

Brevard County Board of County Commissioners

*2725 Judge Fran Jamieson Way
Viera, FL 32940*



Minutes

Tuesday, May 9, 2023

5:00 PM

Regular

Commission Chambers

Rollcall

Present: Commissioner District 1 Rita Pritchett, Commissioner District 2 Tom Goodson, Commissioner District 3 John Tobia, and Commissioner District 4 Rob Feltner

A. CALL TO ORDER 5:02 PM

C. PLEDGE OF ALLEGIANCE: Commissioner Pritchett, Chair, District 1

Chair Pritchett led the assembly in the Pledge of Allegiance.

D. MINUTES FOR APPROVAL

the Board approved the February 21, 2023, Regular Meeting Minutes.

Result: APPROVED

Mover: John Tobia

Second: Tom Goodson

Ayes: Pritchett, Goodson, Tobia, and Feltner

E.1. Resolution Recognizing May 2023 as Older Americans Month

Commissioner Tobia read aloud, and the Board adopted Resolution No. 23-040, proclaiming May 2023 as Older Americans Month.

Result: ADOPTED

Mover: John Tobia

Second: Rob Feltner

Ayes: Pritchett, Goodson, Tobia, and Feltner

Yvonne Minus, Councilwoman, City of Melbourne, expressed her appreciation for the Resolution; she expressed her appreciation to the Chair, Dr. John Potomski, and Brevard County Commission on Aging; and she stated the Commission on Aging voted unanimously to recognize Jerry Phillips for doing the great things he is doing in Melbourne and Brevard County.

Dr. Potomski stated Mr. Phillips' wife was admitted to the hospital today, and that is why he is not present; Councilwoman Minus is going to accept the proclamation on Mr. Phillips' behalf; he expressed his appreciation to former Commissioner Zonka for being selected as the representative of the State Florida Department of Health in Brevard County; he noted he appreciated her support of the elders in the past; when the CBO funding was cut, former Commissioner Zonka stood up and said the Board needs to still support Meals on Wheels; and the Board at that time supported that. He went on to say the frail elders are able to get nutritious meals, as that is where health starts in what a person eats; and he expressed his appreciation to the Board for its continuous support of the senior citizens, and for supporting Mr. Phillips.

E.2. Resolution Acknowledging the Week of May 7-May 13, 2023 as Corrections Officers Appreciation Week

Commissioner Tobia read aloud, and the Board adopted Resolution No. 23-041, acknowledging the week of May 7-13, 2023, as Corrections Officer Appreciation Week.

Result: ADOPTED

Mover: John Tobia

Secunder: Rob Feltner

Ayes: Pritchett, Goodson, Tobia, and Feltner

Wayne Ivey, Brevard County Sheriff, expressed his appreciation to the Board for recognizing their team; he stated the corrections officers' across-the-country work in one of the toughest and most dangerous environments in the profession; they work around the worst of the worst, those that have committed crimes of everything from murder to sex crimes, to drug dealers, and everything else; and that is the constant, surrounding environment that they are in. He continued by saying their team does it very professionally; they are among the best in the country; they get up and go to work every day; and they take care of those that they are responsible for. He explained a lot of people think that in the profession of corrections it is about keeping them from getting out, it is not just about keeping them secure, it is about proving the well-being of them, healthcare, mental health counselling, and all of the things that go into their job; he reiterated their team does it better than anyone else; he stated it is nothing against the other corrections officers, it is just the faith he has in the team and command structure they have in place; and he is very proud of the job they do each and every day.

Chair Pritchett expressed her appreciation to the corrections officers in Brevard County; she stated they serve the greatest Sheriff in the whole country; and she literally trusts her life with Sheriff Ivey.

Sheriff Ivey commented he tells everyone he is surrounded by an amazing team of men and women who knock it out of the park every day to keep the community safe; he just stays out of their way; and they do all of the work.

E.3. Resolution acknowledging Emergency Medical Services (EMS) Week

Commissioner Feltner advised the people present regarding the resolution is Patrick Voltaire, Brevard County Fire Chief, Matthew Wallace, Public Safety Director, Orlando Dominguez, Assistant Fire Chief, Chris DiSciascio, District Chief, Lieutenant James Dean, Chris Chadwick, Fire Medic, John Weiss, Community Paramedic, Stephanie Cotton, Ebony Williams, Lisa Smith, Ashley Lewis, Dr. John McPherson, and the Station 48 Crew; and he read aloud, and the Board adopted Resolution No. 23-042, proclaiming May 21, 2023, through May 27, 2023, as Emergency Medical Services (EMS) Week.

Result: ADOPTED

Mover: Rob Feltner

Secunder: Tom Goodson

Ayes: Pritchett, Goodson, Tobia, and Feltner

Chief Voltaire expressed his appreciation to the Board for recognizing the EMS professionals this week; he is proud of the job the team provides keeping the citizens at the cutting edge of the EMS world, and ensuring the survivability of the folks who visit and reside in Brevard County; he stated he would be remiss if he did not also thank the folks behind the scenes who keep the trucks going, keeping the paramedics educated, the logistics, fleet folks who work on those trucks, and there are just so many people who make this whole operation work; and they are thankful for all of them for the success of Brevard County Fire Rescue and the EMS team.

Chair Pritchett stated the EMS folks are just wonderful; and the County is blessed to have the group it has under the leadership of Chief Voltaire.

F.1. Approval of the recently awarded Stan Mayfield Working Waterfront Grant for the

acquisition and expansion of the Blue Crab Cove Working Waterfront site

The Board approved and executed the Florida Communities Trust (FCT) Grant Contract for acquisition and expansion of Blue Crab Cove Working Waterfront Site; and accepted the FCT statutorily-imposed confidentiality provisions for the recently award FCT Stan Mayfield Working Waterfront Grant.

Result: APPROVED
Mover: Tom Goodson
Seconder: Rob Feltner

F.2. Approval RE: Disbursement of Educational Facilities Impact Fees (Districts 1-5)

The Board approved the disbursement of Education Facilities Impact Fees in the amount of \$7,620,267.67 to the School Board of Brevard County in accordance with the terms of the Interlocal Agreement; and authorized the Budget Office to execute necessary Budget Change Requests to implement this disbursement.

Result: APPROVED
Mover: Tom Goodson
Seconder: Rob Feltner

F.3. Approval RE: Transportation Impact Fee Technical Advisory Committee for the North Mainland Benefit District Project Funding Recommendation (Districts 1 and 2).

The Board approved the Brevard Public Works project funding recommendation in the amount of \$1,000,000 as prepared by the Technical Advisory Committee for the North Mainland Benefit District on April 11, 2023; and authorized the Budget Office to execute any Budget Change Requests necessary for implementing these appropriations.

Result: APPROVED
Mover: Tom Goodson
Seconder: Rob Feltner

**F.4. Final Plat and Contract Approval, Re: North Island Villas
Developer: North Island Villas (FL) Owner IV, LLC District 2**

The Board granted final plat approval; authorized the Chair to sign the Plat and Contract for North Island Villas – Developer: North Island Villas (FL) Owner IV, LLC, subject to minor engineering changes, if necessary, receipt of all documents required for recording, and developer responsible for obtaining all necessary jurisdictional permits.

Result: APPROVED
Mover: Tom Goodson
Seconder: Rob Feltner

F.5. Approval, Re: Dedication of Utility Easement from Brevard Constructors, Inc. for the Folsom Center Project - District 1

The Board approved and accepted the Utility Easement from Brevard Constructors, Inc. for the Folsom Center Project.

Result: APPROVED
Mover: Tom Goodson
Seconder: Rob Feltner

F.6. Approval, Re: Quit-Claim Deed in favor of Aridian Publishing Corporation for

Purposes of Releasing Subsurface Oil, Gas, and Mineral Rights Pursuant to 270.11(2) (b) and (3), Florida Statute - District 5.

The Board approved and executed the Quit Claim Deed in favor of Aridian Publishing Corporation for purposes of releasing subsurface oil, gas, and mineral rights pursuant to 270.011(2)(b) and (3), Florida Statutes.

Result: APPROVED

Mover: Tom Goodson

F.7. Approval Re: Local Agency Program Agreement and Resolution with the State of Florida Department of Transportation for the Brevard County Intelligent Transportation System Operational Support - Countywide

The Board approved and executed the Local Agency Program Agreement and adopted Resolution No. 23-043 with FDOT for the Brevard County Intelligent Transportation System Operational Support Project FPN 428930-1-88-01; authorized the Chair to execute any necessary Supplemental Agreements (amendments) and resolutions contingent upon review by the County Attorney's Office, Risk Management, and Purchasing Services; and approved any necessary Budget Change Requests associated with this request.

Result: ADOPTED

Mover: Tom Goodson

Secunder: Rob Feltner

F.8. Approval Re: Permission to Apply to the INFRA Grants Program for Ellis Road Widening - District 5

The Board granted approval for the County to apply for the INFRA Grants Program for Ellis Road Widening; authorized staff to submit via the Grants.Gov portal on behalf of the County; and upon posting the Notice of Funding Opportunity, authorized the Chair to execute a resolution in support of the County's INFRA Grants Program application, contingent upon review and approval of the County Attorney.

Result: APPROVED

Mover: Tom Goodson

Secunder: Rob Feltner

F.9. Approval, Re: Competitive Solicitations for Community Development Block Grant - Coronavirus (CDBG-CV) funds

The Board approved the Housing and Human Services Department's proposal to expend CDBG-CV unobligated and de-obligated funds for public service commodities/equipment per CDBG-CB rules and regulations; authorized Purchasing Services to issue and award competitive solicitations; authorized Housing and Human Services Director to take all actions necessary for final disposition of commodities/equipment (such as acting as signatory on any required asset transfer documents and coordination with other entities); and authorized the County Manager to execute all necessary Budget Change Requests.

Result: APPROVED

Mover: Tom Goodson

Secunder: Rob Feltner

F.10. Approval, Re: License Agreement for access across Environmentally Endangered Lands (EEL) Program managed lands at Grant Flatwoods Sanctuary - District 3

The Board approved and executed License Agreement that allows Shady Oaks Ranch, LLC

(aka Patrick Noll) to access his property through the EEL Program managed Grant Flatwoods Sanctuary, which is owned by the State of Florida.

Result: APPROVED

Mover: Tom Goodson

Seconder: Rob Feltner

F.11. Authorization, RE: Municipal Review of Local Option Gas Tax (LOGT) Percentages Allocations

The Board directed the Clerk to mail a copy of the LOGT percentage allocations to each municipality for review; and approved recommendation of the Board to conduct the final reviews of the applications at the July 25, 2023, Board meeting.

Result: APPROVED

Mover: Tom Goodson

Seconder: Rob Feltner

F.12. FY 2021-2022 Merritt Island Public Library Tax District Board Annual Financial Report

The Board acknowledged receipt of the Fiscal Year 2021-2022 Merritt Island Public Library Tax District Board Annual Report.

Result: APPROVED

Mover: Tom Goodson

Seconder: Rob Feltner

F.13. Approval Re: Approval to Apply for a United States Department of Transportation Charging and Fueling Infrastructure Grant for Electric Vehicle Charging Stations

The Board approved for the County to apply for the United States Department of Transportation Charging and Fueling Infrastructure Grant, and authorized the following actions in order to submit a grant application:

1. Authorized the County Manager to apply via the Grants.Gov portal on behalf of the County; and
2. Authorized Purchasing Services to competitively solicit the services of partners in the planning, designing, installing, furnishing, and maintenance of electric vehicle charging stations; and
3. Authorized the County Manager to execute any budget changes required to implement the requirements of the grant application; and
4. Authorized the County Manager to execute the revenue-sharing contract(s) with partner(s) selected through the competitive process that will provide funding to meet the County's 20 percent match obligation.

Result: APPROVED

Mover: Tom Goodson

Seconder: Rob Feltner

F.15. Confirmation of Phillip "Adam" Hied as Airport Manager

The Board confirmed the appointment of Phillip Adam Hied as the Valkaria Airport Manager.

Result: APPROVED

Mover: Tom Goodson

Seconder: Rob Feltner

F.16. Appointment(s) / Reappointment(s)

The Board appointed/reappointed John C. Davis, Jr. to the Value Adjustment Board, with term expiring January 1, 2025.

Result: APPROVED

Mover: Tom Goodson

Seconder: Rob Feltner

F.17. Central Florida Crimeline Serving Brevard County

The Board approved authorizing the Board of County Commissioners to act as the County's agent for the purpose of applying, receiving, and disbursing Crime Stoppers Trust dollars for approved Crime Stoppers initiatives in Brevard County, as provided in Florida Statutes 938.06, with no additional costs being incurred by the County, and request being made pursuant to requirements in Florida Statute 16.555(5)(b).

Result: APPROVED

Mover: Tom Goodson

Seconder: Rob Feltner

F.18. Economic Development Commission of Florida's Space Coast, Inc. (hereafter referred to as the "EDC") Annual Audit Report and Bi-Annual Report

The Board acknowledged receipt of the EDC's Annual Report for years ended September 30, 2022 and 2021, and the Bi-Annual Report for the period of October 1, 2022, through March 31, 2023.

Result: APPROVED

Mover: Tom Goodson

Seconder: Rob Feltner

F.19. Bill Folder

The Board acknowledged receipt of the Bill Folder.

Result: APPROVED

Mover: Tom Goodson

Seconder: Rob Feltner

F.20. Approval, Re: Fifty-three Month Copier Lease

The Board approved the fifty-three month copier lease and any required budget amendments.

Result: APPROVED

Mover: Tom Goodson

Seconder: Rob Feltner

F.21. Precinct Boundaries - Altered and Added (Chapter 101.001(1) F.S.)

The Board approved the revised precinct boundaries due to annexations by the Cities of Melbourne, Palm Bay, and West Melbourne.

Result: APPROVED

Mover: Tom Goodson

Seconder: Rob Feltner

F.22. Letter of Recognition to the City of Cape Canaveral for their 60-Year Anniversary

The Board acknowledged the Letter of Recognition to the City of Cape Canaveral to commemorate their 60-Year Anniversary on May 16, 2023.

Result: APPROVED

Mover: Tom Goodson

Seconder: Rob Feltner

G. PUBLIC COMMENTS

Liliana Weido provided the Board with her speech: "Is there one food that you just love? Well, for me, that food is avocados. Avocados are awesome. Avocados are so astounding that I even made a list to explain six great things about them. Number one, they are gluten-free, dairy-free, vegetarian, cholesterol-free, and vegan. Number two, it's a wonderful food to feed your babies because they are easy to digest. Fun fact, my first food was an avocado. Anyhoo, switching to number three, avocados are very portable foods. It's a snack in a pack. Number four, they transform your boring or bland chips, or any other food, into an explosion of delectable deliciousness. Moving on to number five, the etymology of avocados, which is the study of words and how its meanings have changed over time, is actually very exciting. The term avocado is pronounced differently depending on the country. In Latin America, the word is referred to as aguacate, but in locations such as Chile and Peru, the word is named palta. To make it even more interesting, all these countries speak the exact same language, Spanish. Could this get any more complex? Okay, last, but definitely not least, number seven, avocados help with anti-aging. Its monounsaturated fatty acids, phenolic compounds, and carotenoids is the cause of that. It also helps with wrinkles. So, all you oldies out there, you better start eating your avocados before things get worse. Anyways, now that you know a little more about avocados, I'm going to inform you about the history of the flavorsome fruit. First of all, the avocado began to grow in the years of 7,000 and 5,000 BC in South Central Mexico. Spanish explorers found the fruit, but the Aztecs discovered that the fruit that came off the tree was edible. My heroes. Anyways, the Aztecs believed that whoever ate an avocado would be given strength. Switching to another subject, now that you know a little more about the history of avocados, I'm going to tell you guy's three fun facts about avocados. Number one, avocados are nicknamed alligator eyes because of the big pit in the center. Number two, there are more than 500 different kinds of avocados that are grown worldwide. Number three, avocado has more potassium than a banana. Anyways, as you can clearly see, avocado is the best food for a pleather of reasons. It has an interesting history, it has a fun nickname, and it is full of nutrition and still tastes scrumptious. So, who agrees with me now? Avocados are awesome."

Katherine Watkins provided her speech to the Board: "Wouldn't it be great if recess was longer? What if I told you a longer recess is beneficial, not only for kids, but for teachers, too. Imagine you're running out to play a game with your friends. It seems like five minutes has passed before you're called in. Don't you wish you could continue playing? That five minutes actually lasted 20, but what if you require a break that lasts longer than 20 minutes? Studies show that kids should get at least 30 minutes of recess every day. Contrary to what some people might think, recess is not a waste of time. A child arrives at class hyper and unable to focus if they only get 20 minutes of recess, but after an extended break their bodies and brains are more ready to learn and stay focused. Every grade from Kindergarten to 12th benefits from recess. During recess, children's level of physical activity can increase, leading them to be able to sit calmly in class for longer periods of time. Additionally, it can enhance children's attentiveness, focus, and memory. Recess can aid in the development of future life skills in kids, including the capacity to interact with others and surmount obstacles. These are important skills kids need in and outside the classroom. Not only does recess make children learn more effectively, it is also enjoyable because they can get a brief break to play with their friends. Getting more recess can help kids physically, mentally, and emotionally. During recess they

can run and socialize with their friends. This can help them stay in shape, reduce stress, and form strong relationships. Finally, more recess can help kids fight against bullying by providing more time to engage in physical activities and learn how to negotiate and care for themselves in stressful situations. Kids love playing, and when a conflict arises, they have the opportunity to practice their leadership skills and get back to having fun. Overall, recess is not only fun but also beneficial to everyone. Twenty minutes of recess is simply not enough time for children to play or exercise. Children should receive at least 30 minutes of recess every day. A longer recess is required for children to live fulfilled lives. With this in mind, I recommend that schools should extend recess to reap the numerous benefits for everyone.”

A representative of the 4-H public speaking program stated this is sponsored by the County, University of Florida Institute of Food and Agricultural Services (IFIS) Extension, and Florida Power and Light (FPL); the program has been in Brevard County for over 20 years; these are two of the best; and he expressed his appreciation to the Board for its time.

Charles Tovey stated he put on his card, Lagoon Man; it is about public speaking being attacked; it is one of the pillars of the Constitution, as well as the other pillars that are being attacked; people need to act now; and slowly, but surely, Public Comment has been degrading. He went on to say on October 10, 2011, he got here at 9:00 and it was not until 2:45 p.m. when he was able to express things; at that time there was a lot of misunderstanding, and people might have prejudices or things, like he is crazy, or this and that; that day he spoke twice; it was for five minutes, and then it got reduced down to three minutes; and by looking at some of his history of speaking, the Board will see that they are applicable now. He noted he looks in the future of things, not in the past; he wants to speak as Lagoon Man for the environment, as well as his personal self; that is two different entities that he wants to address; and he is sorry is he annoys people, but people annoy him. He stated he does not want to stay until 3:00 in the afternoon just to get three minutes to talk; it is all about living together and cooperating; he is at spiritual warfare for God; one of the things hindering him from speaking is he saved the Lagoon; and it is not fancy and can be presented now, because it takes time to recover and heal. He commented he can prove he saved the Lagoon and show the Board; also, there is the spirit of complacency; he does not want to point fingers at anybody; he does not directly accuse and point fingers at anybody; and he just brings up general information. He stated he does not have time to speak about all of the things he wants to speak about; and he expressed his thanks to the Board for putting up with him and with everybody.

Dr. Lance Armstrong provided the Board with a flier; he stated the term ‘rolling thunder’ was coined when B-52’s bombed in Vietnam; he flew in B-52’s for the US Air Force for over seven years; Rolling Thunder is a national, non-profit missing in action prisoner of war advocacy group; they are not a motorcycle club; anyone can join; and a person does not have to be a veteran. He continued by saying their biggest event nationally annually was Washington, DC Memorial Day weekend; in 2019, 1.7 million motorcycles showed up according to the FBI aerial surveillance; they requested they do a state run since then; in 2021, he was given this opportunity with one month to go, and they had over 1,000 motorcycles participate in this event; and it is a three-day event. He noted it went to the infield with Toby Keith as the headline band last year; three months of planning in Jacksonville was cancelled about a month and one-half ago due to a jazz festival also occurring; the state level called him again asking if they, Rolling Thunder Florida Chapter 31, the biggest chapter in the State of Florida, and one of the largest in the United States, would run it again; Rolling Thunder has done a great job; the first event will be where they all gather at the Port, at Fishlips because it is in the center, and then go to the Veterans Memorial Center; and due to their sponsorship, he thinks their sponsor is Med Fast, Fish Lips, and the Board can see them all on the flier, they are able to feed the gold star families a dinner before they do their traditional walk in front of the rolling Vietnam Wall, just

like Washington, DC. He explained Saturday the festival is at Space Coast Harley Davidson where someone is going to win, for just a \$10 donation to their organization to help veterans, an Ultra Classic, the Board can see it on the flier; then Sunday, and this is the most important thing that he wants the Brevard County patriotic residents to know, is that their ride for freedom leaves the Veterans Memorial Center at 10:00 a.m., a B-52 would fly over the Pentagon, and he is proud to say they have the only B-52 available in the United States hopefully coming over their heads at 500 feet; as they leave the Veterans Memorial Center, head west on State Road 520, South on U.S. 1, east on Pineda, and North on A1A through Cocoa Beach and into Cape Canaveral; the reason for that is the B-52 will doing touch and go's, and the network should be set up; and he expressed his appreciation to the Board for its time.

Sandra Sullivan expressed her appreciation to the Board for moving the public speaking Item that was on the Consent Agenda to a separate Agenda Item; she stated she is going to talk about a concern she has with the budget workshop coming off the meeting and being postponed, but it was not really postponed, it was cancelled; and it was not transparent as it was done under Board Reports. She went on to say the concern she has with the lack of transparency is whether people are going to see the tax cap be busted in response to inflation; Brevard has many residents who are already struggling, especially with the insurance crisis that is on the State; there has been Port St. John grow with growth, and in the past few years go from 85 percent capacity to 96 percent capacity; a new sewage treatment plant is 100 million, where just a couple of years ago, it was 50 million; and she asked who is going to pay for all of these additional costs. She noted the County has affordable housing now with exemptions on impact fees, and with Senate Bill 102, exemptions on property tax; her fear is that the everyday, middle class is going to be increasingly burdened; instead of saving a few thousand dollars with cutting back on advisory boards, which reduces transparency, it seems like the wiser decision would be to increase impact fees, which is the share of the developers for infrastructure, else the public will be buried in those costs; impact fees have not been increased in 23 years; and the public is being with the costs of Consumer Price Index (CPI), costs of inflation for the sewage utilities, for example, 4.41 percent just in recent months. She asked the Board to take a look at it does its budget season and look to doing a CPI increase on impact fees very minimally; she asked the Board to level the playing field; she stated if the Board is going to tax the public for CPI, to tax the developers for CPI; looking at Lake County, because of their growth, they have adjusted their impact fees; and she urged the County to do likewise so it does not bury the middle class in additional taxes.

Chair Pritchett advised on that note, with the wastewater treatment center and water, those are Enterprise Funds that are used by users, so typically when the County has to increase production of that, it is by the people who use them; and that is what the Board is looking to do to probably add it on for a period of time through bonding to the people who use them.

Ashley Berke stated there is an escalating rabbit dumping crisis in this County; it is an Animal Control issue; she has not even finished collecting the numbers so far from this year; the intake of dumped rabbits from the street from out of neighborhoods and parks have tripled from 2021 to 2022; and as a non-profit rescue, they are entirely foster-based and volunteer, and they cannot afford to do this on their own. She added they need some sort of County support; they have solutions they would like to discuss with the Commissioners; they have the support of the Sheriff in this endeavor; and they want to get ahead of this problem before it turns into a situation like other counties are facing with the out-of-control rabbit dumping. She went on by saying rabbits are about to become as ubiquitous as feral cats; they are trying to get ahead of that before it gets there; they are hoping to get the Board's support; and she just wanted to introduce themselves and get this on the record.

Jessica Graham stated in the last year, in her neighborhood alone, because she lives by Enterprise Elementary, there have been 13 rabbits dumped or abandoned; there have been no repercussions for this; it is really scary and an alarming rate; shelters do not take in domestic rabbits, they take it in, they call in rescues; and the rescues are mostly foster-based, which are at capacity. She pointed out it is getting to be too much.

H.1. Public Hearing, Re: Ordinance Amending Chapter 2, Article VI, Division 2, Section 2-173, “Enforcement Procedure.”

Chair Pritchett called for a public hearing to consider an ordinance amending Chapter 2, Article VI, Division 2, Section 2-173, “Enforcement Procedure”.

Billy Prasad, Special Projects Coordinator, Planning and Development Department, stated this is an ordinance amendment to Chapter 2, Article VI, Division 2, Section 2-173, entitled Enforcement Procedure; at its last meeting, the Board issued legislative intent and permission to advertise this ordinance amendment in order to align County Code with the statutory prohibition of accepting most anonymous Code Enforcement complaints; the proposed ordinance amendment has been drafted to accomplish this; and because staff has already implemented the procedures required by statute, this will not result in any changes to current practice.

There being no comments or objections, the Board adopted Ordinance No. 23-11, amending Chapter 2, Article VI, Division 2, Section 2-173, “Enforcement Procedure,” to remove provisions allowing for each Commissioner to set policy regarding anonymous Code Enforcement complaints and replacing it with a requirement that a complainant provide their name and address except in specified circumstances; providing for conflicting provisions; providing for severability; providing for area encompassed; providing an effective date; and providing for inclusion in the Code of Ordinances of Brevard County, Florida.

Result: ADOPTED

Mover: John Tobia

Secunder: Rob Feltner

Ayes: Pritchett, Goodson, Tobia, and Feltner

H.2. Approval of Third Quarter Supplemental Budget for Fiscal Year 2022-2023

Chair Pritchett called for a public hearing to consider a resolution approving a supplemental budget for the Third Quarter of Fiscal Year 2022-2023.

Jill Hayes, Budget Office Director, stated this Item requests approval of the third quarter budget supplement; this provides departments with an opportunity to adjust the projected balance forwards, which as the budget is adopted in October, those are estimates, so during the first several months of the year there are still accruals going on through expenses and revenues; during the month of February, the Budget Office gets those numbers through County Finance through the financial statements; again, this just provides the opportunity to adjust those budgets; and staff has all of the details provided in the Budget Change Requests attached.

There being no comments or objections, the Board adopted Resolution No. 23-044, approving a supplemental budget for the Third Quarter of Fiscal Year 2022-2023; and approved budget changes and such actions as are necessary to implement the adopted changes.

Result: ADOPTED

Mover: John Tobia

Secunder: Tom Goodson

Ayes: Pritchett, Goodson, Tobia, and Feltner

J.1. Approval, Re: Contract for Sale and Purchase and Addendum 1 from Robin Bland for the North Merritt Island Fire Station 40 - District 2.

Commissioner Tobia asked if the motion is for approval is Option 1.

Commissioner Goodson replied affirmatively.

The Board approved and authorized the Chair to execute the Contract for Sale and Purchase and Addendum 1 from Robin Bland for the North Merritt Island Fire Station 40; and authorized the Chair to execute all required closing documents related to the Contract.

Result: APPROVED

Mover: Tom Goodson

Secunder: Rob Feltner

Ayes: Pritchett, Goodson, Tobia, and Feltner

J.2. Approval, Re: Funding recommendations for listed FY 2023-24 Cycle 1 Sports Grant Applications and Approval, Re: Move \$12,000 for NKF Rich Salick Surf Festival from FY 2022-23 to FY 2023-24.

Peter Cranis, Tourism Development Office Director, stated Item J.2. is coming from the Tourist Development Council; it is 11 sports grants in the total amount of \$101,625.00; and a single grant to be carried forward from Fiscal Year 2023 into Fiscal Year 2024 in the amount of \$12,000.00.

The Board approved funding for the following FY 2023-24 Cycle 1 Sports Grant applications:

1. Columbia Classic Collegiate Golf Tournament (2/9/2024-2/12/2024) \$5,000.00
2. Men's Senior Baseball League Holiday Classic (3/15/2024-3/18/2024) \$11,500.00
3. Space Coast Showdown Robotics (10/7/2023) \$3,750.00
4. Red Bull Foam Wreckers Surf Contest (11/4/2023) \$3,000.00
5. ACS Gateway to Space Race (3/2/2024) \$3,375.00
6. Florida Marathon Weekend (2/10/2024-2/11/2024) \$20,000.00
7. Beach 'n Boards Festival (3/6/2024-3/10/2024) \$20,000.00
8. Cocoa Beach Half Marathon (10/22/2023) \$18,000.00
9. Moon Golf Invitational (2/18/2024-2/20/2024) \$7,000.00
10. Softball Magazine Spring Training (3/6/2024-3/9/2024) \$5,000.00
11. Softball Magazine Senior Softball Camp (11/13-2023-11/16/2023) \$5,000.00

Further, based on the facts specified, by approving this Agenda Item, the Board made the legislative finding that the Tourist Development Tax (TDT) funds are authorized for sporting grants pursuant to Section 125.0104(5)(a)3, Florida Statutes, and Section 102-119(3)a, (5)a, and (6)a of the Brevard County Code of Ordinances, and each of the tourist-oriented sporting and special events have as one of its main purposes the attraction of tourists, and the entity and the Space Coast Office of Tourism both intend to ensure marketing and promotion of these events to tourists; authorized the Tourism Development Office Director to negotiate and sign all necessary agreements and related documents upon County Attorney's Office, Risk Management, and Central Services approval; authorized the County Manager to execute necessary Budget Change Requests; and approved moving \$12,000.00 for NKF Rich Salick Surf Festival from FY 2022-23 to FY 2023-24, and the NKF Rich Salick Surf Festival has

changed its dates from September 2-4, 2023, to October 7-9, 2023, citing volunteer availability, weather, fewer competing events, and accommodations as factors for the change.

Result: APPROVED

Mover: Rob Feltner

Secunder: Tom Goodson

Ayes: Pritchett, Goodson, and Feltner

Nay: Tobia

J.3. Approval. Re: FY 2023-24 Sports Event Grant Guidelines, Application and Committee Score Sheet for Cycle 2 (April - September, 2024).

Peter Cranis, Tourism Development Office Director, stated this Item is coming from the Tourist Development Council (TDC) for the Cycle 2, which is the second half of Fiscal Year 2024 Guidelines, Application, and Committee Score Sheet.

The Board approved the Tourist Development Council (TDC) FY 2023-24 Sports Events Grant Program Guidelines, Application, and Committee Score Sheet for Cycle 2; approved making the legislative finding that Tourist Development Tax (TDT) funds are authorized for each grant pursuant to Section 125.0104(5)(a)3, Florida Statutes, and Section 102-119(3)a, (5)a, and (6)a of the Brevard County Code of Ordinances, because each grant supports and activity or event which has as one of its main purposes the attraction of tourists as evidenced by the promotion of the activity, service, venue, or event to tourists from outside Brevard County; and authorized the Tourism Development Office Director to negotiate and sign all necessary grant agreements and related documents upon County Attorney's Office, Risk Management, and Purchasing Services approval.

Result: APPROVED

Mover: Tom Goodson

Secunder: Rob Feltner

Ayes: Pritchett, Goodson, and Feltner

Nay: Tobia

Chair Pritchett stated for the record, she did talk to Mr. Cranis and these were the only ones for the previous one that had applied for them; and there were not any grants given above what was requested, which was within the range.

J.4. Resolution Demanding Attorneys Ray Taseff and Jessica Travis Pay Forward their Settlement Fees to the Actual Victims of their Clients

Commissioner Tobia advised he has a resolution; at the end, he is going to ask the resolution be sent to the two people named in it; he would like to give a little overview; and then read the resolution. He expressed his appreciation to the Board for continuing to protect Brevard's children; he stated on Monday, May 1st, in Titusville, Governor Ron DeSantis signed House Bill 897 into law creating the ability for a jury to sentence a person convicted of sexual battery on a child under the age of 12 to death; the Governor said, "In Florida we stand for the protection of children. We think in the worst of the worst cases the only appropriate punishment is the ultimate punishment;" and Commissioner Tobia noted on the contrary, two attorneys have been doing the exact opposite. He read the resolution, "A resolution on behalf of the Brevard County Board of County Commissioners demanding attorneys Ray Taseff and Jessica Travis demonstrate basic human decency and pay forward their settlement fees to the actual victims

of their clients' crimes against children. Whereas, attorneys Ray Taseff and Jessica Travis represented Charles Munsey, Jr., Vincent Rinaldi, and Charles Violipus in the case of Rinaldi et al. v. Brevard County; and whereas, the 6th Amendment of the U.S. Constitution provides the right of criminal defendants to obtain counsel; and whereas, in 1963 the United States Supreme Court extended this important right to state prosecutions which are criminal in nature, through the ruling of Gideon v. Wainwright, protecting the integrity of the criminal justice system; and whereas, attorneys Ray Taseff and Jessica Travis cannot hide behind this constitutional protection as justification for their atrocious and despicable actions during their involvement in this litigation, as this case was civil in nature and therefore not protected by the 7th Amendment; and whereas, voluntarily fighting for registered sex offenders and predators who obtained such classifications through convictions by a jury of their peers of crimes such as sexually abusing, and molesting adolescents and pre-pubescent children is a shameful and disgraceful action; and whereas, in the interest of attempting to redeem these attorneys, the Brevard County Board of County Commissioners demand they turn over the \$150,000.00 in fees earned from the case to the actual victims who were irreparably harmed by the heinous actions of their clients – Charles Munsey, Jr., Vincent Rinaldi, and Charles Violipus; and whereas, while it is recognized that sexual offenders and predators have the right to file a lawsuit, it would be fortunate if they valued the freedoms and rights of their victims as much as they care about attending Commission meetings. Now, therefore, be it resolved that, the Brevard County Board of County Commissioners demand that attorneys Ray Taseff and Jessica Travis pay forward their portion of settlement fees to the actual victims of those abused by their clients. Done, ordered, and adopted, in regular session this 9th day of May, 2023." He stated he is going to count this resolution towards his 12 because this one he feels pretty strongly about; and he wants to make a motion for approval, and to have the Clerk to send copies of this to the two attorneys, Ray Taseff and Jessica Travis.

Chair Pritchett stated this is a little different, and she totally agrees with the subject matter; and she asked if he would change the word 'demand' to 'strongly suggest'.

Commissioner Tobia replied sure, absolutely; and he thinks the results will be exactly the same.

The Board approved Resolution No. 22-245 strongly suggesting Attorneys Ray Taseff and Jessica Travis pay forward their settlement fees to the actual victims of their clients; and directed the Clerk to send a copy of the Resolution to each attorney.

Result: ADOPTED

Mover: John Tobia

Second: Tom Goodson

Ayes: Pritchett, Goodson, Tobia, and Feltner

J.5. Legislative Intent and Permission to Advertise an Ordinance Amending Chapter 62, Article XVII, "Workforce Housing Incentives," Brevard County Code of Ordinances

Ian Golden, Housing and Human Services Director, stated this Item is approval for legislative intent and permission to advertise implementing language for a workforce and housing trust fund as required by the Charter Amendment that was approved by voters in the November elections.

Sandra Sullivan stated this was brought forth to the Charter Review and the voters voted for this, so she greatly respects that; corresponding with this was Senate Bill 102, which is essentially a giant loophole to put density for workforce housing and affordable housing; Mr.

Googleman who was hired for the Charter Review wrote an email to the County Attorney, the County Commissioners, as well as the municipal cities where he strongly suggested to put into place some protections for the barrier island where this is not appropriate; looking into that, there are some protections in the County's Comprehensive Plan for the barrier island preempted from having density increases for affordable housing; and she suggested the Board going one step forward and also protect the flood plain, which is protected anyway by federal law, because the County participates in the National Flood Program. She commented she will write to the Board about that; essentially, the County has until July 1st and it goes on break for June, so it would have about two weeks to put in an exception ahead of time to protect the jurisdictional wetlands in addition to the protections the barrier island has to put those protections to safeguard the insurance industry, because additional density on the floodplain puts more losses when the County does have a storm event; it is when, not if; certain areas, especially the jurisdictional wetlands in addition to the barrier island, she encourages the County to get in an exemption for that area into the Code prior to July 1st when SB-102 goes into effect.

The Board approved legislative intent and permission to advertise an ordinance amending Chapter 62 Article XVII "Workforce Housing Incentives," Brevard County Code of Ordinances, in order to implement a Brevard County Workforce and Supportive Housing Trust Fund as required by a Charter amendment approved by the voters in the November 2022 election.

Result: APPROVED

Mover: John Tobia

Seconder: Tom Goodson

Ayes: Pritchett, Goodson, Tobia, and Feltner

J.6. Amendments to BCC-97, Board Meeting Rules and Procedures, to Provide for the Recording and Broadcast of Board of County Commissioners Meetings and for Public Comment to Follow Board Reports

Morris Richardson, County Attorney, stated is regarding proposed amendments to BCC-97, Board Meeting Rules and Procedures Policy; this would formalize the procedures for recording and broadcasting the Board of County Commissioners meetings; it would also move Public Comment on the Agenda to follow Board Reports; currently Public Comment follows Consent Agenda; and this would move it to the end of the meeting following Board Reports. He continued by saying it will also establish the practice of Space Coast Government Television (SCGTV) recording and broadcasting meetings from the commencement of the meeting until the conclusion of Board Reports, with Public Comment to follow.

Mari Peele stated she is present on behalf of herself and her husband, Greg Peele; she is strongly opposed to this amendment; she asked the Board take into consideration her reasoning and opposition to this, and that it opposes this motion as well; she stated the members of this Board are elected by the public to represent the public in their interests; Public Comment is a key opportunity for the public to make requests and bring important issues before the Board in a venue and manner that is transparent and allows other members of the public to be aware of these same issues; and procedurally she finds discrepancies with implementation of this motion as written. She went on to say Section G of the proposed amendment specifies that the Agenda shall provide a section for Public Comment at the end of each regular County Commission meeting following Board Reports; this clearly states that this Public Comment is a section inside the Agenda before the meeting ends, not after; it further states with the exception of emergency items, the Board will take no action under the Public Comment section but can refer the matter to another meeting Agenda or request a staff report; this implies that there is a chance that emergency items may arise that could cause the Board

to take action; and therefore, it cannot be known beforehand whether businesses will be conducted that should be available for public viewing. She commented Section M, in stating from the beginning of the meeting until the conclusion of the Board Reports would purposely end recording before the end of the official Agenda as prescribed in the same document, and before the conclusion of all possible business; not only is composition of this amendment flawed, in its very nature it goes against responsibilities of a transparent government; even if there are some comments that may seem strange or uncomfortable, that does not mean that all public voices should be silenced; also, turning off the camera leaves the media to put any spin they want on the unrecorded comments and the Board's responses; and she asked the Board to please not let its legacy be one of reducing transparency and keeping its constituents in the dark about the needs of the public. She noted if it is on the Agenda, it should be on the recording.

Nathan Slusher stated tonight he is present as the Chair of the Libertarian Party of Brevard County; they have a resolution to be provided for the minutes regarding this subject; and resolution number 1 for May 2023 reads as follows: "Whereas, government transparency is one of the key problems the Libertarian Party of Brevard works to improve, and it remains as one of our top pillars of our platform, and; whereas, we strive to ensure community involvement is not limited, and instead the government is, and; whereas, we find this motion, as written, to be unfair to the citizens of Brevard County, Florida, thus increasing the power of government over its citizens; we resolve to stand against this proposal as written and provide solutions to correct the motion to ensure the community and its citizens are ensured the ability to hear the grievances of other citizens through technology the taxpayers have already purchased. Solution #1, withdraw the motion. End this ordeal and keep the citizens' Public Comment section where it is. Solution #2, amend the motion altering the word 'after' and changing it to 'before'. Thus placing the Public Comments before the Board reports. Solution #3, amend the proposed language for the cameras to read 'until the adjournment of the meeting' instead of 'after Board reports'. We believe there is no adequate nor acceptable reason to turn the cameras off before the adjournment of a meeting. The Brevard County citizens paid for these cameras through tax dollars taken from them without their consent. Failure of the government to use equipment for the purpose which it was paid for is both negligent and continues to degrade the little trust the electorate has in our Brevard County government." He went on to say tonight was probably one of his favor Public Comments sections he has seen since he has been doing this; those little girls were amazing; that is what he is talking about getting rid of and shutting the cameras off for; and that is what he does not want to see go away, because one or two people abused it or used it incorrectly.

Sandra Sullivan stated Charles Tovey made some interesting comments, and she concurs with him completely; she has been coming to the Board meetings since 2018; when she was first coming, there were two comment periods, and the public could speak on both, not either; then that changed; and just recently, in March with this Commission when it approved doing away with the second comment period. She continued by saying someone who comes to the Board meeting from work and is working until 5:00, cannot get here in time to speak the way it is now; she thinks it should go back the way it was, two comment periods to choose when a person wants to speak, either in comment period one or comment period two; if she gets stuck in traffic as it is right now, she does not get to speak under Public Comments; that might suit the Board fine; but it is not in the spirit of what Public Comment is. She commented the people elect leaders, not to rule, but to serve; this is the address of President Eisenhower January 1953; this is as true today as it was 70 years ago; transparency and accountability are tenants of good governance; when transparency and accountability are taken away, the trust is lost, especially when the government wants to silence them; and government accountability and transparency ensure that malfeasance is exposed and that filed or harmful policies are swiftly

correctly. She stated the problem with voting under Board Reports, which is another issue, is that the item is often not known, because it is not on the Agenda; if the public does not have an opportunity to come back into Public Comment the next meeting, and for that to be in the light of day with other people being able to see that, how does he or she know; this is the public's change to redress the Board, which is the whole intent of the First Amendment; and free speech and the expression are the life blood of democracy, facilitating open debate, and the proper consideration of diverse interests.

Charles Tovey asked what the Board puts first, the government or the people; he stated people should always come first; the government should serve the people; when Public Comment is cut out from part of the meeting, then the Board is being sort of prejudice by not allowing Public Comment from being heard apart from the other government services; and it is a part, they are the people. He went on to say the public first, government second; and if a person is a Christian, it is God first.

Commissioner Tobia advised the Board he has distributed some documentation; he stated his office staff spent a little time looking at how the other counties handled this, so he wanted to give the Board a little bit of a sampling of what other counties do; he found a number of counties who put the Public Comment section at the end of the Agenda, which is one of the suggestions; those counties are Gulf, Seminole, Palm Beach, and Lee; and just to be clear, he did not spend any time with cities, staff exclusively looked at counties. He explained there are a number that require citizens to register in order to speak; Brevard County does that here by asking the public to fill out a pink card; however, other counties have quite a bit of higher standards than those pink cards; one of the conditions of Osceola County is that the card be filled out 24 hours ahead of time; Indian River County is a period of six days; and Collier County has filling out a comment card 13 days ahead of time. He added a couple of counties do not even have a Public Comment section; the citizens are obviously allowed to comment on things on the Agenda, but nothing outside of that; those would be Broward and Pasco Counties; before the Board got into a discussion, he wanted to point out how some of the other counties handle this, and put the Board's suggestions in perspective; and he reiterated the documentation has been passed out on how those other counties handle that.

Chair Pritchett stated she did bring this up as a recommendation; the reason for it is the Board Members are always working towards making these meetings as efficient as possible so the citizens can come and present; tonight there were 29 opportunities for Public Comment; to say the Board is trying to do away with the Public Comment section is not the truth; and with the little girls tonight, what she would do then, because they told her ahead of time, she would open up the presentation part and the Board would start utilizing that. She continued by saying what happens is 90 percent of what is discussed under Public Comments has nothing to do with Brevard County; the Board starts hearing about cities getting trashed, and all kinds of topics that do not blend in; the closer it gets to election time, it gets bad; and the Board does not have a non-campaign, safe area here. She stated these are the things the Board needs to get ahead of; no one is going to be told they cannot come in with a comment; everyone is still allowed to speak, the meeting is still not adjourned; but what this does is people come in to use taxpayers televisions, they are on Tik Tok now, campaign sites of things being abused, and it is not what the public's intent was for this; she is definitely in favor of moving it to the end because some people do work; and she wants to give people every opportunity. She noted she thought after Board Reports would be best in case people hear something they want to comment on; most of these things the Board does not even have control over; when she was with the City of Titusville, Public Comment had to relate to something the City Council could do something about, it was not a free-for-all of what people can say or do; she expressed her appreciation to the County Attorney for putting this together; again, it is not about silencing anyone; it is about

getting rid of some of the abuse; she stated tonight was a light Agenda, but it gave 27 opportunities for people to speak on things the Board was voting on; and she is going to support this.

Commissioner Goodson stated he thinks the Board would have to have a breakdown of showing these taxpayers where the 27 times were where they could speak.

Chair Pritchett advised tonight there were 22 Items on the Consent Agenda where people have something on there that they have concern with and the Board is voting on, and they can put in cards; there are two Public Hearings if a person wants to speak; every single one of these people are allowed to speak; the School Board has one Public Comment section; everyone speaks during that time period; and a person only gets one time to talk. She pointed out that Sandra Sullivan would only get to speak for 12 minutes, she would only receive three minutes if this Item passes; she does not want to do that, she wants people to be able to speak; and that is why she is bringing a solution forward.

Commissioner Goodson asked if the public will feel better if they were able to speak before Agenda Items were brought up; he stated if a person is going to speak trying to sway a vote up here, he or she could not do it after the Board voted if they spoke at the end of the meeting; and he asked if that is correct.

Chair Pritchett replied people are always allowed to speak before the Board votes; and the Board does not do anything with the vote until the people have spoken to it.

Commissioner Goodson stated they can speak about the Items on the Consent Agenda at any time; and he asked if that is correct. He asked if the vote is removed in the middle, how people can speak before the Board votes, and they speak at the end.

Chair Pritchett noted if there is an Agenda Item, hopefully interested parties would put a card in to speak about it, because if the board has already voted it is null; and nothing can be done.

Commissioner Goodson asked if the Chair's concern is about the election period with people coming up to the podium and talking all kinds of stuff, does the person get denied the ability to speak unless it is on an Agenda Item.

Chair Pritchett explained people can come up and speak on any Item that they want to; typically, it has not been a problem; but it is starting to become more of an issue for things that go on out there with all of the media.

Commissioner Feltner stated he cannot support this tonight; he does not want to restrict the public's ability to weigh in on the issues.

Chair Pritchett stated the public is still weighing in.

Commissioner Feltner stated with respect, he appreciates those who fill out speaking cards on the issues; he thinks it is productive and helpful; and there are many things he has not considered that the public brings up.

Chair Pritchett commented she thinks there is a whole other perspective when a person is the Chair.

Commissioner Tobia stated he likes the idea, but it looks like a 2:2 vote without a fifth

Commissioner, it is not going to pass; there could be a compromise that one of the other two Commissioners could propose a change.

Chair Pritchett asked if there is something regarding this that is troubling Commissioner Goodson.

Commissioner Goodson replied no, other than the fact that he just does not like it; he thinks the Board could table this or forget it; if Chair Pritchett sees in three or four months that there is a rat house here, then he may be more in tuned to doing something; it seems to have worked for a long period of time; and he asked why not leave the public alone.

Chair Pritchett advised there is a camera, and people are getting their shot on camera; it is showing up on camera is something that has nothing to do with Brevard County; she received two and one-half weeks of death threats; and if the camera was off, people could not use the comment for their own purposes. She stated if they could do a 24-hour thing to put a topic of what they are going to say under Public Comment could work as well.

Commissioner Feltner commented the 24-hour thing is not workable; he thinks people come to the meetings and they did not have a plan to speak; he thinks that makes it difficult; there are two former members of the Legislature; and he asked how the Legislature handles this.

Commissioner Tobia responded it is at the discretion of the Chair; from every meeting he sat in on cards had to be submitted; they went so far as the public attesting to an oath that the testimony he or she was about to give was fair and honest to the best of their ability; there was no enforcement clause for it; but when things started to go off subject, then the Chair gavelled the person down, and the Sergeant quickly removed them. He pointed out he did not sit on any important committees because he is John Tobia.

Commissioner Goodson stated in the Florida House there is a Republican Senate and Republican House, and the issue was already decided before a person got there; this is, in his opinion, government for the people because a vote can be swayed by one comment a person makes at the podium; that is why it is so important to hear people's comments before making a decision; and someone could be removed.

Chair Pritchett advised the County already does that, but by the time someone is interrupted with something that is off track, the time is already allocated, and it causes more of a scene; she does not know why the Board is considering things that has nothing to do with County business; that is what typically happens during those time periods; and the Board hears that the City of Satellite Beach is doing something they should not be doing, and other things, many times during that section. She noted she is not comfortable the cameras getting her face on these things, so if the other Commissioners want to figure out something else as something has to be done a little different.

Commissioner Feltner stated he does not think the Legislature turns off the camera at the request of the Chair.

Commissioner Tobia stated the Chair can turn the gavel over to the Vice Chair, but if a rule can be found that allows him to run the meeting during the Public Comments section, he certainly would be willing to sit in the Chair's seat for that.

Chair Pritchett stated the Board still has a Public Comment section that she wanted to move to the end; it gives everyone an opportunity to show up for the meeting then; and as the Chair, she was going to do that anyway.

Commissioner Feltner commented he has less issues with Public Comments being at the end of the meeting; in fact, for some of the people coming who have business before the Board, they can take care of their issues, and then the Public Comments can happen, so he has less problem with that; and it is the stopping the Space Coast Government Television (SCGTV) from recording the comments.

Chair Pritchett stated she knows where the other Commissioners are going with this, but she does not think they have always been on TV; it just started over the last 15 to 20 years; and there has been a new advantage to watch Commission meetings. She advised the Board she thinks the other Commissioners will have all kinds of problems with this moving forward with some of these things.

The Board approved amendments to Board Policy BCC-97, Board Meeting Rules and Procedures, to revise the meeting order of business so that Public Comment follows Board Reports; and approved Chair Pritchett to pass the gavel to Vice Chair Goodson, and absent the Vice Chair wanting to take that up, he can pass the gavel to Commissioner Tobia to conduct that portion of the meeting.

Result: APPROVED

Mover: John Tobia

Second: Rob Feltner

Ayes: Pritchett, Tobia, and Feltner

Nay: Goodson

Commissioner Goodson stated he is not voting to restrict these people from commenting.

Chair Pritchett stated it is not going to be restricting them, she is just not going to be on camera when they are doing them.

Commissioner Goodson pointed out Chair Pritchett did say to move the comments to the end.

Chair Pritchett stated she thinks it was a consensus so that people can have time to get here for Public Comment.

Commissioner Goodson asked if there will be two Public Comment sections.

Chair Pritchett replied no.

Commissioner Goodson noted his answer is still no; and he does not like this for the public.

Frank Abbate, County Manager, stated he does not know if this is before the Consent Agenda on all Items, any card that is put in there is a Public Comment section; that is their opportunity to go fill out the card; they have the opportunity, one, 10, any number of speakers, sometimes more than that, they can come and speak on that Item; the public will always be retaining anything that is an Item on the Agenda, before that Item is discussed with the Board, the Board Policies and Procedures provide the public the opportunity to speak before every Item before the Board for discussion; and he just wants to make sure that is clear and not misunderstood.

Morris Richardson, County Attorney, stated that is correct, and nothing about this proposal would change that; this only affects, and the proposed motion only affects, Items under Public Comment that are not on the Agenda; and anyone can still speak on any Item that is on the

Agenda, including the Consent Agenda, by submitting a card in advance of the Board's approval of Consent.

K.3. Tom Goodson, Commissioner District 2, Vice-Chair

Commissioner Goodson stated since being elected, his office has found there has been a lot of discussion about the correct noise a person can have at their home or in their neighborhood; the Ordinance on the noise was last reviewed in 2001; he thinks it is time it be revisited; and he would like the Board's opinion on that.

Commissioner Feltner stated he agrees with Commissioner Goodson 100 percent; and he appreciates him taking the issue up.

Commissioner Tobia asked if Commissioner Goodson wants to use staff time to update and draft a revised ordinance dealing with noise, and then bringing that back to the Board for permission to advertise.

Commissioner Goodson responded affirmatively.

Commissioner Tobia remarked he thinks that is a good use of staff time; and he expressed his appreciation to Commissioner Goodson for bringing that to the Board's attention.

Commissioner Goodson advised he would like to acknowledge a citizen in his District who passed away at 82 years old, Robert Earl Buffkin; he was born in South Carolina and came to Brevard County in 1957, and started Buffkin Tile on Merritt Island; and he was a well-loved, well-respected businessman. He went on by saying he would like to compliment the City of Cape Canaveral for making 60 years; they are celebrating their 60th birthday; and they are a vital part of Brevard County.

Upon consensus of the Board, the meeting adjourned at 6:27.

ATTEST:

RACHEL M. SADOFF, CLERK

RITA PRITCHETT, CHAIR

BOARD OF COUNTY COMMISSIONERS
BREVARD COUNTY, FLORIDA