

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

5:00 PM

The Board of County Commissioners of Brevard County, Florida, met in regular session on September 7, 2017 at 5:00 PM in the Government Center Commission Room, Building C, 2725 Judge Fran Jamieson Way, Viera, Florida.

CALL TO ORDER

Attendee Name	Title	Status	Arrived
Rita Pritchett	Vice Chairwoman/Commissioner District 1	Present	
Jim Barfield	Commissioner District 2	Present	
John Tobia	Commissioner District 3	Present	
Curt Smith	Chairman/Commissioner District 4	Absent	
Kristine Isnardi	Commissioner District 5	Present	

PLEDGE OF ALLEGIANCE

Commissioner Isnardi led the assembly in the Pledge of Allegiance.

TABLED ITEMS

Commissioner Pritchett stated this is a different type of evening because of the storms the County is preparing to stay ahead of; she has two Items but learned of information before the meeting that the Board was only to consider either Item IV.F. or V.B.; and she inquired if County Manager, Frank Abbate, wanted the Board to consider both Items or just one.

Mr. Abbate stated he is most interested in, and to be consistent with the email that was put out, was to deal with Item IV.F. which was the Emergency Ordinance for removal of disaster debris from private roads.

Commissioner Pritchett asked if the Board would consider tabling the rest of the Items to the October 5, 2017, meeting at 5:30 p.m.

Eden Bentley, Deputy County Attorney, agreed with Commissioner Pritchett.

The Board tabled all of the Agenda Items from the September 7, 2017, Meeting, except Item IV.F., to the October 5, 2017, zoning meeting at 5:30 p.m.

Mr. Abbate stated there may be more Items that are time sensitive, so he will move those Items and put notice out, under new business, or there were consent items, for the September 19 meeting as long as it meets with Board approval.

Ms. Bentley stated there was a Planning and Zoning Meeting scheduled for Monday, September 11; it is going to be re-advertised for September 25, 2017, at 3 p.m.; and there will be a notice on the County Website and in the newspaper.

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

ITEM IV.F. ORDINANCE DECLARING EMERGENCY, RE: AMENDMENT OF CHAPTER 94 - SOLID WASTE, SECTION 94-332, REMOVAL OF DISASTER DEBRIS FROM HURRICANE IRMA ON PRIVATE ROADS

Christine Valliere, Assistant County Attorney, stated this is an emergency ordinance to incorporate language that the County Attorney's Office thinks will satisfy Federal Emergency Management Agency (FEMA) regarding the pickup of hurricane related debris on private roads, as stated in the Agenda Report; FEMA changed the rules last year, and local county and local government jurisdictions are still trying to figure out exactly what the new rules are and what FEMA will accept; they do know that Clay County used this approach with their own ordinance with Hurricane Matthew and their private roads reimbursement request was approved by FEMA, therefore, they thought it best to follow that approach; in light of the events impending, she would suggest this as an Emergency Ordinance; and she noted it will require all four Commissioners to approve it.

Commissioner Pritchett announced there was no one there to comment on the Item.

The Board adopted Ordinance No. 17-20E, Declaring Emergency for Amendment of Chapter 94 - Solid Waste, Section 94-332, Removal of Disaster Debris from Hurricane Irma on private roads.

Frank Abbate, County Manager, stated there is one almost related Item, which is Solid Waste would like permission to utilize the resources to pay for the debris removal, anticipating that is going to happen.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Kristine Isnardi, Commissioner District 5
SECONDER:	Jim Barfield, Commissioner District 2
AYES:	Rita Pritchett, Jim Barfield, John Tobia, Kristine Isnardi
ABSENT:	Curt Smith

PERMISSION FOR SOLID WASTE TO UTILIZE RESOURCES TO PAY, RE: HURRICANE DEBRIS REMOVAL

Frank Abbate, County Manager, stated there is one almost related Item, which is Solid Waste would like permission to utilize the resources to pay for the debris removal, anticipating that is going to happen.

Euripides Rodriguez, Solid Waste Management Director, stated in view of that, they have not been reimbursed yet from FEMA and or the State; there is no money in the collection account; he does not know how big this storm is, so the disposal account may or may not have enough money; however, the Board would have to authorize him to take a loan from the disposal account.

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Mr. Abbate stated the County has the various insurance funds, health insurance funds, which they would use secondarily, but the primary one would be a Property and Casualty Funds, including Catastrophic Reserve Funds that the County has; and they are just seeking permission for the Board's authorization to use those funds as necessary for debris related collections.

The Board authorized the use of the reserves for property casualty and/or the solid waste disposal fees for Hurricane Irma debris removal.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Jim Barfield, Commissioner District 2
SECONDER:	Kristine Isnardi, Commissioner District 5
AYES:	Rita Pritchett, Jim Barfield, John Tobia, Kristine Isnardi
ABSENT:	Curt Smith

SOLID WASTE REQUEST PERMISSION FOR COUNTY MANAGER TO EXECUTE CONTRACTS FOR TEMPORARY HURRICANE DEBRIS SITES

Euripides Rodriguez, Solid Waste Management Director, stated he apologizes for bringing this up last minute, however, there are things that have occurred to them as they are making plans; they have temporary debris sites already in place; last year they used the temporary debris sites, and they had to sign a contract, but it did not cost anything; and he would like to seek authorization for the County Manager to sign contracts for temporary debris sites.

The Board authorized the County Manager to execute contracts for use of temporary hurricane debris sites.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Jim Barfield, Commissioner District 2
SECONDER:	Kristine Isnardi, Commissioner District 5
AYES:	Rita Pritchett, Jim Barfield, John Tobia, Kristine Isnardi
ABSENT:	Curt Smith

ITEM VIII.A., BOARD REPORTS, RE: FRANK ABBATE, COUNTY MANAGER

Frank Abbate, County Manager, stated this relates to the upcoming budget hearings for millage, the first of which is scheduled for next week; on September 4, 2017, Governor Rick Scott issued an Executive Order 17-235 in response to the threat of Hurricane Irma and as a result the Department of Revenue issued an Emergency Order implementing provisions of the Governor's Order that waives statutory time requirements and provides the County the ability to do certain things related to the millage and budget hearings; as part of that, the County is authorized to cancel either of those hearings as long as they post a Notice of Cancellation on the door of the meeting to advise the public that the scheduled hearing is being cancelled; and in addition to that, this Emergency Order provides that the timing compliance requirements that are required statutorily, including the two weeks duration between the two hearings are suspended for a period of 30 days from the Executive Order being issued. He added if the Board chooses, as a taxing authority, to cancel either hearing, talking specifically about the one scheduled for Tuesday, September 12, the County has the ability to reschedule and advertise it in a paper of

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general circulation, publish it and reschedule it in not less than two days, but not more than five days of that hearing; in light of where the County stands with the latest updates regarding Hurricane Irma, he would like to suggest to the Board that it consider canceling Tuesday night's hearing because he thinks some people will have difficulty because of mandatory evacuations and other reasons, and look to reschedule it the following week which would be Tuesday, September 19, at 5:30 p.m.; and if the Board agrees to that he will move forward and post the notices this evening. He mentioned he thinks it would be the prudent thing to do; he has also taken the initiative to speak with both the Tax Collector and the Property Appraiser to let them know that this was going to be brought forward to the Board; they both believe that action would not cause a problem for either of them, as long as the County proceeds on September 19; that would give them sufficient time to do what they need to do; and at this point he would leave the meeting for September 26, 2017, as scheduled.

Commissioner Pritchett inquired the time on September 19.

Mr. Abbate confirmed 5:30 p.m.; the Statute provides that it has to be after 5:00 p.m.; and he did not want to take a chance so they thought leaving it at 5:30 p.m. would be the most prudent thing to do.

Commissioner Pritchett inquired if they were going to combine both meetings together.

Mr. Abbate stated no, this would be the first meeting; and the second meeting would take place on September 26, 2017.

Commissioner Pritchett stated she meant the Regular Board Meeting.

Mr. Abbate replied the Regular Board Meeting is scheduled for 9:00 a.m. and the second meeting would be at 5:30 p.m.

The Board authorized the rescheduling of September 12, 2017, 1st Budget Hearing to September 19, 2017, at 5:30 p.m.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Jim Barfield, Commissioner District 2
SECONDER:	Kristine Isnardi, Commissioner District 5
AYES:	Rita Pritchett, Jim Barfield, John Tobia, Kristine Isnardi
ABSENT:	Curt Smith

ITEM VIII.B., BOARD REPORT, RE: RITA PRITCHETT, DISTRICT 1 COMMISSIONER/VICE CHAIRWOMAN

Commissioner Pritchett stated for everyone to be careful; anyone who is going to evacuate to please do so early and drive safely; everyone is under a little more tension so have a little more grace with people in traffic; and she hopes to see everyone back there in about a week.

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Upon consensus of the Board, the meeting adjourned at 5:16 p.m.

ATTEST:

SCOTT ELLIS, CLERK

CURT SMITH, CHAIRMAN
BOARD OF COUNTY COMMISSIONERS
BREVARD COUNTY, FLORIDA