will make the commitment to operate it the same as the other centers.

Commissioner Fisher stated he wanted to make sure the County was not building something that would not be open at least the same hours the County currently has facilities open; and it sounds like the County is five and one-half, maybe six days; and the new facility will be open seven days, all day. Ms. Bowman stated they will be open from 8:00 am to at least 9:00 or 10:00 pm, and on weekends they will be there all day Saturday and Sunday and in the evenings should there be someone that would like to rent it.

Commissioner Nelson inquired if the operation of the Crane Center would be changing; and if the new facility will have greater capabilities. Ms. Bowman stated they are going to re-located Crane Community Center; for those who are not familiar with that, it is within a mile from Eau Gallie Civic Center; and it was built back in the sixties. She added all of those programs will be re-located to Wickham; and having another gym would be a big plus, as well as additional classrooms.

Commissioner Nelson stated it will also offer some better supervision of the park facility on Post Road with more synergy between that park and Wickham he would believe. Ms. Bowman stated there is a pool there, ball fields, and in conjunction, the use of that will expand.

Commissioner Infantini stated she would like to say that she does not believe Brevard County should be building this community center; and in the agenda it says, in order for the Board to adopt the Resolution for the community center, the Board must acknowledge that the community center is not needed for County purposes. She added Brevard County is to operate what is needed for County purposes, if a city needs something, it is required to build that for their residents and the County is not supposed to be using County funds to build facilities for cities to use; and the cities can use them with the County, but not alone. She noted it will require a super majority vote meaning it will need at least four Commissioners to vote on the need; and she would like the Board to fix the things it has rather than spending the money on the community center.

Commissioner Nelson stated he thinks it is unfortunate that State law requires the Board to do this, because this is a partnership, there should be a section of State law that says that municipalities in the County can work together; the truth is this is a needed facility and the Board has to follow State law to allow that partnership to occur. He added this was in the referendum, it was voted on by the citizens of South Brevard; he would like to comply with their wishes; he thanked the City of Melbourne for stepping up to operate it; and he believes it is actually a great idea.

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Commissioner Infantini stated she has reviewed the referendum language and nowhere in the referendum does it state the Board would build a community center at Wickham Park; there are a lot of unmet promises that went on because of overbuilding, perhaps at Rodes Park. She added the Board took a \$5 million park and turned it into a \$27 million park; she apologized for past mistakes by the prior Commissioners; her job is to represent the people now; and she is doing the best job she can. She stated fixing current structure needs beat out building new facilities that the County does not need or funds to maintain.

Commissioner Fisher stated he could go through this County and take pictures of all kinds of issues that need to be addressed, but unfortunately, when going through the budget process, the last five years when cuts had to be made and changes and so forth with no support from Commissioner Infantini; the Board got to the point where there was some infrastructure needs that needed to be tended to that was turned down. He advised there will always be things that the Board has to turn down, and that is an unfortunate part that it just does not have enough funds to do everything it needs to do.

Commissioner Nelson stated it was in the referendum; and he believes she was referring to was the senior center, which was relocated from its other location; but the community center is and was a part of the referendum.

The Board adopted Resolution No. 14-015, declaring the Center is not needed for County purposes at this time, and the City of Melbourne desires to operate, maintain, and provide facilities programs for the general public at the Center; and executed Lease Agreement, leasing the Center to the City of Melbourne with agreed upon terms.

RESULT:	ADOPTED [4 TO 1]
MOVER:	Robin Fisher, Commissioner District 1
SECONDER:	Chuck Nelson, Commissioner District 2
AYES:	Robin Fisher, Chuck Nelson, Mary Bolin Lewis, Andy Anderson
NAYS:	Trudie Infantini

ITEM VII.B.1., AMENDMENT TO AGREEMENT WITH JUDICIAL CORRECTION SERVICES, INC., RE: TERM EXTENSION

Commissioner Anderson stated he has to abstain from this Item, his wife has interest in a corporation whom has a contract with a parent company, Correctional House Services who acquired this with Judicial Correction Services (JCS) in 2011 after the original contract was approved. Commissioner Anderson provided the Clerk with an completed form.

Commissioner Fisher inquired if staff has figured out how much money JCS takes in.

Ian Golden, Housing and Human Services Director, replied there is indication in the draft audit report from the internal auditors that they actually lose money from year to year on this contract; and a representative from JCS is here to explain that. Karen Lloyd, JCS, stated they take in quite a bit of cash on a daily basis, but they do take a loss every year. Commissioner Fisher stated his concern is that most of the clientele that they serve are going to use cash; and he understands from staff that they would like to stop receiving cash. He advised that would put those citizens in a hardship. Ms. Lloyd stated they were going to provide information to those citizens as to where they could find free money orders, because there are some places that offer that; and that would be their guide if they only have cash. Commissioner Fisher responded he has issues with that, and does not like that.

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Commissioner Nelson stated it was a concern of his as well; and inquired where staff was on that issue. Mr. Golden stated his understanding was that there was conversation with JCS and if the direction of the Board is to go with the language that is in the Agenda Item, and that is currently in the draft agreement, that there is a separate individual who accepts cash as opposed to going to a no cash option that JCS would be willing to move forward with.

Ms. Lloyd stated they would prefer to not have to hire another person to take cash only, simply because they generally do not make money in Brevard County, and that would be an additional financial burden to them. Commissioner Fisher stated he would not be supportive if they do not take cash, it is a form of payment; and most if not all of the people they serve do not have ATM's or checking accounts and all that.

Commissioner Nelson stated it is in the agreement. Mr. Golden stated it is in the draft agreement; it states that a person separate from the supervising officer shall be the one to issue a receipt for the amount paid; and that shows that there needs to be a segregation of those duties. He added it does not state in the agreement that they would have to hire a separate person; if they have someone that can get bonded or whatever the necessary requirements are to handle money, they could have an existing employee that is separate from that probation officer take the money. Ms. Lloyd stated with current staffing they would have to hire someone. She added when it was under the County, they did not take cash, but under JCS they allowed it. She advised the checks and balances was preventing the officers to alter the fees; that has been taken away from them, so now they can only accept.

Commissioner Nelson stated from his perspective, taking the cash is a good thing, they just need some control in place. He added if the County did not do it, that is shame on it, it was not doing it correctly; and he believes there needs to be some controls.

Commissioner Infantini stated she is aware of a situation that happened a few years before JCS took over, where there was someone working with the department and they were, under the table, requiring excess fees to be charged under their supervision; and she believes what JCS is trying to prevent is the ability for an officer to underhandedly, not that there are any Sheriffs that would do that, but to limit the ability to garner more money from one of these individuals than was expected; and this helps enforce the uniformity of it.

Mr. Golden stated they looked through that situation, but this was a recommendation that came out as a way to segregate.

The Board approved the renewal of the term of service for one year to Judicial Correction Services, Inc., to provide pretrial services and misdemeanor probation services for the County; and authorized the Chairman to execute the Agreement upon approval of the County Attorney and Risk Management.

RESULT:	ADOPTED [4 TO 0]
MOVER:	Robin Fisher, Commissioner District 1
SECONDER:	Chuck Nelson, Commissioner District 2
AYES:	Robin Fisher, Chuck Nelson, Trudie Infantini, Mary Bolin Lewis
ABSTAIN:	Andy Anderson

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ITEM VII.C.1., BOARD CONSIDERATION, RE: REQUEST FOR REDUCTION OF FINE AND RELEASE OF CODE ENFORCEMENT LIEN FOR INSPIRATIONAL PROPERTIES LLC AND BAY LIVING INC. - BAREFOOT BAY

Robin Sobrino, Planning and Development Director, stated this Item is related to a Code Enforcement case that took place in 2007; it was a housing violation, and the case was brought into compliance of January of 2009. She added the fines that accrued during the violation have never been paid; Inspirational Properties, LLC, and Bay Living, Inc., purchased the property at a Tax Deed Sale this past summer; and they are seeking a reduction in the fines that had accrued back in 2009; and she would like to bring to the Board's attention the circumstances. She advised in this case, the property had been in compliance in 2009, but the current property owners are seeking a reduction in the fine.

Becky Boncek stated she would like the Board to approve the reduction; she did not intend on speaking. Commissioner Nelson inquired if she was aware of the lien when the property. Ms. Boncek stated she is actually representing the new buyer, and she does not believe they knew about it. She advised they already had an agreement, the title search was done, and the lien came up, so it has stopped the process.

Ms. Sobrino pointed out in the request for the fine reduction, the people who purchased the property indicated they presumed Barefoot Bay had handled any lien or violations, since documents reflected their Code Enforcement Lien, that was paid from surplus funds; and added they knew a lien existed, but thought it was taken care of by Barefoot Bay.

Commissioner Fisher inquired if they have closed on the property already. Ms. Sobrino stated they purchased the property and now would like to sell it. Commissioner Fisher stated they purchased the property with a lien on it, and they own it today, and now they are trying to sell it for whatever price, and they are hoping the Board will forgive that \$14,000 lien, so their profit is bigger. Ms. Boncek advised the profit would be very small. Commissioner Fisher stated they are from South Florida. Ms. Boncek stated the company is. Commissioner Fisher stated the company bought it and is now flipping it. Ms. Boncek stated the profit is not very much; she has worked in Barefoot Bay for 30 years; she has watched this property; her secretary from church used to live behind it; the lady who owned the property had dementia; and she had asked if she could send someone out to clean up the property after the storms. She added she was afraid to let people in; the property looks nice; the new buyer will make it nicer; and she believes it would be the right thing to do to reduce it. Commissioner Fisher stated he wanted to make sure he understood the transaction that was happening; the company bought the property, now wants to sell the property, because they want to flip the property, and in their calculations they thought they bought the property with the lien on it. He understands she is just representing the new buyer, but he would like her to understand. Se advised she represents the buyer, not the seller; the seller's agent is at the hospital with her husband and she is here on behalf of the buyer, so she does not have all of the details.

Commissioner Anderson stated everything is in compliance; and inquired what the original amount owed is. Ms. Sobrino stated the total actual costs are \$1,812. Commissioner Anderson noted that \$550 of that has been paid. He added the Board has stated for the past few years that the whole thing was to get properties under compliance; if they did not come into compliance, staff was to use the punitive liens against the property; and as long as the Board's costs are covered, and the property is in compliance, which is the Board's goal; and the community's goal at the end of the day, he is okay with lowering the cost. Commissioner Fisher stated the challenge with this one is that the property was in compliance before it was purchased; a lot of times when this is done it is a home that is in disarray; and then somebody comes along and agrees to buy the property and clean it up, but cannot afford to do all of that and pay the fine, so the Board lowers it. He stated in this case, there is someone from South

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Florida that came in, bought it on a Tax Deed Sale, and now are in the process to sell and are hoping the County will just write-off the debt owed. He stated he does not want the reputation of just waiving these liens as if they do not have any value.

Commissioner Nelson stated Commissioner Anderson is correct to the extent that the Board tries to award the people who do the right thing and try to clean up the property, but this case does not fit that perimeter.

The Board denied the request for the reduction of fine and Code Enforcement Lien for Inspirational Properties, LLC and Bay Living, Inc., for the violation at 537 Longan Drive, Barefoot Bay.

RESULT:	ADOPTED [4 TO 1]
MOVER:	Robin Fisher, Commissioner District 1
SECONDER:	Trudie Infantini, Commissioner District 3
AYES:	Robin Fisher, Chuck Nelson, Trudie Infantini, Mary Bolin Lewis
NAYS:	Andy Anderson

ITEM VII.C.2., RESOLUTION FOR LOCAL BUSINESS PREFERENCE IN PURCHASING POLICY

Howard Tipton, County Manager, stated this item is a bit complicated; as the Board knows, with the recently approved Utilities Capital Workplan, staff has a large number of projects that are going to require what is considered, professional services, which are architects and engineers in particular. He went on to say the current purchasing policy, in terms of local preference, staff wanted some direction from the Board on it.

Leslie Rothering, Purchasing Services Director, stated she is going to review some of the changes that were approved by the Board in 2012; the continuation of the Resolution for Local Preference in the Purchasing Policy, the changes included the Request for Qualifications process, in the later, or second stage, which is the oral presentation stage of the process. She added the Resolution provides for a five-point preference to Brevard businesses, and a one and one-half point preference to Florida based businesses; due to the complex, large-scale, capital projects, such as the Utilities Projects that is coming up for the South Central Regional Wastewater Plant, and others, Purchasing Services is requesting consideration for the preference changes that were adopted back on October 9, 2012; and to have the Board reconsider or reevaluate those changes. She added of those changes, focusing on the bids, request for proposals, and the request for qualifications, those three different bid methods; and in the bid scenario, the current Resolution provides local bidders to match the lowest bid of a non-local bidder if they are within five percent. She noted in the proposal process, the Resolution provides procedures for applying preference as a criteria weight; in both step one and step two, these preference points are identified on the score or evaluation sheet for the Selection Committee. She went on to state in the request for qualifications (RFQ) process, the step one of the evaluations for all firms, the points are part of the personnel, or the location of the key personnel and considered as a scoring criteria; and in step two of the evaluations, points are applied by purchasing at the final ranking. She added the RFQ's are utilized in the selection of professional services for consultants; in the step one scoring, the committee is provided a score sheet where criteria and points are assigned; the written evaluations are evaluated based on the response. She stated the local preference, according to the Resolution, the points are in the respondents personnel, which include the key assigned personnel residents location, which is typically seen around 10 to 15 points on the evaluation score sheet.

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She noted there is no other preference applied, Purchasing does not apply anything additional; in step two of the scoring, and where the concern is, for example, there is Vendor "A" who is in State, Vendor "B" in State, Florida, one and one half point, or Vendor "C" who is a Brevard agency or business that receives five points. She went on to say the Brevard agency or firm, has been rated a three by the committee, by applying the preference as it states in the current Resolution, the Brevard business now moves the ranking of one, whether or not they were selected as the most highly qualified or not; applying the local preference points at the total ranking step, overwhelms the intent of the Florida Statute for CCNA, in Purchasing Department opinion, and Brevard County Policy, BCC-26 for the acquisition of consultants and the ranking does not give vendors a fair opportunity to get to the highest qualified position. She added the procedural concerns are the point preference in the second step in the evaluation. She added the options for the Board are as follows; Option one is to apply local preference to the consolidated ranking; Option Two is to apply Local Preference in step one in the evaluation criteria for respondents personnel; Option Three, apply Local Preference in step one and step two in the event of a tie ranking only; establish a cap for projects exceeding \$1 million for professional services for the total project cost, not just design, the total project cost, in accordance with Options one, two, or three as selected; or to eliminate Local Preference all together. She went on to say she will go through the options to show how those will apply; Option one is applying Local Preference to the consolidated ranking; the preference is applied to the final ranking, firms are selected in order of rank; and if it is applied to the consolidated ranking, then the deduction made or adjusted rank, that is more in line with points, and that would be to apply the Local Preference to the consolidated ranking. She added the second option would be to apply Local Preference in step one, only in the written evaluation, which would be through the respondents personnel, including the key assigned personnel residence location; and that would be the only preference applied, not in the oral presentation ranking phase. She went on to say Option three is applying Local Preference as part of the respondents personnel; and applying Local Preference in the identical tie ranking at step two, that combines Option Two and then includes an identical tie ranking. She stated Option Four shows currently three is no cap in the RFQ process on projects, but there is a cap on the bids and RFP's of \$1 million. She pointed out Option Five is to eliminate the Local Preference policy all together; and Option Six, which is not listed, is to leave it as is.

Brian Stahl stated he has a local business in Brevard County, they do engineering, they are very interested in the continuing opportunity in working with Brevard County; he appreciates the work they have been allowed to perform thus far; and the Local Business Preference is important for his firm. He went on to say he would like it if the Board would give a strong thought to keeping it strong for Brevard's businesses.

Michael Hartman stated he is a real estate developer; he develops all over the Country; he has witnessed the good and bad of local preferences; and he would like to think that money can be kept in this County, but also, he does not think the Board should sacrifice judgment, or taxpayers money in favor of a local company over a non-local company; and if that local company is within five percent of an outside company's bid, and the local company is determined to be qualified to do the work, then he would agree to give them a chance to meet the bid. He went on to say he does not think the Board should spend more taxpayer dollars than what is necessary on any one project; and if the local company cannot meet the price that another qualified bidder can meet, he believes the Board should go with the outside qualified company.

Mr. Tipton stated he appreciates the comments about bidders, the Board is not talking about that, this is about qualifications related to professional services, where the cost of the work is not one of the considerations, it is looking at the qualifications of the firm and the way the approach the project. He went on to say the cost piece needs to be set aside; under the current set up, the way the scoring is applied for professional services, a firm outside of the County

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would have virtually no chance of being selected. He added there is a concern on a part of staff that is right for a legal challenge; and that there be programs, specifically the expansion of the Viera Wastewater Treatment Plant that is up against a time constraint and cannot allow for any delays. He advised that is the purpose of bringing this before the Board today; there have been several discussions on Local Preference and the Commissioners desires; and staff has been following through on those, but thought it should be brought back for Board discussion and direction.

Commissioner Fisher stated when Local Preference came up, it was designed to be able to get County work. He advised when looking at the scoring, there is not a question about if the firm is qualified or not because they qualified through either the quality control, design controls, engineering experience, and references. He noted in step two, it is like a dog and pony show, and whomever has the best dog and pony show might actually score higher and get the work. He noted if the Local Preference gives a Brevard firm an advantage, he is okay with that; and he believes the bigger firms that would like to do business in Brevard County may have a better dog and pony show, but the Local Preference knocks them out, he believes there is always an option for them to team up with a Brevard based company. He went on to say this would help some of the smaller firms in Brevard County as well to gain expertise of the other firms, but there needs to be the chance to learn; and if nothing else, it will force these other firms to team with Brevard County, versus trying to bid a firm from out of County.

Commissioner Nelson stated there were some initial concerns with Local Preference, but he believes it is necessary with coming out of a bad economy; and he believes the Board needs to support local businesses. He added in looking back when this was first discussed, somehow the Board may have not followed what it thought it was doing, because when looking over the outline of scoring in Option Two that is how he thought it was supposed to be, but that is not what the Board is actually doing. He went on to say the consolidated ranking score is taking all of the scores, adding them up and then giving the preference which gives the final number, which then becomes the ranking; and that is what he believes the Board should have been doing. He noted he believes five points is a bit excessive in terms of preference; and thinks a three point difference makes it more competitive, and gives Brevard a bit of an advantage without being excessive; and would be interested in seeing a change in scoring.

Commissioner Anderson stated he concurs that it is not only about supporting the local businesses, which the Board has done as well as the Chamber of Commerce, and Economic Development Commission (EDC), but beyond that, those businesses pay the salaries of the Board, not an Orlando business. He added first and foremost, he wants to take care of the local firms; and inquired for the sake of argument if RFQ's were eliminated, would Brevard still get penalized by other Counties because there are bids and RFP's still under Local Preference.

Ms. Rothering responded if the Board does not have a preference in the RFQ process, the other counties will not penalize Brevard County's vendors; it is only if it is in the Board's process for that solicitation or method. She added if there is a preference in the Board's bid, then they would penalize for bids. Commissioner Anderson further inquired if they separate them out. Ms. Rothering replied it is whatever preference the Board applies, the other county penalizes. Commissioner Anderson stated he is not in favor of changing anything at this point, and is still a little miffed over Volusia County, and he has spoken to the commissioners there that the penalty he does not like.

Commissioner Infantini stated because Brevard County is such a long County, and half of it faces the ocean and the other half in mainland, there is so much bordering other counties, there are more businesses that are going to lose the opportunity to do business in other Counties than the benefit for the businesses in this County by having the Local Preference. She added at a minimum she agrees with Commissioner Nelson that the Board should reduce the number of

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points it gives, because it is such a disproportionate advantage that she is not sure why any other location would ever compete; and she believes in the Agreement should at least be reduced to three points to keep equity.

Commissioner Anderson stated the way the statutes are under the RFQ process, price cannot be looked at. Commissioner Infantini stated the Board can in the other process. Commissioner Anderson stated yes, under the RFP process and bids, but this does not pertain to that. Commissioner Fisher stated this is not a cost issue, so taxpayers are not paying more if the Board chose a local firm over another firm. Commissioner Infantini stated the Board is choosing one over the other.

Mr. Tipton stated the discussion is around the ability for staff and the Board to pick the best qualified firm and rank them; the application in the second phase as it stands now makes it impossible for any other than a local firm to win a bid on architectural engineering, professional services type work. Commissioner Fisher stated the only thing he disagrees with is any firm that is in the top three is qualified, they get there from qualification, when getting to the second step, staff determines who made a better presentation, and then that is where another ranking comes out of that part; during the presentation more qualifications and experience come out, but if that firm has higher qualification than the local firm, he believes those two firms need to team up to make the package stronger.

Commissioner Infantini stated protectionism hurts everybody, when the United States does it, when the State does it, and when the County does it. She stated she does not think it is in the best interest of the public, but for the Board to make a vote.

Commissioner Nelson stated he is not bashful about protecting local jobs, and feels that is important, but does not want it to be excessive. Mr. Tipton stated this is for the RFQ only.

Chairman Bolin Lewis stated she had this brought forward because she was concerned about the process; she wanted to make sure that the Board had good, quality work done locally; and she is partial to local preference. She inquired if the Board went with the three points instead of five, her concern was that, mathematically, a business would not be able to succeed if they were not a local business. Ms. Rothering stated if it was changed to three points, a non-local company would have the ability to compete for the number one spot. Commissioner Nelson stated it also helps to subtract that from the consolidated ranking.

Chairman Bolin Lewis stated she is more leery of challengers than other members of the Board; she has been around the block on the Commission, and is just a little skeptical. Commissioner Fisher stated he would second the motion if Commissioner Nelson would change it to three and one half points; he would like to give Brevard County businesses a clear advantage. Commissioner Nelson accepted. Commissioner Anderson stated the Board will still be cognizant no matter where the Board stands, the same penalty would be in place in other counties. Commissioner Fisher stated they can get work, but probably do not have to go to other counties.

Commissioner Nelson stated in his experience it is the larger firms from other counties that come to it; the Board gets a lot of its own companies that are smaller in size, and he does not feel guilty about it.

The Board adjusted the scoring process for Local Preference to three and one-half points for local businesses and one and one-half point for Florida businesses at consolidated ranking for the Request for Qualifications (RFQ) for consulting services.

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Commissioner Fisher stated on the investment policy that the Board approved, he would like to put on the record, when he was going with an investment team, he noticed that they were sitting with about \$27 million in corporate notes, which was only about 7.8 percent of the 15 percent allocation; and he would like it to move to 15 percent, that is about \$270,000 more with no additional risks; and it is within the County's investment policy.

Commissioner Anderson stated he had the same discussion and concurs with Commissioner Fisher.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Chuck Nelson, Commissioner District 2
SECONDER:	Robin Fisher, Commissioner District 1
AYES:	Fisher, Nelson, Infantini, Bolin Lewis, Anderson

ITEM VII.C.3., RESOLUTION AND LEASE AGREEMENT WITH BREVARD COUNTY SHERIFF FOR THE BARBARA PILL FACILITY, RE: PROPERTY LOCATED AT 2290 COLUMBIA BOULEVARD, TITUSVILLE

Commissioner Infantini stated she found when Sheriff Parker had brought up funding for this building, he stated there was roughly \$1 million in Federal Forfeiture Funds; and when she checked the balance sheet for Sheriff Ivey, he was correct, it is just under \$1 million. She added when she was doing the amortization table, the Board would be able to lease it for 17 years rather than 20 years if the Sheriff were to use the \$1 million that is budgeted from the Forfeiture Funds, and it would enable the Board to get money up front when financing things in the future rather than waiting 20 years to receive the repayment. She inquired if there were any other members of the Board that felt the same way.

Commissioner Anderson stated he would like to have the Sheriff here for that discussion; and the Board can always adjust. Commissioner Infantini stated it looks as though there is a double payment this year, as one payment was missed. She added in looking at the amortization table provided, the \$465,000 that is being made this year, is last year's payment; she is suggesting them to pay forward rather than catching up payments in arrears; there is \$10 million in cash, which is up \$1million up from what they had when this was originally set up; and now that they are \$1 million ahead, it would reduce the payoff time by three years by paying that \$1 million towards the financed amount.

Commissioner Nelson stated he believes taking down reserves also has its downside; additionally, Sheriff Ivey is in his first year, he has made some changes, and he believes the Board can take a look at any year to make those adjustments if they were necessary, but at this time they are comfortable with how that works.

The Board adopted Resolution No. 14-016, and executed Lease Agreement with Brevard County Sheriff for the Barbara Pill Facility, located at 2290 Columbia Boulevard, Titusville.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Robin Fisher, Commissioner District 1
SECONDER:	Andy Anderson, Chairman/Commissioner District 5
AYES:	Fisher, Nelson, Infantini, Bolin Lewis, Anderson

ITEM VII.E.1., DISCUSSION, RE: ANIMAL SERVICES ITEMS/PUBLIC COMMENTS

Karla Torpy stated the biggest and latest excitement was the mega adoption over the weekend; there were 278 animals adopted on Saturday and Sunday from the shrine center in Melbourne; there were five groups that participated; and from Animal Services, there were 23 cats and 43 dogs adopted. She added there were a lot of animals that were transferred, mostly to the SPCA prior to the event, that were also appearing as their animals at the adoption event, also the cat adoption store in the Melbourne Square Mall, as of the day prior to the meeting, 230 cats have been adopted from that store since it opened on November 29, 2013. She advised there have been 199 felines pulled from County shelters since that date as well; there are other initiatives, like the flea market program with Debbie Rich, and another bunch of volunteers that is going well; there were no cats the first weekend, but at the second weekend, they had some cats available from the shelters; and they are actively promoting not only the adoption event, but the shelter; are handing out brochures for Animal Services, talking to people, and sending people to the shelter. She noted there are a lot of people that go into the flea market; and there are some things that staff is doing to enhance the signage; and will be looking at that in the future. She added the Request for Information for shelter privatization will be out at the end of the week; January 31, 2014, is the last day for that, and hopefully there will be some information from Purchasing Department the following week. She noted there are other initiatives going on, staff has met with the Sheriff's office, there have been inmates already out at the shelter doing clean-up; it is very exciting because a lot of things are getting done outside the shelters as well as inside; Brevard ASAP, a nonprofit organization that raises funds to do things for shelter animals has completed a dog isolation room at the south shelter. She went on to say it is a project they have been working on for about a year and one half to raise funds for it; she understands there have been other people in the community that have also had that idea for years; and it will be used for injured or sick dogs so they do not have to be in the general population. She stated she is waiting for the purchase order to order a new truck; enforcement officers are excited about getting the new vehicle; and they are hoping they will be the one to drive it when it gets here. She stated World Spay Day is coming up, it happens all over the world, everybody commits and counts the number of spay or neuter that they are willing to do in the facilities they have; Brevard has committed to 50 feline spay/neuter procedures that day; there will be not only the Animal Services veterinarian, but also another veterinarian assisting, as well as volunteers and staff; and will be happening February 26, 2014, at the south shelter. She added there is a lot of other information attached to the item this week, and if there are any questions, she would be happy to answer.

Debbie Rich thanked Ms. Torpy for the shout out about the flea market; she added she payed for the booth; Renninger's is donating a booth of equal value, which is \$560; and thanked staff for the report she received. She noted the challenges in Venetta Valdengo's report states while no-kill will always be the County's goal, being an open admission shelter makes this extremely challenging to accomplish; no kill means save at least 90 percent of animals entering a facility; it is already happening across the country at open admission shelters; as of August 2013, there were 163 open admission, no kill communities with save rates of 90 percent; and some have save rates as high as 99 percent. She went on to say those 163 communities represent approximately 500 cities and towns; in February of 2009, the Board moved for Brevard County to move toward no-kill; she requested the Board focus on continuing this trend by learning from those who have already become no-kill and open admission at the same time. She suggested that with the implementation of the Hill's Food, Shelter, and Love Program, that any donated food be made available to the Space Coast Kibble Kitchen, and also provided on the Animal Control Officers trucks to be hand delivered to the community for those who may not have transportation and have the need. She advised Florida does not have a no-kill community yet, and that it would be great if the Board could make Brevard County the first in Florida to be no-kill. She added that for the new truck, there should be a competition between the Animal Control Officers, the one with the most return to owners gets to drive the truck for one month;

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and keep the competition going instead of the rumor of Animal Control Officers seeing how many of them can bring in the higher number of pets to the shelter.

Commissioner Infantini inquired where Ms. Rich gets her ideas, and that the competition was a great idea. Ms. Rich responded that she talks to people in the community.

Peter Fusscas stated Indian River County has privatized their shelter operations while retaining their enforcement services; he spoke to the executive director there at the Humane Society in Vero Beach; it is an open admission animal shelter, non profit 501(c)3; it has an annual budget of \$2.9 million; and its intake is about 6,000 animals, but only 15 percent, or \$450,000 a year is contributed by Indian River County. He went on to say the other \$2,450,000, is raised by thrift shops, retail stores, donation, contributions, and grants; there are 450 active volunteers; and is a 100 percent no-kill facility. He added they never euthanize an adoptable animal; all animals receive medical care, are vaccinated, sterilized, socialized, and micro chipped; Indian River County has a leash law for dogs and cats, therefore they also have an Ordinance where they unfortunately, kill all of the feral cats that are too wild to be adoptable; their hours of operation are reasonable; and the rate of animals euthanized, excluding feral cats, was only 480 animals. He stated they had a 92 percent adoption rate, when feral cats were included in the number euthanized, which according to the Ordinance are contracted to do so, euthanized 2,100 feral cats. He went on to say the total intake is about 6,000 animals, and has been reduced in the last two years by 2,000, because of other special programs that they use. He added in their annual operating budget is the cost of the two retail stores, plus management of those businesses; everything is run by volunteers, except for intake and medical services; and last weekend he was told there was a volunteer appreciation dinner and 180 volunteers participated. He stated he wrote a letter to *Florida TODAY* named A Sanctuary is a Good Idea; and read aloud the letter he wrote; in summary, he would like to find land in Brevard County to make a sanctuary for abandoned and abused animals that is no-kill. Commissioner Fisher inquired if he spoke to Ms. Johnson or if he was in his meeting yesterday. He went on to say he was in a meeting with Ms. Johnson about asking staff to look into finding some County land that could be operated with a 99 year lease, or something simple to help with the solving the sanctuary issue.

Scott Ellis stated the lady from Barefoot Bay is a perfect example of what he is talking about, no one on this Board listened to what she said, not one person asked the proper question about the Tax Deed sale and a surplus, and there was a lien in the property, the lien should have been filed on that surplus to get the County money. He added that was what she was discussing and not one person listened to what she said; and that is what he feels like when coming up to speak, but he will go on. He stated one of the topics in the report talks about bully breed, that is an excuse, multiple dogs are mislabeled in the shelters; most of them are not pit mixes, they are boxer mixes, sometimes hounds, and he has seen numerous dogs that are mislabeled; and he suggested if the breed is unknown to mark it unknown. He went on to say it is not required by law, all that needs to be done is a photograph, the weight, and the breed can be left out; as successful as the adopt-a-thon was, many dogs that were adopted were the bully breeds, and evidently the issue has more to do with getting out before the public. He added the adopt-a-thon was successful for all agencies because County rules were not enforced at County rates; therefore, there were no extensive background checks on everyone, they did not have to pay \$80 to get a cat, it was \$25 and that was how they were moved out. He stated he has argued for years about relaxing the rules in Brevard County to get the animals moved out; and to quit trying to hoard them up to kill them. He noted because the County was not really prepared for the adopt-a-thon, there were numerous animals that were put down the week before; had the foster network properly been put in place, the County would not have had excess animals in the shelter prior to the adopt-a-thon. He went on to say the adopt-a-thon on Sunday ran out of dogs, however there were dogs at the shelter that could not be moved because they had not been spayed or neutered prior to the adopt-a-thon; this is an issue that has been going on for years, once the stray hold is over, all animals should be spayed or neutered, so there are

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animals in North Animal Care Center (NACC) and South Animal Care Center (SACC) that have not been spayed or neutered and cannot be transported to the adopt-a-thon. He added the heartworm positive dogs could have also been done; and he goes back to this because the Board needs to take a look at the retail operation, there is quarantine space used at SACC, SACC has the foot traffic, and it is pointless to have quarantined dogs wasting valuable retain space at SACC, they should be moved to NACC, and the dogs with no health issues should be moved to SACC. He stated he cannot go over how many recommendations he has given, he is glad to see some are in the report, such as a segregated account for contributions, which is great and how it should have always been; he does not know if there is a capital improvement plan in place, but at least it is being thought of; and they should allow volunteers to do data entry.

Pam La Salle stated her and her husband are grateful for the recent adoptions, no one wants to hear about problems, much less resolve conflicts, however, she would not be here today if there were no problems at the animal shelter. She stated the problems are with managers, not low level employees, which would be the ones severed if moved to privatization; since she has been defined by County Management as, quote "one who is not herself a volunteer". She added she and her husband visit SACC five to six days a week, her husband is there now, they have had dozens of shelter dogs stay in their home, she was an examiner for the Federal Government applying laws and regulations; she has researched shelter and animal issues extensively; and she has met and talked with many participants in the local animal community. She went on to say many of the regular dog walkers have professional backgrounds, similar to her and her husband; she speaks only for them, they are involved because they saw the dogs had a physical need that was not being met by shelter staff; she is still of the opinion that this County already has the resources in place to meet the need of displaced animals if they are utilized. She stated this issue needs attention because County Managers continue to fail on her duties to the animals, County employees, and volunteers; change has not come easily to BASE, yet many people would like to have the chance to do more for the animals; she feels it is premature to outsource shelter operations and it is disloyal to the few employees and volunteers that have worked diligently saving lives while waiting for support from County officials and managers. She added there is a long history of shelter crises every few years in Brevard County, whether it was operated by the County, the Humane Society, or the SPCA; if the systemic issues were addressed, this could be changed and documented without yielding control of the shelter to a contractor; and for this reason she requests a workshop to discuss shelter issues. She went on to say it would be productive and helpful to limit discussion to the shelter concerns and not entertain animal rights issues; the members of the Board are elected officials and the citizens of Brevard are not its subjects; an intractable attitude is a disservice to constituents, displaced animals, and ultimately themselves. She noted anyone who does not put the needs of the animals first, could abstain from participating in a workshop; the remainder could work to save more lives; some of the concerns to address are improving and increasing volunteer coordination, developing a genuine foster network, planning a regular event schedule, creating and promoting advertising, improving ordinances, developing relationships with small rescue organizations, and finding ways to improve the health of the animals, such as contracting veterinarian care with multiple veterinarians. She stated the advocates that physically work in the shelter, or directly with shelter animals are realistic and practical in their expectations and aspirations; there needs to be more transparency and accountability in the shelters, it has been a Herculean effort to achieve the smallest of changes in the shelter. She added continued or increased dysfunction or non performance in the shelters could force Brevard residents to embrace organizations, such as PETA to find assistance in achieving humane treatment for the animals. She went on to say there are employees and volunteers who can and want to do more to save lives, many of them went to the former Animal Advisory Board (AAB) meetings requesting help and making suggestions; it is her observation that many of the AAB members, not all, had little interest in the shelter conditions; from published reports, it is her understanding that the AAB was created to prevent shelter problems from escalating; she suggests the

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problem was the choice of Board members and limited authority. She added it appears there is no review from the County Manager for the shelters; the shelters need oversight and privatizing will not change that need; humane treatment of the animals will still ultimately be the responsibility of the Board; and as the Board is the only recourse a constituent can pursue, considering how long an unqualified director has been given to find excuses for lack of performance, she expects a contractor would be given months to simply respond to inquiries, there could be lives lost on procedures alone; and asked the board to schedule a workshop to find a way to help those that have been asking for the Boards support. She stated with the no-kill issue, there are many animals that can be made to be aggressive, so those behavioral issues could come at any second, the other issue, there are not armies of volunteers, and her husband is at SACC today, because he does not want an 84 year old man being the only other dog walker.

Michele Mares stated the mega adoption was great, but here were also many animals left at the shelter, especially heartworm positive animals, she is not sure why they could not have come to the event, especially when they ran out of dogs. She went on to say she volunteers elsewhere, and on Saturday she stopped by, it was very well organized and it was a wonderful thing to see that these animals that may not get adopted were getting the chance. She added it was her understanding that she does mostly emailing, that she does not make an effort to communicate; and stated that is not true. She advised she has sent the Commissioners as well as Ms. Torpy and several others concerning issues at the shelter; they are dated on the original times that she has spoke with individuals at the shelter. She added the first was on April 2, 2012, with Cathy Beatson, she had spoke with her many times in the past; and then she got together with her in person; and little to no results. She requested signage for NACC because animals are getting sick there; she spoke with two other individuals on October 23, 2012, at length about many of the issues at the shelters with nothing changing. She stated she has tried to communicate with these people, she does not just send emails accusing, she tries to work with them and give suggestions; and it is difficult. She went on to say to this day Ms. Torpy has not replied to any of the emails she has sent, as well as the Commissioners; and she would like to thanked the Commissioners that have replied back to her emails, who have personally met with her, thank them for their concern, and for generally being concerned for the animals and taking it seriously. She added she does not like having to spend her time driving to the meeting, sitting to wait to speak for her five minutes, and then going all the way home; it is an interruption to her too; but she feels this is necessary. She advised she will continue, as well as the others that are here today, to come to the meetings until there are resolutions to the issues; and she hopes that will be very soon; and she noted it is excellent what Commissioner Fisher suggested about the animal sanctuary. She stated she has, since January, been going to NACC, it is a very small shelter with very little foot traffic; there are no regular dog walkers; so she and one other lady walker go twice a week to walk dogs. She advised she has offered numerous times, and continue to offer to bring back an animal each time she goes to bring to SACC so it will have some visibility and get adopted. She added they tell her no; Curt that works up there is doing an awesome job; they do not seem to be working with him too well, and that is unfortunate; he continuously makes rounds to make sure the kennels are kept clean; and in doing so, the animals are cleaner. She noted she has addressed doing hourly checks multiple times with Ms. Torpy, and she does not know the reason it is not being done; hopefully it will be done in the future; and from the last time she was going to NACC, the staff is friendly, they talk to the volunteers, thank them, and sincerely appreciate the volunteers being there to help the animals. She went on to say there were a couple little ones that needed baths, so she and the other volunteers bathed the dogs; they looked like new dogs afterwards; and Curt is doing a great job.

Katherine McCoy stated the adoption event adopted out 170 animals, there has been the ongoing success of the cat adoption center at the mall, and the flea market; all volunteer initiatives, all ideas put forth by humane charities, and have come to fruition, and it seems this is the year of the volunteer. She added where there is the will and the skill, miracles can happen;

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the animals are going out and becoming part of a family, people are lining up down the street to get in to adopt. She went on to say if Animal Services would do a little bit of advertising, half of a page, one day in Florida Today, if the County does that, people will come out. She noted she is proud that this immense change has happened in such a short time; adoption is only one part of the two steps to deal with the pet overpopulation problem in the County; the other part is the low cost spay/neuter; and it need to be done on a scale that will make a difference. She advised she had 1,000 animals spayed and neutered in 2013, and would like to do a program in February 2014, where there are 500 spay/neuters in one month; it is almost there; there are six partners, along with PURRS, Brevard County Animal Services and Enforcement, SPCA, Central Brevard, Space Coast Feline Network, Animal Guardians of Brevard, and a private veterinary clinic; and there are 370 of the 500 animals pledged. She noted there are 130 to go, but will get there; and that will make an enormous difference; the computation she came up with is, if each of the 500 surgeries only prevents one little of four, that is 2,000 animals that will not be flooding the streets and shelters next year. She stated the folks that have done this in similar demographics and size of this County have come up with formulas; and the formulas tell them that more needs to be done; 500 is great, but it is the tip of the iceberg. She went on to say 5,000 at a minimum needs to be done a year; all that they need is the will and the skill for it to happen; there is a veterinarian in this County who would like to do 5,000 animals a year, Dr. Constance Mingerling, of Brevard Spay/Neuter Clinic in Malabar; she has helped out when there was a crunch because of Dr. Asher's broken wrist; if the animals could be brought to her, and the County had the funding, they would be done. She stated she applauds adoptions and sanctuaries, but the root of the problem is spay/neuter; a few years ago the County received a grant for 1,000 animals, and that made a huge difference; that can be done and needs to be done every year; and the funds are all that is lacking. She stated she believes this County can do 5,000 spay/neuters in a year and be no kill in three years.

Nancy Allen stated she is proud to have been a part of the mega adoption event; she works with many other organizations; open admission shelters can be no kill shelters; dogs needs to be put in foster home prior to an adoption event so they do not run out of dogs again; and there are now 234 no kill communities in this Country. She added the no kill communities have all had open admission shelters; it will just take partnering up with other organizations as well as the community; and feels Brevard County is on the right track. She stated she is concerned about the Request for Information (RFI); she is going to email the Board and Animal Services staff with the names of the 234 no-kill communities; she is disturbed about the Vero Beach Humane Society as being a front runner in this; their attitude toward feral cats is expensive, unpractical, and unethical; and she would not want an organization like that to be involved with Brevard County. She added she noticed some nice changes in personnel; and she would like to add that if the Rescue Coordinator could have the same status and pay as the Volunteer Coordinator, a lot more animals could get out. She noted the Rescue Coordinator sends out pleas to rescue groups, individual pleas for special needs dogs and cats, and is very instrumental in trying to get animals reunited with their owners.

Lynn Miraglia stated fostering is a great program, but fostering animals are not an outcome that is part of the industry standard live release rate. She added fostered animals are still part of the County's inventory; the County is still the guardian; the fostered animals have a final outcome or disposition; and that is when they would be reflected in the live release rate chart. She went on to say in the summary section of the report, it looked as though the State had a three day hold and consideration for Brevard; the ordinances needs to be adjusted to accommodate the community's needs; and she urges the Board to leave the stray hold to five days. She added leaving that at four and five days as a time for an owner to reclaim is a pet is a cost effective way to contribute to the live release rate. She noted last year, she was thinking of proposing a three day hold for cats, because there were not as many returned, so she requested the data for the cats from February and March for return to owners. She advised when looking through the data, of all the cats that were returned in those two months, 56 percent were returned in the first

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three days; days four and five, another 26 percent were returned; that made her decide not to go about suggesting the three days hold. She went on to say she hosts brevardlostpets.com, and speaks with people whom have lost and found pets every day; in this community, for whatever reason, many people are confused about the County facility, humane society, and SPCA; the terms seem to be interacted and people do not always know there is a County facility that is separate from all the others. She noted these people will say they called the SPCA, or humane society, but not the County shelters; there is also the opportunity for people to put in an adoption application on an animal that is still on stray hold. She stated a lot of people also tell her they have gone on a three-day weekend, and if their pets are gone, they may never see it again; a pet too many people is a very important family member.

Susan Howard stated she would like to thank the Board; the last time she was here, she had requested cats at the flea market, and they now have cats at the flea market. She noted there were older cats that tend to not be adopted, generated a lot of excitement at the flea market; people that had no intention of adopting a cat would come around; they were able to get the word out about the shelter across the street, most people had no idea there was a shelter across the street; and they will work a little more with signage. She went on to say it was a very positive, exciting time; they managed to adopt one black cat out; there was more follow up; her and her husband brought cats home that night; and saw two families that had just left the flea market, and added one was in the process of adopting a kitten. She added she was at the mega adoption event, and one lady came in and asked if anyone was at the flea market and inquired about a cat named Mercedes; the lady was there specifically to adopt a cat she saw at the flea market; she had to tell her that Mercedes had been adopted; this was a five-year old black cat, that normally would not get adopted out; and she is just saying that these are all good things. She advised she wanted to let the Board know that Katherine and Donald Johnson would be a great couple to work on a land trust with; she believes that is a great project; appreciates the Board considering that; and it would tie in nicely and give a lot of animals a chance to have more time to develop, to heal, to socialize. She stated she took a dog class that was provided very quickly by Animal Services; appreciates that; got to handle some dogs and work with them; and is looking forward to more classes as she has an application in for further training. She noted she would like to put her support behind Katherine McCoy; her effort with feral cats is outstanding; feral cats get overlooked because they are not fluffy or petable; and she likes her solution. She went on to say instead of taking the feral cats in and slaughtering them, this gets them vaccinated and spayed or neutered, and this is all done with groups that are willing to do so; then they will not reproduce. She noted it is much more humane to do it that way to do things.

John LaSalle stated he just left the shelter; he has never seen it so empty or clean; the mega event wiped it out; and there are 16 dogs, where there are normally 40 or 50. He added there was two dogs that returned from the adoption event; that is awesome if it stays that low; he would like to see the more micro events; and thinks they are more successful. He went on to say there were people lined up at 10:00 am, and it was like gang busters getting the dogs and cats out, but if there were micro events, local places, in front of the shelter, or flea market, it could be done all year long. He added it could be one or two mega events are awesome, but in between the animals just build up in the shelter; it causes space to fill up; then animals have to be put down. He advised the Sheriff has had inmates there cleaning everything up; and he thanks Sheriff Ivey for that help. He stated the feral cats get vaccinated, have their ears clipped, but wonders what happens in the next year when their rabies vaccine is due. He stated the shelter has a big group of feral cats; some of them are mean and nasty; and inquired what would happen if one had rabies. He went on to say there are about five or six volunteers that walk dogs consistently; there needs to be more volunteers; they need to be taken through a course; and made to feel welcome. He stated he believes things have gotten incrementally better; and inquired once the privatization happens who they would talk to for change.

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Commissioner Infantini stated she cannot thank the speakers enough for coming back meeting after meeting regardless of when they are allowed to speak. She added they share a lot of information and it is because of them that all of these changes have taken place.

Commissioner Nelson stated he also would like to thank the volunteers; he feels things have been more productive; he enjoys this kind of conversation; and he will be talking to Ms. Torpy about some things. He added it is just a better way to go; staff can be mad at each other, or they can figure out where to agree; and appreciates that no one had to be arrested today.

The Board discussed adoptions at the Flea Market, a Request for Information (RFI) for shelter privatization, and Animal Services Initiatives, such as, mega adoption results, SPCA partnership, Hills Shelter feeding program, Brevard County Sheriff's Office Inmate Labor Program, World Spay Day, capital purchase of a new Animal Enforcement vehicle, and the Isolation Room completion.

ITEM VII.F.3., AUTHORIZATION, RE: FILE INJUNCTION FOR A PUBLIC NUISANCE AT 432 CORAL LANE, COCOA

Commissioner Fisher stated the homeowners around this property are living in disarray; there is a rather large Sheriff's call report for the past six months to one year; the people who own the property have passed; and it has been taken over by homeless individuals. He added he would like to declare it a nuisance property, Code Enforcement has been out there; and he inquired if an injunction for public nuisance could be filed.

Scott Knox, County Attorney, stated rather than go through Code Enforcement, the Board can authorize the undertaking of a public nuisance lawsuit, because this particular use is based upon pictures and what the neighbors have said, this constitutes as an annoyance to the community; and those are the grounds for seeking a public nuisance lawsuit. He added this has been done before in District 1 back when Commissioner Scarborough was on the Board; and it involved something similar to this.

The Board authorized the filing of an injunction for a public nuisance at 432 Coral Lane, Cocoa 32927; and authorized the Building Department, in cooperation with and on request of the County Attorney's Office, to initiate the Unsafe Buildings process for any buildings to the extent the unsafe buildings provisions in the Building Code might apply.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Robin Fisher, Commissioner District 1
SECONDER:	Chuck Nelson, Commissioner District 2
AYES:	Fisher, Nelson, Infantini, Bolin Lewis, Anderson

ITEM II.B.1., REQUEST BY SCOTT KNOX, COUNTY ATTORNEY, RE: RESOLUTION AUTHORIZING JOHN DENNINGHOFF, PUBLIC WORKS DIRECTOR, TO ACT ON BEHALF OF THE BOARD

*Commissioner Fisher's absence was noted at this time.

Scott Knox, County Attorney, stated this is a resolution to authorize John Denninghoff, Public Works Director, to act on the County's behalf as expert witness and engineer for the purposes of binding the County in the St. Johns Heritage Parkway condemnation cases. He advised this is something the County does every time there is an Eminent Domain case, because it allows

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the engineer to adjust things if need be; opposing council figures out there is a little problem with a plant or something, and he can bind the County to say it would fix that problem.

Commissioner Nelson stated it is standard practice.

Commissioner Infantini stated the Board is being asked to approve a resolution and it involves the St. Johns Heritage Parkway; and she inquired how this is different from any other road, and why the Board does not grant Mr. Denninghoff this access for any and all eminent domain actions; and further inquired why this specific road is being singled out. She added it is either relevant for him to do it for every eminent domain action on any road, or it is not. John Denninghoff, Public Works Director responded in the development of a new roadway, as opposed to the widening of an existing roadway, there are opportunities to maintain a higher level of access management that allows for the capacity of the road to be preserved. He went on to say there are desires of an adjacent property owners oftentimes to negotiate an access point, which if it is done properly, will also manage to keep the access under control so that capacity is preserved. He added what happens in this particular case, is if he can negotiate that settlement or that agreement and it is an acceptable location, then it could be refined to the point where they can get the desired access now, preserve the rest of the access to be limited, so it stays under control, and the investment would be preserved, like the cost of the facility, to provide that capacity. He stated it is a way of balancing access and capacity needs that every road has; and maintaining it at a high level of capacity, which is what the original purpose of the road was.

Commissioner Infantini inquired if this would bind the County in the future toward grandfathering those landowners the access points, because she worries that once people have gained access points, then in they will say they have always had access, and are entitled to keep it; and would not like the action today to bind into specific access points along the St. Johns Heritage Parkway. Mr. Denninghoff responded it would serve to do that, the Board would agree with the property owners and their successors in future ownership that the access point would stay at that location. He advised it would be done in a way that meets all of the County's access management standards, and from a technical perspective, the County would not have any reasonable way to deny that access, but what it does is it solidifies it into a certain one, and not coming back later to get another access point in addition to the one they already have. He added in the future, a new agreement could be set to modify that, but that would be by mutual agreement at that point, as opposed to unilateral. He went on to say if there is not some access management on it now, the Board could be subjected to them dividing their property and creating driveways all along the roadway; and example of that would be Wickham Road or S.R.192, which is the way they evolved. He added as they evolved, as properties were divided, they were given access in accordance with State law, and that adds up to a lot of driveways with a lot of turning movements with a lot of resistance to the flow of traffic, which means lower capacity; and to avoid that, staff provided very good, high quality access at fewer locations, and that way there is still plenty of access, but not excessive.

Commissioner Infantini stated because the Board meets three times a month, she feels there is no shortage of opportunities for Mr. Denninghoff to bring his recommendations back to the Board rather than having the sole authority to grant access; and she is not inclined to agree.

Attorney Knox stated the reason the Board needs this resolution is because when going into an order of taking, and opposing council points it out, an example that there is no access to a piece of property, because the plans neglected to mention the access is going to be provided at a specific location, or if the access is presented at one location it would reduce damages if it went to another location; they will ask Mr. Denninghoff about that in order to establish a record so they get the maximum amount of money. He went on to say if he is able to have some flexibility to move the access from one point to another, then he is doing that in accordance with the Board's

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rule for that; but it is also reducing damage at that point; and if it is not done then the opposing side gets to assume the worst case which means that they can assume there is no access, or their access is reduced, therefore they get a higher reward.

Commissioner Infantini stated she tends not to like items that are presented to her about three and one-half minutes before she is supposed to vote on it, so she is voting no in the interest of caution.

Commissioner Nelson his recollection was getting a bill for attorney's fees three and one-half minutes before it was approved as well, but it happens; in this particular case, this is a standard practice in condemnation; the Board need to trust the Public Works Director to be able to have those conversations, and he does not want to running back to the Board when it is in a court setting.

The Board adopted Resolution No. 14-017, authorizing John Denninghoff, P.E., Director of Brevard County Public Works Department, to act on the Board of County Commissioner's behalf in condemnation proceedings regarding the construction and operation of the St. Johns Heritage Parkway Project.

RESULT:	ADOPTED [3 TO 1]
MOVER:	Chuck Nelson, Commissioner District 2
SECONDER:	Andy Anderson, Chairman/Commissioner District 5
AYES:	Chuck Nelson, Mary Bolin Lewis, Andy Anderson
NAYS:	Trudie Infantini
ABSENT:	Robin Fisher

ITEM VII.E.2., APPROVAL, RE: TRANSFER OF OWNERSHIP OF THE FACILITY AND PROPERTY LOCATED AT 525 NORTH JOHN RODES BOULEVARD TO THE PUBLIC WORKS DEPARTMENT; CONSTRUCTION AND ENGINEERING PLANS DEVELOPMENT AND RENOVATION OF THE FACILITY AND PROPERTY LOCATED AT 525 NORTH JOHNS RODES BOULEVARD; AND RELOCATION OF TRAFFIC MANAGEMENT OPERATIONS FROM THE BARRIER ISLAND TO 525 NORTH JOHN RODES BOULEVARD

Howard Tipton, County Manager, stated this is a proposed transfer of property from the County to Public Works; and the direction from the Board on what to do with those proceeds.

Teresa Camarata, Central Services Director, stated in August 2012, the Board approved the purchase of a 31,000 square foot facility at 525 John Rodes Boulevard, in Melbourne, for the purpose of housing the Supervisor of Elections support center and County Records. She added the Supervisor of Elections voiced concerns about the property throughout the process and has not moved into the building; as the Board is aware, Public Works has an approved Capital Improvement Plan to move Transportation Management Services from the Barrier Islands; they have assessed the building and concluded that it is suitable for the relocation of Transportation Management Services. She went on to say it is proposed the Board approve the transfer of the property and facility to Public Works for \$1.7 million; as part of this request, staff would like the Board to consider two options; one would be to allow the Supervisor of Elections to remain at the existing facility on Winner Way in Cocoa and partially retire the debt, which was \$2 million, and use the remaining \$300,000 to make some improvements to the existing support center; or to utilize the proceeds to acquire another property either through a lease or purchase at a maximum price of \$1.7 million; and use the remaining \$300,000 to make improvements to the Winner Way property to house County Records.

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Lori Scott, Supervisor of Elections, stated she appreciated to Mr. Tipton and Mr. Whitten for speaking to her about this transfer of property; she is very happy since the Board went forward with this purchase, that there is another entity in the County that deems it is appropriate use for them. She advised she had spoken with Ms. Camarata her concerns with this property was appropriate for the elections office as they went through this bid process. She noted the dollars that were expended in hopes of improving the conditions of the Supervisor of Elections Office; they have had the same amount of space for 20 years. She stated in that same time frame, the voter rolls have grown by 63 percent; that is a substantial thing that her office continues to maintain status quo; and that is not possible any longer. She went on to say when she looked at the records 20 years ago, there was a staff of 26 people, the budget was \$4.2 million; now there is a staff of 21, from 33 when she took office, and a budget of \$4.4 million; and the only reason it is \$200,000 more is there is \$600,000 left to finish purchasing out dated election equipment. She added the Supervisor of Elections has been good fiscal keepers of the tax dollars; they have done more with less. She noted the Presidential Commission released a report last year, the President ordered, after the 2012 elections, to review elections in this country. She added one of the recommendations that came out was that no voter should stand in line for more than 30 minutes; that is unrealistic when there is a ballot six-foot long; but that is just one of the things she is continually facing from continued State Mandates, as well as Federal Mandates. She added there has been legislation filed for the last two years that want to hold the Supervisors of Elections personally liable if a voter stands in an early voting line longer than an hour. She noted the Commissioners had spoke early about a long standing unfunded mandates, additional space has been on the list in the Election Office for 10 years; it is not just her, previous Supervisor, Fred Gailey had sent a letter tot he Board saying the office was about to implode and they needed space. She stated this money and the \$300,000 toward Winner Way all goes toward getting adequate facilities for the Supervisor of Elections Office; she thanked the Board for the equipment purchase; the Board has been forward thinking on equipment for her office and keeping them out of lawsuits, but need to be forward thinking on facilities as well. She added the new equipment has impacted their facilities space.

Commissioner Nelson inquired how Ms. Scott would see the money that the Board would consider putting out utilized. She responded her goal is to get down to three offices; she currently has six; before the Motor Bill, it made sense to have multiple offices, but there are years that registration fluctuates from 20 percent motor voter, to 80 percent; and the election support center really needs to be under house for security reasons. She stated she hears that elections are expensive, but election lawsuits cost a lot more; and that is true for all areas of government; but she would like proper administrative space, where elections can be conducted; otherwise they will be in the same situation as two years ago where they are going after the rooms upstairs; and that is not a good, ideal situation for the Board or anyone that uses the conference rooms. She went on to say it is certainly not an ideal situation for her to have a phone bank, where voters are calling in on Election Day on a remote location, as well as storage or the ballots; that said the Secretary of State requires her to file her security procedures before every election. She advised a U-Haul outside, which is where ballot were stored in 2008, is not an adequate solution, and would not get signed off on; they cannot do that, and cannot use a POD or U-Haul for unused ballots for a post election audit that is mandated by the Secretary of State.

Commissioner Nelson stated she is looking to acquire some property for administrative offices, as well as conduct the elections, and the support center, so it would all be sort of a one-stop location. She responded they would always have Titusville Office as it is the County seat; they are mandated to have a foot print there; she has temporarily shut Merritt Island down, and early voting inundated that building to the point of a fire hazard level. She thanked Jack Masson; stated they are trying to facilitate new early voting sites now that Legislature has given that option; and she would like it to not continually impact the small foot print offices; and the office in Merritt Island was 1,200 square feet and there were thousands and thousands of people

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through there in an eight-day time period. She advised people could not get into the hallways, Commissioner Nelson could not get upstairs to his office; they are trying to work for everybody; and she envisions the Titusville Office will be the place when candidates qualify; and they need a facility in this area, which is where about 50 percent of the voters are in Brevard County, and then another satellite office should suffice.

Commissioner Infantini stated part of the early voting issue in Merritt Island could have been the result of so many voting sites being south of Eau Gallie; there was one at Melbourne Beach, Degroodt, Fee, and Cogan; there were four early voting sites south of Eau Gallie, and two north; and perhaps if those places were redistributed that would lessen the backlog seen this last time. She added that may just be one suggestion for her so she does not have so many concentrated in a small area. Commissioner Nelson stated having served on the Canvassing Board during two elections, the space required for conducting the election is the bigger issue; the halls were crowded, parking was over run, all those things, and all of those things can be addressed, but the real issue is not as much the early voting, but the conduct of the election itself.

Ms. Scott stated they were out of the workshop areas for a month each time; for example, there were 12,000 people who voted by mail 20 years ago, there was nearly one-third of the County that voted by mail this last time, for a total number of around 100,000 people this past election; and it was a two page ballot; and there were 292,000 people all together that voted and there was a two page ballot, so that is over 600,000 ballots to be stored. She went on to say the reason Titusville works is because it is the largest office; she has 33,000 square feet, 15,000 of that is the election support center, 18,000 is spread out in five offices, but the largest is in Titusville, which can facilitate more voters through. She added the Melbourne office is less than 1,000 square feet, Palm Bay is about the same, Merritt Island is a little over 1,000; and the other thing they do that is important is that they look at the areas that early vote and where they are coming from to try to make it where the residents do not need to travel.

Mr. Tipton stated he was given a note from Commissioner Fisher that reads that he is supportive of the sale, but would like staff to bring back, in 45 days, facilities for the Supervisor of Elections that do not require any more funding than approved for the John Rodes building, which is the \$1.7 million purchase; and if there is not a facility that is acceptable to the Supervisor of Elections within that time period, then he would request to stay where it is or proceed to current selected facility at John Rodes.

Commissioner Infantini inquired if the Board could table this item until Commissioner Fisher is back, so the Board can have an open dialogue with him. She stated she does not believe it is time sensitive.

Commissioner Nelson stated he would like to clarify what happens in the next 45 days; Ms. Scott envisioned a site that the Board would have 45 days to identify that type of location; under those circumstances, all it has is the \$1.7 million, then he is okay with that so the Board can find a location with that need in the next 45 days, but he is not comfortable with the second part of that.

Chairman Bolin Lewis stated the Board would not vote on this item today, but instead direct staff to start looking for facilities. Commissioner Anderson stated yes, table it for 45 days until a facility is found. Mr. Tipton stated so the Board will be working with the Supervisor of Elections to identify the appropriate facility or sub facilities depending on the geographic area, and bringing that back within 45 days and the Board at that time would decide on that facility as well as the sale of the John Rodes facility to Public Works. Commissioner Nelson stated he does not think the Board needs to go through a cattle call like before, but to look for something that meets that need, because last time there were all sorts of different submissions.

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Ms. Scott stated this is a general election year; they are actively working on the election; and time is an issue. She added the 45 days, for the fact that this has been a three-year process and have yet to find an adequate site, so to put a 45 day time limit on finding adequate space with a limited amount of money is concerning. She stated if she understands Commissioner Fisher correctly, she is not in John Rodes, and has never been in John Rodes, and does not have any plans to be in John Rodes. She stated she shared that with the Board in the past; and she would like to be careful that she is not agreeing to the fact that in 45 days if there is not adequate space for the Supervisor of Elections functions, that all of a sudden John Rodes becomes a viable facility for the Supervisor of Elections, because it was not when they bought it and it is not now.

Commissioner Anderson stated it should just be tabled, he does not know about the 45 days; but that will give Ms. Scott time to talk to Commissioner Fisher. Mr. Tipton stated and after the 45 days, staff can bring back the status; and he believes the key for Public Works, who is the forgotten partner in all of this, hurricane season is coming up, and if things are going to move, being in place before the start of hurricane season, or at least the active part of hurricane season would be important to them.

The Board tabled request for consideration of the transfer of ownership of the facility at 525 North John Rodes Boulevard to the Public Works Department; construction and engineering plans development and renovation of the facility and property located at 525 North John Rodes Boulevard; and relocation of Traffic Management Operations from the Barrier Island to 525 North John Rodes Boulevard, for no more than 45 days to look at other options for the Supervisor of Elections Office.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Trudie Infantini, Commissioner District 3
SECONDER:	Andy Anderson, Chairman/Commissioner District 5
AYES:	Chuck Nelson, Trudie Infantini, Mary Bolin Lewis, Andy Anderson
ABSENT:	Robin Fisher

ITEM VII.F.2., RESOLUTION, RE: AMENDING RESOLUTION NO. 05-332, PLACE PUBLIC COMMENT SECTION IMMEDIATELY FOLLOWING SECTION II IN ORDER TO ACCOMMODATE CONSTITUENTS IN HAVING HEARD FOR THE THREE MINUTES DUE TO THEM

Chairman Bolin Lewis stated this item involves the way the Board does business and inquired if the Board would like to table the item so that Commissioner Fisher could be part of the discussion.

The Board tabled request for consideration of a resolution to place Public Comment Section immediately following Section II (Board Reports and Presentations) in order to accommodate constituents in having their voices heard for the three minutes due to them, to the February 4, 2014, Board Meeting.

John Pilley stated moving Public Comments to the very end of the meeting is a way to show the Board does not want Public Comment, because no one will be able to stay this long; and when the meeting started, it was full of people. He added these Board meetings are for the public, and when moving public comment to the very end, it just shows disrespect to the public, and shows that the Board does not want comment, and it should.

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Commissioner Infantini stated she wanted to wait until Commissioner Fisher was available for all of the Board's input; it is very important to honor the process that it has had in place; she does not want to see it change; and that is why her agenda item moved. She went on to say she moved it because she wanted all five commissioners, Commissioner Fisher has input, and while she often disagrees with his input, it is input that is relevant to the topic.

Commissioner Nelson stated everyone here had an opportunity to speak, and inquired who is more important during that process; and stated all of them are, so when saying that Public Comment needs to come before other Public Comment, he does not know how to evaluate which is more important.

Mr. Pilley stated maybe the Board could have Proclamations at the very end of the meeting, or have the regular meeting start at 9:30, and do the proclamations from 9:00 to 9:30, that way the Board could save time there. Commissioner Nelson stated he just made his point, everyone is waiting for something; and he does not believe there is a right or wrong answer, because everyone has different opinions of what is more important.

Commissioner Infantini stated the point she believes he was making was that there are resolutions, and a time allocated, and there should be a set time, then the general meeting start; so the others that are here for a general meeting, not a resolution, can arrive at 9:30. She went on to say if the Board really respected people's times, then the three and one-half hour debate would not have been moved ahead of a 10 minute discussion that was already planned beforehand on the agenda at a Zoning meeting. She advised some people to put an item on a Zoning agenda because there is usually nothing on there, and her item was placed ahead of it.

Fred McMillian stated he has been coming to the Board for quite some time; this topic is very sensitive to him; he was watching this program on television this morning, he received a phone call to come to the meeting. He went on to say it is hard for him to get here, and takes an hour and a half to get here, and one he is here, he has to stay until he gets his turn; they were talking about people times and how important it is, and he agrees with Commissioner Nelson, everyone has issues and sees things in a different light. He thanked Commissioner Infantini for being the commissioner of know, and he respects her for that; the Devil's Advocate is always the person that is on the Board that brings attention to situations that nobody wants to take time for. He added the people that were here for presentations would have waited until noon to get their accolades because they were needed; he appreciated every one that he saw before he left his house; but to have to sit and listen to an argument about who's time is more important is ridiculous, the constituents time is more important than the people that work for the County, who do things to get the plaques and awards, those people will be here no matter what; and for the ordinary citizen, it is imperative that they be seen and heard early.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Trudie Infantini, Commissioner District 3
SECONDER:	Andy Anderson, Chairman/Commissioner District 5
AYES:	Chuck Nelson, Trudie Infantini, Mary Bolin Lewis, Andy Anderson
ABSENT:	Robin Fisher

ITEM II.B.2., REPORT, RE: COUNTY ATTORNEY SCOTT KNOX

Scott Knox, County Attorney, stated the Economic Development Commission called him and stated there was a candidate for Ad Valorem Tax Exemption that involved a Qualified Targeted Industry and the Statute providing for new businesses and defining what a new business is

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changed in 2013, effective January 1, 2014; the Board's current Ordinance does not reflect what is in the Statute. He added the Statute now adds Qualified Targeted Industries as being qualified for Ad Valorem Tax Exemption, and the County's Ordinance does not reflect those changes. He went on to say he would like to ask Board's approval to prepare an Ordinance to adopt the definitions from the State for new businesses and expansion of existing businesses, which has also been changed; and if the Board approves, he will advertise an ordinance title and bring it back to the Board on February 18, 2014.

The Board directed Scott Knox, County Attorney, to prepare an ordinance updating the language the State has for new business and expansion of existing businesses, and bring back to the Board for consideration at its February 18, 2014, Board meeting.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Chuck Nelson, Commissioner District 2
SECONDER:	Andy Anderson, Chairman/Commissioner District 5
AYES:	Chuck Nelson, Trudie Infantini, Mary Bolin Lewis, Andy Anderson
ABSENT:	Robin Fisher

ITEM II.C. , REPORT, RE: CHUCK NELSON, DISTRICT 2 COMMISSIONER

Commissioner Nelson stated the Veterans are putting on their 19th Annual Stand Down at the Cocoa Armory, where they provide services to Veterans. He added every year the Board gets a request from the Veterans to give free SCAT bus service, he believes it has not cost more than a couple hundred dollars to the Board, if that, in the past; and that allows Veterans to take the bus to the Stand Down, get services, and be returned back to their locations.

Commissioner Anderson stated that comes before the Board every year and it is overwhelmingly supported; he talked to a friend of his who is a Commissioner in Palm Beach County, and they did something for the Veteran's Affairs (VA) visits, and library visits; and that was through a grant process he believes. He added it would be great for the Board to be able to provide that all of the time to homeless veterans; and after he speaks to him, he will bring it back to the Board for further investigation.

The Board approved free Space Coast Area Transit (SCAT) bus service to Veterans to attend the 19th Annual Stand Down at Cocoa Armory, on March 22, 2014, from 8:00 am to 2:00 pm.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Chuck Nelson, Commissioner District 2
SECONDER:	Andy Anderson, Chairman/Commissioner District 5
AYES:	Chuck Nelson, Trudie Infantini, Mary Bolin Lewis, Andy Anderson
ABSENT:	Robin Fisher

ITEM II.G., REPORT, RE: MARY BOLIN LEWIS, DISTRICT 4 COMMISSIONER, CHAIRMAN

Chairman Bolin Lewis stated William Geiger, Jr. is an applicant for the Value Adjustment Board (VAB) Citizen Member position.

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Commissioner Nelson inquired if that was for the following year of the VAB, or this year; and stated there is currently a member on the Board. Christine Mulligan, Deputy Clerk, stated both citizen members have resigned for this years VAB; and in order to proceed with the final VAB meeting, it needs a citizen member.

The Board appointed **William Geiger, Jr.** as the Citizen Member for the Value Adjustment Board.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Andy Anderson, Chairman/Commissioner District 5
SECONDER:	Chuck Nelson, Commissioner District 2
AYES:	Chuck Nelson, Trudie Infantini, Mary Bolin Lewis, Andy Anderson
ABSENT:	Robin Fisher

Upon consensus of the Board, the meeting adjourned at 12:46 p.m.

ATTEST:

MARY BOLIN LEWIS, CHAIRMAN
BOARD OF COUNTY COMMISSIONERS
BREVARD COUNTY, FLORIDA

SCOTT ELLIS, CLERK