

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 November 17, 2015 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	
Jim Barfield	Chairman/Commissioner District 2	Present	
Trudie Infantini	Commissioner District 3	Present	
Curt Smith	Vice Chairman/Commissioner District 4	Present	
Andy Anderson	Commissioner District 5	Present	

INVOCATION

Pastor 'Charlie' Mark Charles, St. Andrew United Methodist Church, Titusville, provided the invocation.

PLEDGE OF ALLEGIANCE

Commissioner Infantini led the assembly in the Pledge of Allegiance.

MINUTES FOR APPROVAL

The Board approved the September 15, 2015 Special Meeting Minutes.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Curt Smith, Vice Chairman/Commissioner District 4
SECONDER:	Jim Barfield, Chairman/Commissioner District 2
AYES:	Robin Fisher, Jim Barfield, Curt Smith, Andy Anderson
ABSENT:	Trudie Infantini

SELECTION OF CHAIRMAN

The Board appointed Commissioner Jim Barfield as Chairman of the Board of County Commissioners.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Curt Smith, Vice Chairman/Commissioner District 4
SECONDER:	Andy Anderson, Commissioner District 5
AYES:	Robin Fisher, Jim Barfield, Curt Smith, Andy Anderson
ABSENT:	Trudie Infantini

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SELECTION OF VICE CHAIRMAN

The Board appointed Curt Smith as Vice Chairman of the Board of County Commissioners.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Andy Anderson, Commissioner District 5
SECONDER:	Jim Barfield, Chairman/Commissioner District 2
AYES:	Robin Fisher, Jim Barfield, Curt Smith, Andy Anderson
ABSENT:	Trudie Infantini

*Commissioner Infantini's presence was noted at 9:11 a.m.

ITEM I.A., PRESENTATION OF MAGGIE BOWMAN AWARD BY MARINE RESOURCES COUNCIL TO COMMISSIONER ROBIN FISHER, RE: OUTSTANDING SERVICE TO THE INDIAN RIVER LAGOON

Leesa Souto, Marine Resources Council, presented the Maggie Bowman Award to Commissioner Robin Fisher for his outstanding service to the Indian River Lagoon.

The Board acknowledged the presentation of the Maggie Bowman Award to Commissioner Fisher for his outstanding service to the Indian River Lagoon.

ITEM I.B., RESOLUTION, RE: SUPPORTING THE CURRENT VERSION OF THE DRAFT BILL ENTITLED "MISUSE OF PUBLIC OFFICE ACT"; AND PROVIDING AN EFFECTIVE DATE

Commissioner Fisher read aloud, and the Board adopted Resolution No. 15-218, supporting the current version of the Draft Bill entitled "Misuse of Public Office Act"; and providing an effective date.

Matt Reed introduced Attorney Michael Kahn to the Board; and he expressed his appreciation to the Board for the Resolution.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Robin Fisher, Commissioner District 1
SECONDER:	Andy Anderson, Commissioner District 5
AYES:	Fisher, Barfield, Infantini, Smith, Anderson

ITEM I.C., RESOLUTION, RE: PROCLAIMING NOVEMBER 7-14, 2015, AS PERIOPERATIVE NURSE WEEK

Commissioner Infantini read aloud, and the Board adopted Resolution No. 15-219, proclaiming November 7-14, 2015, as Perioperative Nurse Week.

A representative of Perioperative Nursing expressed her appreciation to the Board for the Resolution.

RESULT: **ADOPTED [UNANIMOUS]**
MOVER: Trudie Infantini, Commissioner District 3
SECONDER: Andy Anderson, Commissioner District 5
AYES: Fisher, Barfield, Infantini, Smith, Anderson

**ITEM I.D., RESOLUTION, RE: RECOGNIZING CONGRESSIONAL GOLD MEDAL
RECIPIENT THOMAS J. JONES**

Commissioner Smith read aloud, and the Board adopted Resolution No. 15-220, recognizing and commending Thomas J. Jones for receiving the Congressional Gold Medal.

Thomas Jones expressed his appreciation to the Board for the Resolution.

RESULT: **ADOPTED [UNANIMOUS]**
MOVER: Curt Smith, Vice Chairman/Commissioner District 4
SECONDER: Trudie Infantini, Commissioner District 3
AYES: Fisher, Barfield, Infantini, Smith, Anderson

ITEM I.E., RESOLUTION, RE: RECOGNIZING PASTOR JARVIS WASH

Commissioner Barfield read aloud, and the Board adopted Resolution No. 15-221, recognizing Pastor Jarvis Wash for his efforts in the community.

Pastor Wash expressed his appreciation to the Board for the Resolution.

RESULT: **ADOPTED [UNANIMOUS]**
MOVER: Robin Fisher, Commissioner District 1
SECONDER: Andy Anderson, Commissioner District 5
AYES: Fisher, Barfield, Infantini, Smith, Anderson

**ITEM I.F., RESOLUTION, RE: RECOGNIZING GREGORY CLARKE FOR ATTAINING THE
RANK OF EAGLE SCOUT**

Commissioner Barfield read aloud, and the Board adopted Resolution No. 15-222, recognizing Gregory Clarke for completion of his project and attaining the rank of Eagle Scout.

Gregory Clarke expressed his appreciation to the Board for the Resolution.

RESULT: **ADOPTED [UNANIMOUS]**
MOVER: Robin Fisher, Commissioner District 1
SECONDER: Andy Anderson, Commissioner District 5
AYES: Fisher, Barfield, Infantini, Smith, Anderson

ITEM II.A.1., PRELIMINARY PLAT/FINAL ENGINEERING APPROVAL, RE: MODERN DURAN SUBDIVISION - THE VIERA COMPANY

The Board granted preliminary plat and final engineering approval for Modern Duran Subdivision, subject to minor engineering changes as applicable, and developer responsible for obtaining all other necessary jurisdictional permits.

RESULT: ADOPTED [UNANIMOUS]
MOVER: Robin Fisher, Commissioner District 1
SECONDER: Andy Anderson, Commissioner District 5
AYES: Fisher, Barfield, Infantini, Smith, Anderson

ITEM II.A.2., FINAL PLAT AND CONTRACT APPROVAL, RE: ADDISON PRESERVE SUBDIVISION - TGO CAMPSITE, LLC

The Board granted final plat approval; and authorized the Chairman to sign the final plat and Contract for Addison Preserve Subdivision, subject to minor changes, if necessary, receipt of all documents required for recording, and developer responsible for obtaining all other necessary jurisdictional permits.

RESULT: ADOPTED [UNANIMOUS]
MOVER: Robin Fisher, Commissioner District 1
SECONDER: Andy Anderson, Commissioner District 5
AYES: Fisher, Barfield, Infantini, Smith, Anderson

ITEM II.A.3., PERMISSION TO ADVERTISE, RE: PROPOSED EXCHANGE OF PROPERTY WITH PINEWICK PARTNERS, LLC

The Board granted permission to advertise a proposed exchange of property with Pinewick Partners, LLC, for property located in Section 19, Township 26 South, Range 37 East.

RESULT: ADOPTED [UNANIMOUS]
MOVER: Robin Fisher, Commissioner District 1
SECONDER: Andy Anderson, Commissioner District 5
AYES: Fisher, Barfield, Infantini, Smith, Anderson

ITEM II.B.1., MEMORANDUM OF UNDERSTANDING WITH THE CITY OF COCOA, RE: WEST CANAVERAL GROVES WATERLINE PROJECT

The Board executed Memorandum of Understanding (MOU) with City of Cocoa detailing the responsibilities of both parties as it relates to the West Canaveral Groves Waterline Project; and authorized the Chairman to execute any future amendments, after review and approval of Rick Management, County Attorney, and County Manager.

RESULT: ADOPTED [UNANIMOUS]
MOVER: Robin Fisher, Commissioner District 1
SECONDER: Andy Anderson, Commissioner District 5
AYES: Fisher, Barfield, Infantini, Smith, Anderson

ITEM II.B.2., RESOLUTION, INTERLOCAL AGREEMENT WITH THE CITY OF INDIAN HARBOUR BEACH, AND DEED, RE: CONVEYING OARS AND PADDLES PARK TO THE CITY

The Board adopted Resolution No. 15-223, authorizing the transfer of real property; and executed Interlocal Agreement and County Deed conveying Oars and Paddles Park to the City of Indian Harbour Beach.

RESULT: ADOPTED [UNANIMOUS]
MOVER: Robin Fisher, Commissioner District 1
SECONDER: Andy Anderson, Commissioner District 5
AYES: Fisher, Barfield, Infantini, Smith, Anderson

ITEM II.C.1., PERMISSION TO ADVERTISE REQUEST FOR QUALIFICATIONS (RFQ) FOR SPECIAL MAGISTRATE SERVICES AND APPOINT SELECTION AND NEGOTIATION COMMITTEES, AND AUTHORIZE THE CHAIR TO EXECUTE RESULTING CONTRACTS, RE: CONTRACTOR LICENSING AND VESTED RIGHTS

The Board granted permission to advertise Request for Qualifications (RFQ) for Special Magistrate Services to hold hearings for unlicensed contractor and vested rights cases; approved establishing Selection and Negotiation Committees to review, score, rank, negotiate, and select Attorney to provide services consisting of Assistant County Manager, Central Services Director, and Human Resources Director, or their designees; and authorized the Chairman to execute resulting contract, upon review by the County Attorney and Risk Management.

RESULT: ADOPTED [UNANIMOUS]
MOVER: Robin Fisher, Commissioner District 1
SECONDER: Andy Anderson, Commissioner District 5
AYES: Fisher, Barfield, Infantini, Smith, Anderson

ITEM II.D.1., APPROVAL, RE: BUDGET CHANGE REQUESTS

The Board approved the Budget Change Requests, as submitted.

RESULT: ADOPTED [UNANIMOUS]
MOVER: Robin Fisher, Commissioner District 1
SECONDER: Andy Anderson, Commissioner District 5
AYES: Fisher, Barfield, Infantini, Smith, Anderson

ITEM II.D.4., ACCEPTANCE OF RECOMMENDATION FROM BREVARD CULTURAL GRANT REVIEW PANEL, RE: FY16 BREVARD COUNTY COMMUNITY CULTURAL GRANTS

The Board approved recommendations from the Brevard County Community Cultural Grant Review Panel to fund 27 non-profit cultural organizations or programs within the County.

RESULT: ADOPTED [UNANIMOUS]
MOVER: Robin Fisher, Commissioner District 1
SECONDER: Andy Anderson, Commissioner District 5
AYES: Fisher, Barfield, Infantini, Smith, Anderson

ITEM II.D.6., APPROVAL, RE: BILLFOLDER

The Board approved the Billfolder, as submitted.

RESULT: ADOPTED [UNANIMOUS]
MOVER: Robin Fisher, Commissioner District 1
SECONDER: Andy Anderson, Commissioner District 5
AYES: Fisher, Barfield, Infantini, Smith, Anderson

ITEM II.D.7., PERMISSION TO USE CURRENT CHAIRMAN'S SIGNATURE PLATE, RE: SIGNING PAYROLL AND ACCOUNTS PAYABLE CHECKS UNTIL NEW SIGNATURE PLATES ARE OBTAINED

The Board granted permission to continue to use the current Chairman's signature plates for signing the Payroll and Accounts Payable checks until new signature plates can be obtained with the new Chairman's signature.

RESULT: ADOPTED [UNANIMOUS]
MOVER: Robin Fisher, Commissioner District 1
SECONDER: Andy Anderson, Commissioner District 5
AYES: Fisher, Barfield, Infantini, Smith, Anderson

ITEM II.D.2., ACCEPTANCE, RE: TIMEKEEPING AND OVERTIME INTERNAL AUDIT REPORT, PURCHASING INTERNAL AUDIT REPORT, AND FY 2016 PROPOSED INTERNAL AUDIT PLAN

Commissioner Infantini stated this Item has the listing of the audits that were performed by outside internal auditors; she would like to request a change to the proposed listing of audits for Fiscal Year 2016; there are a couple of audits that have not been performed since 2002 or 2003; and staff is proposing that they do audits that were already done in 2009 or 2010. She pointed out the Economic Development Commission (EDC) audit has not been performed since 2002, and they are receiving \$1.4 million; as part of the audit plan, she is suggesting to put the audit in; the Central Cashier has not been performed since 2002; and to pull out the audits from Asset management and Purchasing Card, and move those to 2017.

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Commissioner Fisher stated the Purchasing Card is a good one and he would like to see that kept on the list, because it is a huge part of what the County does.

Commissioner Infantini advised Commissioner Fisher did not make a recommendation to pull something else out, because there are only enough slots for six or seven audits; she inquired what does Commissioner Fisher proposed to be removed; and she stated it has been 13 years since the EDC and Central Cashier audits have been done.

Stockton Whitten, County Manager, stated he wants the auditors to understand that by adding the two audits, the Board is not proposing to increase their contract amount; and he is sure he will be back before the Board in 2016 talking about the audit plan unless the Board is telling him to add dollars for those two additional audits.

Commissioner Infantini Stated the board took one out and added two.

Mr. Whitten inquired if the one being subtracted is the Property Control Asset Management audit.

Commissioner Infantini responded affirmatively.

The Board accepted the Audit Committee's Timekeeping and Overtime Internal Audit Report, Purchasing Internal Audit Report, and the FY 2016 Proposed Internal Audit Plan; authorized the addition of the Economic Development Commission and Central Cashier to the FY 2016 Proposed Internal Audit Plan; and authorized the removal of Asset Management from the FY 2016 Proposed Internal Audit Plan.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Trudie Infantini, Commissioner District 3
SECONDER:	Curt Smith, Vice Chairman/Commissioner District 4
AYES:	Fisher, Barfield, Infantini, Smith, Anderson

ITEM II.D.3., APPROVAL, RE: 2016 BOARD OF COUNTY COMMISSIONERS MEETING SCHEDULE

Commissioner Infantini stated there is a meeting scheduled immediately following a three-day weekend on May 31st; she suggested moving the date up as there are already two meetings in May; she does not know if it is necessary to have a third meeting in May; and she inquired if it can be moved to June 7th, and the Board not to take such a long vacation. She noted it is difficult to have meetings following holidays. She asked the Board to remove the May 31st meeting and moving the January 5th meeting to January 12th.

The Board approved the 2016 Board of County Commissioners Meeting Schedule.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Trudie Infantini, Commissioner District 3
SECONDER:	Andy Anderson, Commissioner District 5
AYES:	Fisher, Barfield, Infantini, Smith, Anderson

ITEM III. PUBLIC COMMENTS

Pam LaSalle stated she is an animal advocate, and she is concerned about rabies in the community and the exposure from the feral cats; and she would like to share a report with the Board. She stated she wants to read some highlights from the report, "Claims by Trap Neuter Return (TNR) advocates that managed colonies can reduce feral cat populations are contradicted by research. The interaction between cats and raccoons or other wildlife, rabies reservoirs is the source of rabies infections by which cats can substantially infect people. Cats pose a disproportionate risk because people, especially children are more than likely to approach them. Potential exposures from cats of unknown vaccination history account for a substantial proportion of Post Exposure Prophylaxes (PEP). They also pose a considerable rabies risk to person who are exposed but fail to recognize the need for PEP, as is sometimes the case with children. Thus, comprehensive rabies control requires continued implementation of current policies for animal vaccinations and removal of strays. The dramatic decline in dog rabies was accomplished through policies that promote mass vaccination coverage and control of strays, but adherence to these policies appears limited for cats. The propensity to underestimate rabies risk from cats has led to multiple large scale rabies exposure. Human rabies fatalities are rare, but only thanks to the effectiveness of PEP treatment, but treatment is expensive. When mass exposure events occur, the monetary burden can be substantial." She advised the Board the PEP information is in the packet, and every year the County faces \$100,000 in expenses for its citizens. She went on to say what also alarms her is the number of people who decline to get the PEP and may have been exposed to rabies, and a good portion of these come from cats. She noted the ability of TNR programs to achieve appropriate levels of rabies vaccinations in feral cat populations is doubtful; most cats in Trap Neuter Vaccinate Return (TNVR) programs will only be tracked only once in their lifetimes; and many can live at least six years. She pointed out in the Board's packet was in a prior Agenda packet from the Health Department; in their current rabies manual it has the same wording; and the Board can see that managing free roaming free feral domestic cats is not tenable on public health grounds because of the persistent threat posed to communities from injuries and diseases.

Charles Tovey expressed his apologies to anyone who he has been rude or mean to; and he stated it is a product of his environment. He stated he acts defensive due to his past 10 years of experiences. He stated he does not practice the Pledge of Allegiance; if a person does not exercise it in their life it is meaningless; and he did not know there was a law he had to. He noted he was told through the grapevine that his property was mentioned in Town of Palm Shores public meetings; he does not know the Mayor; he has only been there once; and the Mayor told him his voice was not recognized in the Town of Palm Shores. He stated anytime he drives through the Town of Palm Shores he gets stopped and harassed; and that is partially why he rides his bike, other than for his health. He stated his mother drives him around to take care of his business. He pointed out he has the right to privacy; he works hard to get his property; and he inquired why it is the business of the Town of Palm Shores. He noted he was not in the Town of Palm Shores then and he is not there now; he chose not to be; and he does not know these people. He stated his adopted feral cats have received shots for rabies; and the County needs to work with more animal facilities.

Commissioner Infantini inquired if Mr. Tovey lives in unincorporated Brevard County or does he live in the Town of Palm Shores. Mr. Tovey replied he is in unincorporated Brevard County surrounded by now the Town of Palm Shores, which is expanding. He noted this is why he comes to the Board meetings, and the Town served him with an injunction against him in which Judge Silvernail told the Mayor she cannot do that.

ITEM IV.A., RESOLUTION, RE: PETITION TO VACATE PART OF A 20.0 FOOT WIDE PUBLIC UTILITY AND DRAINAGE EASEMENT - BRANDYWINE COURT, TITUSVILLE - JOHN AND SUZANNE REED

Chairman Barfield called for a public hearing to consider a resolution vacating part of a 20.0 foot wide public utility and drainage easement on Brandywine Court, Titusville, as petitioned by John and Suzanne Reed.

John Denninghoff, Public Works Director, stated this Item is a vacating petition for and easement area in a rear yard to alleviate an encroachment that creates an encumbrance on the title of the property; and staff has received no objections to the petition.

There being no further comments, the Board adopted Resolution No. 15-224, vacating part of a 20.0 foot wide public utility and drainage easement on Brandywine Court, Titusville, as petitioned by John and Suzanne Reed.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Robin Fisher, Commissioner District 1
SECONDER:	Andy Anderson, Commissioner District 5
AYES:	Fisher, Barfield, Infantini, Smith, Anderson

ITEM IV.B., RESOLUTION, RE: PETITION TO VACATE PUBLIC DRAINAGE EASEMENT - TAX PARCEL 18, SECTION 14, TOWNSHIP 21 SOUTH, RANGE 34 EAST - MAJESTIC OAKS ESTATES, LTD., MIMS

Chairman Barfield called for a public hearing to consider a resolution to vacate a public drainage easement on Tax Parcel 17, in Section 14, Township 21 South, Range 34 East, as petitioned by Majestic Oaks Estates, LTD.

John Denninghoff, Public Works Director, stated this Item is a petition for a vacating of a drainage easement that goes through the middle of a vacant parcel; the petition has had no objections to it; and there is no use the County has for that easement at this time. He noted he did receive a telephone call yesterday expressing somewhat of a concern of a parcel of land property immediately adjacent to the west end of the vacating area; he asked the caller to provide a written statement if he or she wanted to; and to his knowledge, staff has not received it.

There being no further comments, the Board adopted Resolution No. 15-225, vacating a public drainage easement on Tax Parcel 17, in Section 14, Township 21 South, Range 34 East, as petitioned by Majestic Oaks Estates, LTD.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Robin Fisher, Commissioner District 1
SECONDER:	Andy Anderson, Commissioner District 5
AYES:	Fisher, Barfield, Infantini, Smith, Anderson

ITEM IV.C., ORDINANCE, RE: AMENDING CHAPTER 98A, ARTICLE 1, SECTION 3 CODE OF ORDINANCES OF BREVARD COUNTY, FLORIDA - PORT ST. JOHN/CANAVERAL GROVES RECREATIONAL FACILITIES MUNICIPAL SERVICE TAXING UNIT (MSTU)

Chairman Barfield called for a public hearing to consider an ordinance amending Chapter 98A, Code of Ordinances of Brevard County for Port St. John/Canaveral Groves Recreation Facilities Municipal Service Taxing Unit (MSTU).

Jack Masson, Parks and Recreation Director, stated this is a public hearing for the amendment of the Port St. John/Canaveral Groves MSTU to allow the continuation of the operation and maintenance of the facilities within the MSTU.

There being no comments, the Board adopted Ordinance No. 15-29, amending Chapter 98A, Code of Ordinances of Brevard County, Florida; amending Article I; specifically amending Section 3 "Repeal/Sunset"; extending effect of Ordinance until repealed by the Board of County Commissioners of Brevard County; providing for the continuation of a levy of a tax not to exceed nine tenths (.9) of one mill on all the real and taxable property within the Port St. John/Canaveral Groves Recreational Facilities Municipal Service Taxing Unit within a portion of the Unincorporated area of Brevard County; providing for conflicting provisions; providing for severability; providing for area encompassed; providing an effective date; providing for all other provisions to remain in full force and effect; and providing for inclusion in the Code of Ordinances of Brevard County, Florida.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Robin Fisher, Commissioner District 1
SECONDER:	Andy Anderson, Commissioner District 5
AYES:	Fisher, Barfield, Infantini, Smith, Anderson

ITEM VI.A.1., COMMERCIAL CONTRACT AND ADDENDUM FOR ACQUISITION OF THE WILLIAM J. PAGE PROPERTY, RE: PART OF THE PINEDA CAUSEWAY GRADE SEPERATION PROJECT

John Denninghoff, Public Works Director, stated Item VI.A.1. is reporting to the Board a counter offer that has been made by a property owner for a piece of property the County, under Board direction, offered, which is a contract to purchase the property; the Board has also passed a Resolution of Necessity empowering staff to be able to file for eminent domain for this piece of property; the property is located immediately west of the railroad tracks and south of the Pineda Causeway; and the offer was made in July. He went on to say the property owner has recently responded with a counter offer; staff was giving him as much time as they could and still be able to meet the project schedule; and his counter offer is spelled out in the Agenda Item, but it has a substantially higher dollar value. He pointed out it also has two features associated with it; he wants to be able to occupy the property without paying rent to the County for a period of two years following the transaction; and he also wishes to make renovations and modifications to the property at his discretion at the expense of the County. He stated for obvious reasons staff is not extremely excited about the counter offer; but they are obligated to present it to the Board for its consideration; and they have placed the Item before the Board with options. He noted the first option is to accept the offer as written in the counter offer, simply reject the offer and direct staff to proceed with eminent domain, and the third would be to ask staff to attempt to negotiate a better agreement than the counter offer but place a time limit on it to be back before the Board before December 15, 2015. He stated the reason they wanted to put the December 15th date on there is in order to make the project schedule if staff does have to file eminent domain.

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Commissioner Smith stated it is in his District and he is familiar with the property; he has owned property and sold it in the past; and he has to say this is a novel approach on Mr. Page's part coming up with two years free rent plus any renovations he wants to make would be at the County's expense. He stated he rejects both of those conditions outright; he thinks the \$4 million is excessive as well; and his recommendation would be the Board choose Option 3 to reject the offer as written and direct staff to negotiate with the owner, and return the modified offer to the Board for consideration within 28 days, which would be the December 15th meeting. He stated failing acceptable modified offer, staff will be directed to properly file for eminent domain.

Commissioner Fisher stated he thinks this gentleman is probably trying to take advantage of County staff and County taxpayer's dollars in asking the Board to accept this; and it surely is not worth what he is requesting. He stated he thinks the Board should go with eminent domain, and Mr. Page can between now and December decide if he wants to come back and get serious about something to present the Board it may be willing to accept.

Commissioner Smith stated he does not have a problem with that if Commissioner Fisher thinks Option 2 is a stronger reaction on the Board's part.

The Board considered William J. Page's offer of \$4,000,000 for property as part of the Pineda Causeway Grade Separation Project, and approved Option 2, to reject the offer as written; and directed staff to proceed with eminent domain action.

Mr. Denninghoff stated as a clarification, he would assume from the discussion that staff would delay filing the eminent domain action until sometime approximately around December 15th; and if staff files, there are legal ramifications associated with back peddling once it is filed.

Commissioner Fisher inquired what the back peddling is.

Scott Knox, County Attorney, replied it is complicated; but the Board would start incurring attorney's fees and costs once the eminent domain process is started. He pointed out the Board would do better with negotiations filed last minute if it wants to do it that way.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Robin Fisher, Commissioner District 1
SECONDER:	Curt Smith, Vice Chairman/Commissioner District 4
AYES:	Fisher, Barfield, Infantini, Smith, Anderson

ITEM VI.B.1., APPROVAL, RE: FY 2015-2016 COMMUNITY ACTION BOARD COMMUNITY BASED ORGANIZATIONS (CBO) RECOMMENDATIONS

Ian Golden, Housing and Human Services Director, stated the Board has before it the Community Action Board (CAB) recommendations for funding; it is an almost nine to 10-month process that typically begins in November; and it is started with a community meeting with the CAB. He went on to say in January 2015 there was a public meeting; the CAB decided they did not want presentations from agencies; March 2015 the final Request for Proposals (RFP) was approved; it was brought to the Board in May 2015 for approval; and it was published and put on the street in May 2015. He noted there were mandatory workshops for agencies on June 9th and 11th; mandatory means an agency cannot apply for funding if they do not attend one of the two workshops; applications were reviewed on June 30th; and then they had a recommendation

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meeting with the CAB on August 25th. He stated they did receive a protest; they said funds were awarded to an agency that does not have a fiscal location in Brevard County, which is Big Brothers and Big Sisters; the RFP itself had no requirements that an agency be located in Brevard, only that services would be provided to residents of Brevard County; and Brevard and Orange Counties Big Brothers and Big Sisters merged in 2003, and closed their fiscal location in 2011, using virtual offices since. He stated the Department itself would be monitoring the fact they are serving Brevard County children through monthly invoices, the backup provided with that, as well as the monitoring, that is a normal part of the process. He pointed out the second issue had to do with an agency that received 18 percent of the allocation; the claim was they had 70 percent overhead; financial staff was not able to determine how that figure of 70 percent was accounted for; and the agency, Aging Matters, at a public protest meeting directly stated their overhead was approximately 14 percent. He stated the third protest issue was because recommendation was given to fund a religious organization; the agency wants to do mentoring services; the RFP does not disallow religious based organizations, only religious based services; and the agency indicated they understood that at the protest meeting. He noted another issue that was brought up was the process changed after it closed; it had to do with the fact presentations were not allowed; as he stated earlier, in January the Community Action Board made the decision they did not want presentations; his understanding was it had directly to do with the fact that when they had presentations in previous years, they ended up with an eight to 10 hour meeting to try to get through all of the presentations; and agencies were told at the mandatory meetings on June 9th and 11th that there would be no presentations, and agencies would be expected to be there for questions and answers. He stated there was a slide in the presentation that said presentations were not required; it is language that was taken after talking with the Purchasing Department; and if the CAB, at the recommendation meeting, made the decision that they had two agencies that were tied and they wanted to hear from both of those agencies, then they could. He noted another issue had to do with the CAB members not looking at applications during the recommendation meeting; typically the review is done before getting to the meeting; it is something the protest committee also indicated; and the members actually received all of their materials 30 days prior to the meeting to allow for that review. He stated there was a question about assessment about priority areas for seniors; the RFP included a list of priorities on page 3 of the Board's approved priority areas; and senior/elder issues is on that list. He went on to say 26 percent of the funding is for the direct services to seniors where there are also ancillary services that are being funded, such as soup kitchen, sharing center, and counselling services. He stated another issue brought up was that there was information provided to him through a Commission office on August 6th that he claims he did not receive; and he did receive a manila envelope after that meeting and he did not look at the contents of the envelope, because there were and continue to be concerns that the action violated a portion of the RFP which prohibits agencies from contacting members of the CAB or the Board until the process is completed. He pointed out there was a first protest meeting held; these items were discussed with the protest group; the protest committee voted 3:0 to deny the protest; the protest was then protested with two main issues; one, that ADA accommodations were not taken into account; and the other is that the Department had put a memorandum together, provided it to the protest committee, and not given a copy to the agency. He explained to the Board staff met with the County Attorney; staff did follow County Policy; the agency representative did not ask for accommodations; another agency at the protest meeting did, and they were accommodated; and as for the document itself, the indication was that it was not necessary to give that, but to solve and go back and address the issue, which is to redo the protest meeting, and it was done.

Jean Severance, Big Brothers and Big Sisters, stated they were questioned as they do not have an office in Brevard County; as Mr. Golden has stated, they have provided services in Brevard County; they are funded by the United Way of Brevard County; and they definitely want to serve all of the children in the County. She went on to state she appreciates the way the County has

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gone about clearing the protest; they did give ample opportunity for everyone to speak; and they have been very thorough in their investigation.

Commissioner Infantini inquired where they actually provide services; her staff did an exhausted search; and they were not able to find where they provide services or who receives those services in the County. Ms. Severance replied they contact their office in Winter Park; they do have a meeting with the parents typically at a library in the Brevard County area; and a lot of the follow up is done by telephone. She noted they have an employee who lives in Brevard County to serve as match support. Commissioner Infantini inquired if the County employees can take off to mentor for Big Brothers and Big Sisters.

Christina Lutz, Program Development Manager for Big Brothers and Big Sisters, stated they are working with Endeavor Elementary School to have a side based program there that will be launched in 2016; she comes to Brevard County on Tuesday and Thursday where she interviews children from 9-5 in libraries, and processes and matches them. Commissioner Infantini inquired if that is how they are matched with adults in the Brevard County community. Ms. Lutz responded the mentors call Big Brothers and Big Sisters; they are interviewed, processed, and background checked; and then she matches them with a child in the community.

Joyce Willoughby Wichmann, Ambassador Christian Academy, stated they are a non-profit, private Christian school; 90 percent of their population is at high-risk; they are a Christian-based organization; and the discrepancy was the County is not allowed to fund Christian-based organizations. She stated there are other Christian entities that received funding, one of which is Links of Hope. She stated they are trying to get the at risk children to graduate high school and be a productive member of society afterwards; they focus on behavior, grades, academics, attendance, and their mental health and ability to process to get through their struggles. She pointed out most of the children have at least three at risk factors.

Joe Steckler, President of Helping Seniors, stated sixty years ago he stood along with 1,400 other men in service to the country, and four years later he took the oath as an officer in the United States Navy, which he served 30 years; and for 27 years he served the people of Brevard County. He noted he has never lied or spoken an untruth no matter how difficult. He read aloud a prepared statement to the Board.

Kerry Fink, Helping Seniors, stated he is present to help Mr. Stickler in any way he can.

Pam LaSalle stated she is a conservative questioning why the County is giving money to non-profit organizations; she and her husband give to one of the organizations regularly and generously; and they would double up to help the organization out. She talked to the Board about feral cat colonies.

Mr. Golden stated the RFP itself was never changed; the RFP never mentioned presentations in its language anywhere; it was the process the CAB chooses to do; and their decision was that evaluations were based on written responses and not presentations. He stated any presentations given after the process is closed cannot be accepted. He went on to state the agencies presented their independent auditing report as part of the RFP; when looking at the breakdown of services, management in general it amounted to 12 percent; and they are not sure where the figure of 70 percent came from. He explained to the Board that as to the first meeting their being no minutes, because the meeting was redone, the minutes were only done for the second meeting; but there is a recording from the second meeting, as there was from the meeting in January when the CAB decided not to do presentations. He pointed out the document the Board has was just a notice of the meeting for the recommendation, and it

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included a reminder no presentations were going to be allowed; and it was not the first notice that there would be no presentations.

Becky Lemstram, South Brevard's Women's Center, expressed her appreciation to the Board and staff for the thoroughness given to the agencies.

Kay Keyser, Helping Seniors of Brevard, stated she is proud to be associated with Helping Seniors of Brevard; her official title is the Information Specialist; during the typical day, as she receives calls, she becomes more of a case manager; and the reason why is because seniors in the community call and tell her they have numerous issues they need assistance with. She pointed out she develops a relationship with the callers; and they tell her they are the only ones they speak with that actually calls them back. She stated one of the things that makes helping seniors unique in the community is because they have had a number of volunteers that stepped up to the plate; these people spent their valuable time volunteering to help them put together a survey; and hundred's came back both in print and on line. She advised the Board the volunteers took their valuable time to work with them because she typed it all up and provide an aging plan; an aging plan is not present in the County; and some days people call her and cry on the telephone as they as desperate for help. She noted their mission is to educate the senior citizens; and the comments that come back are always positive when they come back to them. She asked the Board to continue funding this organization.

Jacque Esterline, Helping Seniors of Brevard, stated she feels badly they are bringing things up regarding Big Brothers and Big Sisters as funding not being correctly distributed, but it is an issue of Helping Seniors of Brevard has been around three years; they have documentation of the outcomes; and they are in the community. She stated they are not an organization who were here and left because it was not successful; they have a local connection; and they have a lot of volunteers to help with seniors. She noted to be overlooked as they have in the last three years is very sad.

Christina Lutz, Big Brothers and Big Sisters, stated currently they have 56 matches; this means that when she matches the mentor with the child, they go out into the community; and if they do in the future have an office in the County, they would not be coming to the office to get mentoring services. She expressed her appreciation to staff.

Commissioner Smith inquired how people find Big Brothers and Big Sisters. Ms. Lutz replied they have a website as well as she goes to a lot of the elementary schools and the fairs.

Commissioner Infantini stated the one thing she is always chastising government for is to consolidate operations and not be so spread out; and to go after an organization because they do not have a physical office in the County, she does not know. She pointed out they are not spending their limited charitable dollars having multiple locations and offices. She noted they should be applauded for what they are doing.

Sandra Nevins stated her association with Helping Seniors of Brevard is she is a senior citizen and on disability; one thing she has noticed is just because she is old does not mean she is not useful; there are a group of ladies she knows that volunteer and put back into the community; and she helped out as she has a degree in accounting. She asked the Board that Helping Seniors of Brevard get treated with an aging plan; and they are someone's mother, grandmother, and stuff is not getting done.

David Brubaker, Central Brevard Senior Center, stated they are a basic needs organization that has been servicing Central Brevard County since 1978; their mission is to provide emergency assistance to those in the community who struggle to obtain life's most basic needs; and he would like to break it down by saying it is about food on the table, shirt on a person's back, and

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a roof over a person's head. He went on to say having resided in the County since 1984; he has seen the ups and downs, both in the profit world he has worked in and in the non-profit world since being with the Sharing Center since 2003. He expressed his appreciation to the Board for the opportunity to apply for the CBO funds, as well as the Community Development Block Grant (CDBG) funds. He noted he has personally written grants so he familiar with the RFP process; he feels personally it is fair to all concerned; he would like to state he attended the technical training session; and it was clearly stated that this year there would be no presentations. He added, they applied for assistance to purchase food for the Emergency Food Pantry Program; it provides emergency groceries every 60 days to Central Brevard residents; last year they provided over 38,000 pounds of food; and there were still times they did not have food on their shelves. He expressed his appreciation to the Housing and Human Services staff for their due diligence; he has never had an issue; and he has not always received funding.

Ashley Molozaiy stated he served on the Committee for a number of years as a member and as chairman; the reason there was a change in the process is because when the member sees the application, the amount of material that is submitted to the CAB is vetted thoroughly by staff; they get those applications; their job is to thoroughly review them; and during that review process, he writes down questions he has. He pointed out when the presentations were made, the questions were redundant; the CAB decided instead of the presentations, the board members would ask questions; and when everyone is present, there can be quite a few questions.

Commissioner Fisher stated he can remember when he first came into office, this was funded at about \$1 million a year; and the Board had to make some hard decisions and cuts. He stated he advised Mr. Steckler to go through the protest process; he went through the process where it was looked at again; and the CAB made its decision. He pointed out there are so many organizations that do so many good things, but they cannot all be funded; he stated he hopes the organizations is working together and consolidating services; and they are limited in the amount of dollars that are out there today. He noted he wishes the Board could fund them all, but the Board cannot; the County has made huge sacrifices over the past few years; he is sorry their funding was cut over the years; and he feels this Item should be approved.

Commissioner Smith stated these organizations without doubt do an awful lot of community good; he commends and salutes them; he does not know how government got into helping people and organizations such as these; he has received numerous telephone calls and emails; and some citizens feel government should not fund these services. He stated he knows it would be difficult to take away from some of the organizations that were funded, but the Board should include the four organizations that were not approved for funding. He stated going forward, the Board should not fund these organizations, because the roads and other things need to be addressed. He noted core government is essential; it is nice to have people with big hearts step up to the plate; and he thinks everyone should be funded this year.

Commissioner Anderson stated one of his favorite people was Ronald Reagan, and he believed in faith based organization and being able to fund those through the government; Big Brothers and Big Sisters get volunteer hours; when the Board funds those organizations, there is a savings to the taxpayers; two or three of the kids that have been saved through this program from going into the County Jail has saved the County money by not having to house them in the Jail; and the County spends more money by not intervening on the front end. He pointed out it is savings the taxpayers in the end. He stated when Commissioner Infantini, Commissioner Fisher, and he got into office they said they would reduce this program amount of money every year until it is almost zero to give them time to go out and get the private funding; that process has been started as a phase out approach; and every year it is reduced more.

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Chairman Barfield stated government dollars go into the charity and then they can go out for grants; it can be leveraged in a lot of ways, and go a lot further; he believes there is a purpose for it; and if the Board decides to make a change in the CBO's, he would like one of the Commissioners to bring it up as an Agenda Item for discussion.

Commissioner Fisher stated these are services this community needs to have; the Board helps subsidize it; and he feels taking care of seniors and children should be considered a core service.

Commissioner Infantini expressed her appreciation for all of the volunteer work they do as it is valuable to the community; she is in support of children and Alzheimer's organizations; she would like to see a little prioritization from the Board; she agree with Commissioner Smith on how to redistribute the money; and she thinks there are organizations that should receive some of the County's funding. She went on to add rather than receiving 80 percent of the funding, she would rather see 75 percent; she sees \$10,000 go to a faith-based organization in the north part of the County for educational services; there are times when the Board needs to be spending money; and this is one of the places where she believes the Board should be spending the money. She noted she knows it is not government's role; if there is a way to change the allocation process through the United Way; and maybe the County can talk with the United Way to see if it can be a more instrumental part in the allocation of funds, because some of the organizations that receive funds through the County already receive money from the United Way. She pointed out she will not be in favor of the current motion, but if Commissioner Smith would like to make a motion for a redistribution of the funding, she would support that.

Commissioner Smith asked Commissioner Fisher to expand his motion to include the four organizations that did not make the cut.

Commissioner Fisher stated the first thing he would have to do is get some clarification from staff to see if these organizations even qualify; and he inquired if there was concern about qualifications. Mr. Golden replied there was no concern about qualifications; the issue is each agency ended up with a total score; and that score determined where they fell in terms of funding, with the highest scored agency until the funding ran out. He went on to say the idea of distributing the funding would take it from the 80 percent recommended; staff did the calculation to fund all agencies, and it would drop them down to 57 percent funding; the issue being there were three agencies at the bottom of the 80 percent funding that tied; and when the money was distributed, they were already below 80 percent, about 58 percent. He noted to bring them back up to the point where they would be equal with everyone else, would take it down to 57 percent; there are some concerns with that; and he will leave it to the Purchasing Department and the County Attorney to determine if those agencies who were recommended at the 80 percent would have a basis for protest, because their funding has changed. He added a lot of the agencies who are funded by the County, that is funding they can depend upon; they do not have to be concerned if they will receive the donation to make up the difference; and it provides a stable form of funding for them and ability to go out and get the leveraging dollars.

Commissioner Anderson inquired what the total tally is for those agencies that did not get funded. Mr. Golden responded the total request at 100 percent for all agencies and all programs, agencies were allowed to submit up to two programs, their total amount of funding came to about \$890,000. Commissioner Anderson inquired of that, just the ones who did not make the cut what the number of that is; and what is the amount for last three agencies that only received 58 percent of funding. He stated the ones that did not make the cut, he would like to know what that is at 80 percent, and at 58.7 percent.

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*The Board recessed at 11:20 a.m. and reconvened at 11:30 a.m.

Juanita Davis, Housing and Human Services Assistant Director/Finance Officer, advised the Board if it were to fund the four programs, three agencies that did not receive funding at 57 percent, it would be an additional \$126,000.

Commissioner Anderson stated the process has already been completed through the RFP; the CAB already vetted it thoroughly; it would be unfair to go back after all of the work that had been done; and the only way he would do anything, and it is up to the Board, if it wants to fund those three agencies, it will need to find the \$126,000.

Commissioner Fisher stated his concern is if it is done, the budget will have to be cut somewhere else; in fair competition, the ones who scored the highest would be dropped to 57 percent; going into next year, he would like to have the whole process looked at again; he does not like that they do not do presentations; he knows it is an eight-hour day; but he has a lot of 12-hour days. He stated the application process could be viewed and worked on; but he does not think it would be fair.

Chairman Barfield stated the County has a process, it was followed; it is not fair to others who followed the process; and if the process can be improved, it needs to be worked on before this comes up again.

Commissioner Smith stated Brevard County has an active donation program that allows employees to donate funds; and he asked and encouraged the employees to designate donations to go to a particular agency.

The Board approved the recommendations of the Community Action Board (CAB) to provide \$510,200 in funding to twelve (12) community-based organizations (CBO); authorized the Chairman, and/or County Manager, or his designee, to execute Agreements, upon review and approval by the County Attorney and Risk Management; and authorized the Chairman, or the County Manager, to execute modifications and amendments, upon review and approval of the County Attorney and Risk Management.

RESULT:	ADOPTED [4 TO 1]
MOVER:	Robin Fisher, Commissioner District 1
SECONDER:	Andy Anderson, Commissioner District 5
AYES:	Robin Fisher, Jim Barfield, Curt Smith, Andy Anderson
NAYS:	Trudie Infantini

ITEM VI.D.1., PERMISSION TO ADVERTISE, RE: PROPOSED HISTORIC PROPERTY TAX EXEMPTION ORDINANCE FOR J.R. FIELD HOMESTEAD, ALSO KNOWN AS FIELD MANOR, MERRITT ISLAND

Scott Knox, County Attorney, stated this is a request for permission to advertise an ordinance for historic property tax exemption for the J.R. Field Homestead; it is located in District 2; and there are people present today to speak on the issue.

Jane Templeton, President of Field Manor Foundation, stated she is present to give the Board some background information; and she introduced Bud Crisafulli, one of their board members. She provided a PowerPoint presentation to the Board. She stated now the Board knows who they are and what they are doing that it would look favorably on their request.

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Bud Crisafulli stated they want to provide a destination for schools, non-profits, and people off of the cruise ships; there are thousands of people coming through the County every week; and he inquired why they should go away not knowing what the legacy was, which was citrus. He advised Ms. Templeton has put together a group of board members are the best group he has ever served with. He stated he needs the Board's help with this.

Commissioner Fisher stated it is not every day that someone donates 300 feet on the river for a public purpose; and it is for a museum for the working farms.

Commissioner Infantini stated it is very noble, but she just told people the Board did not have any money because they are non-profit; and now the Board just found \$19,000 every year to save this. She noted instead of using General Fund money, she suggested the Tourist Development Council spend some of their millions of dollars; and rather than taking out of the taxpayer coffer, still have the money be paid, but have the TDC use their funding to pay the tax bill.

Chairman Barfield stated this is strictly to advertise the ordinance; and it can be discussed when it comes back up.

Commissioner Anderson advised the State Statutes does not allow the TDC in the State of Florida to spend money on tax bills.

The Board granted permission to advertise for the proposed historic property tax exemption ordinance for J.R. Field Homestead, also known as Field Manor.

RESULT:	ADOPTED [4 TO 1]
MOVER:	Robin Fisher, Commissioner District 1
SECONDER:	Curt Smith, Vice Chairman/Commissioner District 4
AYES:	Robin Fisher, Jim Barfield, Curt Smith, Andy Anderson
NAYS:	Trudie Infantini

ITEM VI.F.1., CITIZEN REQUEST BY KAREEN SPRATLING OF BRYANT MILLER OLIVE LAW OFFICE, RE: RESOLUTION AND INTERLOCAL AGREEMENT WITH PINELLAS COUNTY INDUSTRIAL DEVELOPMENT AUTHORITY FOR REVENUE BONDS

Charles Sands, Volunteers of America, stated he is a financial advisor; he works with projects that he tries to arrange tax exempt bonds to finance their projects; he is present to represent Volunteers of America; and they provide all kinds of services for homeless veterans. He asked the Board for its approval to conduct the public hearing, and a resolution approving the public hearing all for the purpose of refinancing some existing debt Pinellas County has at a lower interest with tax exempt bonds; Tax Law Section 147(F) of the Internal Revenue Code requires that when doing an tax exempt bond, there has to be approval from the highest elected body in the location where the project is located; and they have projects throughout Florida, all of which are going through this process. He pointed out Pinellas County will actually be the issuer of the bond, as that is where Volunteers of America is headquartered; but as he said, they have facilities throughout the State.

The Board conducted a Tax Equity and Fiscal Responsibility Act (TEFRA) public hearing; adopted Resolution No. 15-226, approving issuance of a portion of the proceeds from the not to exceed \$4,500,000 Pinellas County Industrial Development Authority Revenue Bonds (Volunteers of America Project), Series 2015 (The Pinellas Bonds), with respect to the portion

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which is to be used in Brevard County, pursuant to Section 147(F) of the Internal Revenue Code of 1986; and executed Interlocal Agreement with Pinellas County Industrial Development Authority (d/b/a the Pinellas County Economic Development Authority), providing certain other matters in connection therewith, and providing an effective date.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Robin Fisher, Commissioner District 1
SECONDER:	Andy Anderson, Commissioner District 5
AYES:	Fisher, Barfield, Infantini, Smith, Anderson

ITEM VI.F.2., CITIZEN REQUEST BY RUSSEL ROSE, UNITED PARCEL SERVICE (UPS) TO MODIFY ZONING CODES, RE: USE OF PORTABLE STORAGE UNITS FOR THE HOLIDAYS

Russel Rose, United Parcel Service, stated they have been able to put portable storage containers throughout the County to help during peak season in getting delivery service to the residents of the County; it has help UPS; and it has been a tremendous success. He went on to say they are able with the Pods, to hire students who are home for the holidays, people who are unemployed or retired, and they are able to deliver to residents during the daylight hours. He stated some of the places that they have tried to put Pods does not have the right zoning classification; a couple of the places they tried to go to is at the Space Coast Stadium where the Washington Nationals train; they have given them permission to use the large parking lot so they could deliver all of the residential subdivisions that lie behind there; another place is in the overflow grass parking lot by the Courthouse; the problem they ran into is they did not have the right zoning; and he inquired if there is some way to amend what is already there to include Government Managed Land (GML) zoning. He pointed out UPS uses Liberty Mutual to insure all of its motor vehicles; there is no liability for anyone else and no one is at risk; and they do not make profit from it, it is purely convenience to them.

Robin Sobrino, Planning and Development Director, stated in 2013 the Zoning Regulations were amended after a request and a public hearing by UPS in order to allow the seasonal delivery Pods to be set up; the Code provides for them to be set up in virtually all zoning classifications except for GML; staff did not expressly excluded GML, only that it was requested to be in locations that were adjacent to residential areas to facilitate their deliveries; and they made reference to the fact that they wanted the opportunity to place them in neighborhoods, therefore the Commercial, Residential, Institutional, and Industrial Zoning Classifications have provisions to allow for these seasonal sites. She pointed out the only Classification that does not provide for it at this time is GML.

Commissioner Anderson inquired if it is easy to alleviate.

Stockton Whitten, County Manager, replied between the County Attorney and Human Resources they can handle that; if the change is made, he was going to talk about the money; his first concern is staff would have to coordinate with the Sheriff's Office to ensure they did not have any security concerns if they sat a Pod next to the Courthouse; and he inquired if UPS had anticipated paying the owners of the GML properties.

Mr. Rose advised the Board that UPS provides \$100 a month for things like this.

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Commissioner Anderson stated the request is for staff to delete that zoning from the Ordinance; and staff would have to do legislative intent. He stated those things could be straightened out after the legislative intent to change the Ordinance, and then staff can negotiate with UPS.

Commissioner Smith stated as a businessman, for that kind of convenience, he considers that as really cheap. He inquired if it would be appropriate to negotiate the price as well.

The Board directed staff to draft legislative intent to amend Ordinance No. 13-16, to allow portable storage units in GML Zoning areas during the holiday season; and to negotiate the price of locating the units on the properties.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Andy Anderson, Commissioner District 5
SECONDER:	Robin Fisher, Commissioner District 1
AYES:	Fisher, Barfield, Infantini, Smith, Anderson

ITEM VII., PUBLIC COMMENTS

Charles Tovey stated he has a list of things; and he expressed his appreciation to the Board for allowing him to speak. He talked about his boat being taken; he stated has a problem with the fines against his boat; and he has problems with the arson at his home. He stated mentors are very important; one of his gifts is to help people who are troubled; and he has help people gain their license back, get off probation, and get off of drugs.

ITEM VIII.A., STOCKTON WHITTEN, COUNTY MANAGER REPORT

Stockton Whitten, County Manager, stated staff had the good fortune of participating in the Field of Dreams Community Build Day on Thursday, November 12th; and he provided the Board with a presentation.

ITEM VIII.C., TRUDIE INFANTINI, DISTRICT 3 COMMISSIONER REPORT

Commissioner Infantini stated they had the Promise groundbreaking on November 9th; she is excited for Betsy Farmer, she finally achieved her dream goal of creating a place for adults to live in perpetuity; and that is really great. She went on to say at Florida Technology last night they had the Delta Mu Delta inducting students into the Honor Society, students in the top 20 percent of their class. She inquired if the Board can change the date of the gas tax workshop on December 10th. She had not planned on attending the workshop as she has a previous commitment; the alternative date is the Transportation Planning Organization (TPO) meeting on January 14th; and she asked the Board to schedule it at that time at the open workshop.

Chairman Barfield stated he does not know if there is enough time by February 1, 2016, as that is the date they want that completed by; he anticipates more than one workshop; and he really hates to move that.

Commissioner Infantini stated she would hate to have a Commissioner absent; meeting schedules have been rearranged in the past when a Commissioner was unable to be there; and she thinks this is important.

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Commissioner Fisher stated December 10th would have been thrown out since last December; he had times he could not be at the Board meetings due to personal issues; and he made a choice at that time. He stated he thinks the workshop needs to stay on that date.

Commissioner Smith stated he would like to agree with Commissioner Infantini, but there are four other Commissioners that can attend; there will be no voting done at that time; the time to do this is limited; and if the Board wants to have a workshop in December and January that is the only way to do it.

Commissioner Infantini stated the January meeting should already be scheduled as well.

Stockton Whitten, County Manager, advised the direction of the Board was to do it on the days in which the cities can participate; the Board talked about two workshops; he can try to find another date in December; but he needs direction of how the Board wants the workshop structured as part of the discussion.

Commissioner Smith suggested this has to be educational; he thinks the color of money is important; and the wheel does not need to be reinvented.

Commissioner Infantini stated she does not know why Commissioner Fisher needs to be there because he has already presented he will not cut a single item out of anywhere; and she is not even sure why he wants to attend the meeting. She asked the County Manager to prepare a schedule of what he feels is the most important priorities of government so that the Board will understand and are able to follow his direction as well as its own.

Mr. Whitten replied the short answer is the entire budget book because the Board set the priorities; it is a policy decision; after the Board gets through the mandates and the Charter Officers, it is cutting some percents of \$20 million that goes to over 100 programs; and at the end of the day, it is up to the Board to give him the priorities for him to implement.

Commissioner Infantini stated she received an email that said Commissioner Fisher said there was \$25 million in mandates, and that the priority list has roads as ninth on the list.

Commissioner Anderson stated number one was economic development, two was public safety, three was roads and public works; if the Board wants to change it, it can have that workshop on it; but he is not changing his mind.

Mr. Whitten stated staff welcomes the chance and every opportunity they can get to talk about the County's budget, because there is a lot of misinformation out there on the County's budget and the constraints under which the Board operates; John Denninghoff, Public Works Director, will go over the road needs at the workshop; and he can give the Board the 2009 strategic planning priorities.

Commissioner Fisher stated Commissioner Infantini made reference to what he said the other day, and he will stand by that because he has been through this enough to know that this is a revenue problem; he is planning to be at the December 10th workshop; and after both workshops are completed, he would be willing to make a motion that the Board do legislative intent.

Commissioner Infantini stated she will be late for the workshop.

ITEM VIII.E., ANDY ANDERSON, DISTRICT 5 COMMISSIONER REPORT

Commissioner Anderson stated the Field of Dreams was pretty amazing. He stated it is District 5's annual charity drive; Coats for Kids is still ongoing to supply new coats, especially for toddlers and infants to any of the library locations or at C Coast Bank; and they will be provided through Guardian Ad Litem to children who need them. He stated the other charity is Elves for Elders; they provide gifts to elders who are wards of the State and do not have any family; and they asked everyone to call the District 5 Commission Office at 321-253-6611 so an elder can be adopted.

ITEM VIII.G., ROBIN FISHER, DISTRICT 1 COMMISSIONER REPORT

Commissioner Fisher expressed his appreciation to staff, team members, and Commissioners to help out with the Field of Dreams; and it is hard to believe that four years ago that project has come this far. He stated over 1,400 people came out and volunteered over a five-day period of time. He provided a picture to the Board of the final product.

ITEM VIII.D., CURT SMITH, DISTRICT 4 COMMISSIONER/VICE CHAIRMAN REPORT

Commissioner Smith stated the Field of Dreams was a positive experience; he lent his expertise and talent to do things like dig dirt and spray screws with red paint; and everyone worked together. He stated Brevard County is blessed to have someone like Betsy Farmer who has such passion.

Commissioner Fisher stated there are a lot of folks who worry about their disabled children and what to do with them; and the City of West Melbourne is lucky to have the Field of Dreams.

ITEM VIII.F., JIM BARFIELD, DISTRICT 2 COMMISSIONER/CHAIRMAN REPORT

Chairman Barfield stated he was at the Veterans Memorial Center on Veteran's Day; it was a moving presentation; the one award that amazed him the most was Don Weaver, the head of that organization, asked for World War II Veterans to attend; he expected a few, but there were 11 who came to the event; and each one of them had various stories to tell.

Upon consensus of the Board, the meeting adjourned at 12:35 p.m.

ATTEST:

JIM BARFIELD, CHAIRMAN
BOARD OF COUNTY COMMISSIONERS
BREVARD COUNTY, FLORIDA

SCOTT ELLIS, CLERK