

Brevard County Board of County Commissioners

*Commission Chambers, Building C
2725 Judge Fran Jamieson Way
Viera, FL 32940*



Minutes

Tuesday, April 21, 2026

9:00 AM

Regular

Commission Chambers

C. CALL TO ORDER

Rollcall

Present: Commissioner District 1 Katie Delaney , Commissioner District 2 Tom Goodson, Commissioner District 3 Kim Adkinson, Commissioner District 4 Rob Feltner, and Commissioner District 5 Thad Altman

B. PLEDGE OF ALLEGIANCE: Commissioner Kim Adkinson, District 3, Vice-Chair

Commissioner Adkinson led the assembly in the Pledge of Allegiance.

The Board approved Commissioner Goodson to appear telephonically.

Result: APPROVED

Mover: Kim Adkinson

Second: Katie Delaney

Ayes: Delaney, Goodson, Adkinson, Feltner, and Altman

E.1. Resolution recognizing May 2026 as Citizen Engagement Month - District 1

Commissioner Delaney stated she brought this Resolution forward to recognize something that sits at the core of effective local government, an engaged and informed citizenry; this resolution affirms Brevard County's commitment to citizen participation from Speak Up Brevard to Advisory Boards, Public Comment, and programs like the Citizen's Academy; it also reflects the Board's responsibility to consider citizen recommendations each month during Speak Up Brevard and highlight the role of Florida Sunshine Law in ensuring transparency and access; together these efforts reinforce that informed and active participation that strengthens accountability, improves decision making, and builds public trust; and to celebrate this month, she has invited District 1 resident, Toni Shiffalo, who speaks frequently at the Titusville City Council Meetings, to share a few words after she reads the resolution.

Commissioner Delaney read aloud, and the Board adopted Resolution No. 26-032, recognizing May 2026 as Citizen Engagement Month.

Result: ADOPTED

Mover: Katie Delaney

Second: Rob Feltner

Ayes: Delaney, Goodson, Adkinson, Feltner, and Altman

Toni Shiffalo stated some 50 years ago her parents owned what is now 200 feet inside the National Aeronautical and Space Administration (NASA) line on Playalinda Beach; 50 years later she has returned to Titusville looking for a home on the east side of Orlando, where she grew up; she wound up here because once one crosses the St. Johns River, here one is in the beautiful area; unbeknownst to her, she bought what is one of the 12 locally designated historic structures of Titusville, due to the Titusville Historic Preservation Board; "what does that mean" she asked at her closing when the real estate agent said she would be getting a plaque, and the agent told her she had just bought a historic structure; to find out what that meant to her, she got herself involved with the Titusville Historic Preservation Board, and was eventually appointed because she started going to the Titusville City Council meetings; she found out that she only went to council meetings when there was some activity that pertained to her neighborhood; and low and behold, on just about every agenda there was some item to her

neighborhood. She went on to say not knowing exactly how to answer questions of her neighbors when they would complain about the potholes on I-95, and what the City is doing about it, she advised it is not the City, then they would question what the County is doing about it; in order to protect the County she started finding out who is in charge of what; then something came along like this Citizen's Academy which she attended and learned a lot of things; citizen involvement is very important; this is how the Board finds out about what its constituents are talking about, what they are thinking about, what they are needing, and what they are wanting the Board to do for them; she asked where do citizens find out about that as there is no newspaper to read any longer, if one remembers the days when people got up and read the newspaper with their morning coffee; to find out what is going on, it takes a certain amount of integrity, information, digging, and consistency to find out, except there are ways that Brevard County is making it easy for the citizens; they can participate fully by giving the Board feedback as well as pushback, but it has to be informed and educated participation; that is where things like the Citizen's Academy come in; and also they have a citizen's engagement month every year to remind the citizens that there are ways to get educated, know what is going on, and to give proper feedback and pushback to those whom they have elected to represent their communities. She commented she wants to commend the County for the efforts to engage citizens through the Citizen Efficiency and Effectiveness Recommendations (CEER) Program and the Citizen's Academy, and she hopes it looks for other ways such as townhall meetings in each District, so that citizens can come and speak with the Board directly and not just at formal meetings; she expressed her appreciation for the Resolution; and she stated the citizens of Brevard, especially those in District 1 that she is representing today, really appreciate the Board's efforts.

E.2. Resolution for A Day of Prayer in Brevard County on May 7, 2026 - District 1

Commissioner Delaney stated she is bringing this forward to recognize May 7 as a day of Prayer in Brevard County in conjunction with the National Day of Prayer; and Ms. Loretta Dozier is here as the citizen requester.

Commissioner Delaney read aloud, and the Board adopted Resolution No. 26-033, recognizing May 7, as A Day in Prayer in Brevard County.

Result: ADOPTED

Mover: Katie Delaney

Second: Kim Adkinson

Ayes: Delaney, Goodson, Adkinson, Feltner, and Altman

Loretta Dozier expressed her appreciation to the Board for the Resolution; she stated first to thank God for allowing her to be there and stand before this Board; she thanked the Board as every year she comes to the Commissioners and ask them to present the resolutions and they have done that for the last 10 years; she introduce herself as the Brevard County coordinator for the National Day of Prayer Task Force; she brought with her some of the volunteers that are city or town coordinators and she would like them to introduce themselves because she wants the Board to know who their constituents are; they will say their name and the city where they are from; but the goal, the mission of the National Day of Prayer Task Force is to mobilize and multiply, unified public prayer for America. She went on to say on May 7, thousands of people around the country will be praying for seven different areas; in the brochure the seven different areas are there, the people will be praying for the church, family, education, business, military, government, art, media, and entertainment; of course they are praying for their cities and their city leaders; these people are so grateful that this country is a free country and people can pray and give God glory for that because the theme is Glorify God; and she reiterated her appreciation to the Board for the Resolution.

Pastor Evie stated looking at the document, there are 70 sites and growing; this is a working document; people are still calling in advising they will be another site for prayer; this shows the cities throughout Brevard County that have stepped forward to pray at government facilities, at parks, at schools, at the flagpoles, on media outlets, and some are virtual meetings where there are telephone prayer lines and conference lines; there are different languages of Creole, English, Spanish, Chinese, and bilingual; there is on at Carter's Garage for some men at 6:00 a.m.; there are businesses; and they are just very excited about so many participants across the spectrum throughout Brevard County. She went on to say, she did not mention churches, but there are lots of churches involved; she is very pleased at how people have come out and feel this is very important; when this day is over, she wants the Board to know they still pray for him or her every day and that the Board is very important to them; they thank God for how he has blessed this County, the State of Florida; one can see God's blessing if one goes to the National Day of Prayer website, it will look like red dots over everywhere that a prayer site has gone up; and when one sees the State of Florida by May 7, Florida will be covered in red, except for the Everglades; it is a wonderful thing; and may the Lord bless the Commissioners richly.

Ms. Dozier had those with her introduce themselves; she stated they want to leave with a prayer; Kathy Brenzel is the president of the National Day of Prayer Task Force and at every observance those 70-plus observances, a prayer for America will be read in unison; and they prayed.

E.3. Resolution to recognize the Brevard County Citizens Academy - District 1

Commissioner Delaney stated she sponsored this Item because it is one of the County's programs that has been around for a long time; it provides real value to the community, but is still not widely known by all of the residents; it is a valuable resource that she hopes many of the residents take advantage of for upcoming cycles; the Brevard County Citizen's Academy has been offered since 2001, as a way for residents to learn how their County government works, what services are provided, how departments operate, and how decisions move through the process; it is a seven-week program held each February and March in partnership with the UF/IFAS Extension Office; the most recent class concluded March 26, and for anyone interested, this year's presentations are available online as backup for this Agenda Item; and before she reads the resolution she wants to briefly outline the speakers. She went on to say after she will invite UF/IFAS Extension Director, Beth Shephard, to say a few words, followed by inviting one of the County staff who participated in the Program; and then she would like to see if one of this year's Citizen Academy graduates would say a few words. She commented she would like to take a moment to recognize the many staff members who contributed to this program; she asked any staff that has ever given a presentation at Citizen's Academy to please stand; and she stated their willingness to share their time and expertise is what makes the academy such a valuable experience.

Commissioner Delaney read aloud, and the Board adopted Resolution No. 26-034, recognizing the Brevard County Citizen's Academy.

Result: ADOPTED

Mover: Katie Delaney

Second: Rob Feltner

Ayes: Delaney, Goodson, Adkinson, Feltner, and Altman

Ms. Shephard expressed her appreciation for the Resolution; she stated those of the UF/IFAS Extension are truly honored to accept this recognition; hearing the Resolution, what stands out

most is not just that Citizens Academy has been around since 2001, but how meaningful that work continues to be today; people gain an understanding of how County Government works, how to access services, and how decisions are made; but just as importantly, they build skills to engage communication, active listening and collaboration, becoming tools that they can actually use; and it is truly an honor to be part of a program that continues to strengthen Brevard County, not just through information, but through people.

Commissioner Delaney asked John Scott, Emergency Management Director, to say a few words; she mentioned she has heard some really great things about his presentation that he just gave; and she asked that he just share some insight into what he does.

Mr. Scott stated talking to the public is a big part of what his staff does; any time there is an opportunity to talk to residents who are taking that big step to become engaged, it matters to them because that is someone who is going to take his message back and spread it amongst their family, friends, and neighbors; that is a large part of how staff continued to move forward in this County; and they very much relish the opportunity to speak with folks.

Toni Shiffalo stated she had a speech prepared but she is not going to waste the Board's time because everybody says what the Academy does, how it unites the citizens with the department heads and often staff members they bring along; having been a two-time graduate, she got some really neat handouts from the departments to take home that have contact information; Morris Richardson, County Attorney, brought to their attention that this is a Charter County and provided copies of the Charter; attendees get fun things, from Mosquito Control, they did not only learn about the mosquitoes, they get a coloring book and crayons; it is a tremendous program; she would recommend that not only that all the citizens of Brevard County take the academy, but have of each session she has been in about half the participants were County staff members who come and learn not only what they are supposed to be doing, how they are reported to be doing, but how their unit fits in with the other Departments; and she thinks connecting the dots is a very important aspect of the Citizens Academy. She mentioned she wanted to congratulate Brevard County, the Board, and the Citizens for the Citizen's Academy.

E.4. Check Presentation from the Coastal Conservation Association (CCA) for \$50,000 to Brevard County for the Historic Banana River Bomb Target Artificial Reef for Enhanced Fish Habitat project. - District 5

Chair Altman stated this Item is a check presentation from the Coastal Conservation Association (CCA) for \$50,000 to Brevard County for the historic Banana River Bomb Target Artificial Reef for enhanced fish habitat; there is a check that will be given to the Board; hopefully an explanation of what the bomb target is, because it is a real nice description in the Agenda packet; and it is a very fascinating little piece of Brevard County history.

A representative of CCA stated they are excited to begin this habitat restoration project where they are going to construct and install 40 artificial reef structures around a historic US Air Force Bomb target in the Banana River Lagoon; this was used as a target practice training for World War II; they aim to not only enhance and restore this critical habitat, but also bring awareness to this unique historic site; in addition, they are going to install improved signage around the submerged structure to enhance boater safety in the area; and the County is grateful for this contribution from the CCA, as well as support from the Indian River Lagoon National Estuary Program, the City of Cape Canaveral, and the Brevard Zoo for this project. She added without partnerships like this, projects like this would not be possible.

Frank Gidus stated he is the Director of Habitat and Environmental Restoration with CCA

Florida; this \$50,000 is part of their two-year, million dollar habitat pledge that they are doing around the State of Florida; this project really caught their eye because, he does not know if the Board is aware or not, but over the last few years, it has been really difficult to find qualified off-shore marine contractors; this is a unique project being inshore; they have been donating to the Brevard County offshore artificial reef program for over a decade; they really enjoy working with Brevard County, it is just a seamless process; and like he said, this is not only an artificial reef, but a fish enhancement project. He mentioned it is going to attract fish; he has been out there and there is already a structure in place; it is sticking up so it is going to be really unique to turn this into an actual living breathing artificial reef; and he thanks the Board for the partnership.

Chair Altman stated that is fantastic and he thinks the Board will do a quick photo opportunity with the check; he is going to invite the entire Commission down to receive the \$50,000 check; that is just wonderful; and maybe they will photo shop Commissioner Goodson in to the photo since it is in his District.

**F.1. Final Plat and Contract Approval, Re: Parrish Landing
Developer: S3 Parrish, LLC District 1**

The Board, in accordance with Section 62-2841(i) and Section 62-2844, approved and authorized the Chair to sign the final plat and Contract for Parrish Landing – Developer: S3 Parrish, LLC, subject to minor engineering changes, as applicable, and developer responsible for obtaining all other necessary jurisdictional permits.

Result: APPROVED

Mover: Kim Adkinson

Second: Katie Delaney

**F.3. Approval, Re: East Coast Zoological Society Bowen Aquarium Groundbreaking
Deadline Extension**

The Board approved an extension of the construction groundbreaking deadline of the East Coast Zoological Society Aquarium (aka The Bowen Aquarium) to six (6) months after the U.S. Army Corps of Engineers release Easement Tract 100E-6 to the Canaveral Port Authority; further, based on the facts specified for each grant, by approving this Agenda Item, the Board will make the legislative finding that Tourist Development Tax funds are authorized for capital 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, as the tourist-oriented capital grant has 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 this facility to tourists; authorized the Tourism Development Director to negotiate and sign all necessary agreements, addendums, and related documents upon County Attorney's Office, Risk Management, and Central Services approval; and authorized the County Manager to execute necessary budget change requests.

Result: APPROVED

Mover: Kim Adkinson

Second: Katie Delaney

F.6. Authorization, Re: Central Florida Crimeline Serving Brevard County

The Board authorized the Chair to sign a Letter of Agreement requesting that the Board of County Commissioners 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 this request is being made as directed in Florida Statute 16.555(5)(b).

Result: APPROVED

Mover: Kim Adkinson

Second: Katie Delaney

F.7. Acknowledgement, Re: Bill Folder

The Board acknowledged receipt of the Bill Folder.

Result: APPROVED

Mover: Kim Adkinson

Second: Katie Delaney

F.4. Resolution to Adopt the Ad Valorem Tax Abatement Program Guidelines

Chair Altman stated this Item is a resolution to adopt the Ad Valorem Tax Abatement Program guidelines.

Rick Heffelfinger stated he guesses he had a question pertaining to the scores; there are some good numbers or bad numbers, and that is what he does not understand; it looks like the County is doing a great job making sure it is paying its employees here in Brevard County; there is a list, one of the attachments, the Florida Commerce; they did not number the counties, but number six, the County is paying people good; his question is if the County is paying so good, why were the firefighters paid so poorly, because this must be a total average; and he asked if that is correct. He mentioned he would hope that that leveling, and maybe it is because they negotiate with a union, so the County tries to squeeze them, but it is reason for cost growth; people always say certain organizations are paid underneath what the average is for the other counties; that is a pretty good score, but that is costing the taxpayers, all of them, to pay those salaries; and he would hope the Board would be looking at that and be saying that staff is paid really well, and it wants to get what it pays for. He commented the citizens want the same thing; in the past couple of years he has heard these comments about how staff has to be given cost of living increases and all that stuff because of the inflation; they are staying up nicely, unless the Board thinks that they are all County employees from all over the State are paid low; then eighth is not a very good number; he does not know; but that is his observation because again, talk of busting the cap, he hopes the County does not throw more money at them this time; and he asked if they are going to do a cost increase for their salaries this time because they are already eighth.

Chair Altman asked if Mr. Heffelfinger is speaking on Item F.4., the Ad Valorem Tax Abatement Program.

Mr. Heffelfinger responded yes, it has attachments and one of them is the State of Florida incentive average wage.

Chair Altman commented okay, good, he is talking about that portion of the Agenda, the attachment.

Mr. Heffelfinger responded affirmatively. He noted that drew his attention, the ranking of number eighth.

Chair Altman stated he just wanted to be sure.

Mr. Heffelfinger commented he could have stapled the wrong thing to it.

Chair Altman stated that is a good question and he asked if there is a response to that question.

Kathy Wall, Central Services Director, stated each year the Economic Development Commissioner (EDC) of Florida's Space Coast Ad Valorem Tax Abatement Council reviews the average wage as Mr. Heffelfinger has said because there are three elements when a person applies, a business applies for a tax abatement; the three elements that go into that research before they go to the Board; one is the number of employees, one is the payroll, and one is the capital investments; at this year's discussion, with the average wage going to \$68,000 per year, the Council decided because there is so much in aerospace and heavy manufacturing, there needs to be other businesses to support those businesses; therefore, it was decided by the council to keep the average wage at \$61,784 for this particular program; and the EDC is requesting that the Board approve the resolution for this tax abatement program.

Chair Altman stated he just wanted to be specific to Mr. Heffelfinger's question.

Mr. Heffelfinger replied he appreciates the insight.

Jim Liesenfelt, County Manager, advised this is the economic wage that the EDC uses as part of their formula to recommend the tax abatement, it is not the average wage of County employees, it is the average wage throughout the entire County.

Chair Altman stated that is a big fundamental difference.

Mr. Heffelfinger asked what the abatement actually does; is this going to ask the local employers to lower their wage so it is an attractive place to work, or raise their wage; he noted he does not know; and he does not know if this score is a good thing or a bad thing.

Chair Altman stated he thinks it is just an accounting of what the average wage is; and he asked if there is a reason for that.

Ms. Wall responded by saying the reason why the average wage is part of the calculation for the tax abatement program is because they will get points; the higher the wage the more points they get; the average wage is \$61,784 would get them four points; anything below that would get zero points; the tax abatement program is based on the number of points a business brings to the County; capital investment has a number of points, three through 10; number of employees has a number assigned to them, the more people they bring, the larger the number they have; and if somebody gets a higher number, they could get an abatement for eight years at 80 percent of what they add to the tax roll, or 10 years at 100 percent of what they add to the tax roll for that given abatement program. She went on to explain it is just a guide for the tax abatement council to recommend to the Board an abatement program for those tax abatement programs that come to the Board.

Mr. Heffelfinger asked if that means the County would give them a waiver on some of their business tax because they are bringing in such high-paid individuals into the County.

Chair Altman asked Mr. Heffelfinger to please go through the Chairman; and he asked him to repeat his question.

Mr. Heffelfinger stated he wondered if that means because there has been some talk about these programs where the County gives tax waivers to businesses that come in, and that is good if the County gets the tax dollars from employees, that is what happens; they go to the

stores, shops, buy boats here, so that is good; and he asked if this is a consideration for the County authorizing a waiver to some of the business taxes because they brought the employees.

Chair Altman stated he thinks it is a very interesting point that he brings up because he would reasonably think that if there was a lower average employment pay, that would be a positive for tax abatement because one would need to hire more jobs to increase wages; whereas this is the opposite, the higher the wage, the more points one gets, so that would be bias against the community that needed more jobs; but maybe there are other reasons because there is a higher average wage, one has to be more competitive in bringing in workers; and he asked if staff knows the logic behind that.

Commissioner Feltner commented he hates to summon someone from the office but after Mr. Heffelfinger is finished, Neil Johnson is out there in the audience and he might be able to clear that up.

Mr. Heffelfinger stated he would like to thank the Chair for engaging the staff to get him some information.

Chair Altman stated no problem, it is a very intriguing question.

Commissioner Feltner apologized to Mr. Johnson but he thinks he can clear that up.

Neil Johnson stated he is the Chair of the ABT Council for the EDC; that was a great explanation; the ABT program is designed to give an incentive to so they can recruit companies to come to this area that have high paying jobs; those high paying jobs will then create what is called direct and indirect jobs beyond that because the speaker rightly said, when bringing in those high paying jobs, they will shop in the stores, buy the boats, tourist will stay in the hotels, the people will buy houses; the return on investment, and they have done research, is about 8:1, so for every dollar that is abated in the ad valorem piece of the property taxes, there is about an \$8 return on investment on the spending that they do in the community; and that is the reason that the score sheet gives them credit for higher paying jobs, it is the design of the program. He went on to say the reason they bring the average wage to the Board is because of State Statutes, it required them to do that; and he can answer any other questions.

Commissioner Adkinson stated she would like to make a motion to approve the Item.

Commissioner Feltner stated he seconds the motion; he noted he wants to say one thing before the vote; just so everyone is well aware, tax abatement stands on its own; every one has to go before the Board of County Commissioners; approving the guidelines today is just that; and each one would come before this Board individually.

Chair Altman replied that is excellent; and he called the question.

The Board approved and adopted Resolution No. 26-035, acknowledging the guidelines for the Brevard County Ad Valorem Tax Abatement Program as recommended by the Economic Development Commission of Florida's Space Coast's Ad Valorem Tax Abatement Council.

Result: ADOPTED

Mover: Kim Adkinson

Second: Rob Feltner

F.5. Approval, Re: Appointment(s) / Reappointment(s)

Chair Altman stated this is approval of appointments and reappointments.

Commissioner Adkinson stated she thinks the Citizen Advisory Boards are really important not just to the community but particularly to her, because they are individuals who are out there that she can work with, learn from, and can bring information from the community to her, and for her that is important; she has a concern that if the Board allows some of these appointments, specifically for the Health Facilities Authority which has been vacant since December 2025, the Community Development Block Grant Citizen Advisory Board, vacant since December 24, and the North Brevard Commission on Parks and Recreation, there is no one in that seat, she thinks the next incoming Commissioner for District 1, it may serve that Commissioner better if he or she was allowed to appoint those three particular or at least be part of the decision of the Board for those particular three appointments; and that is her thought and she would like to make the motion to deny...

Commissioner Delaney interjected saying she would like to have more discussion on that.

Commissioner Adkinson responded by saying certainly, she is just going to make the motion and see if it gets a second, then the Board can have further discussion; and she would move to deny the appointment to the Health Facilities Authority, the Community Development Block Grant Citizen Advisory Board, and the North Brevard Commissioner on Parks and Recreation, the others are fine.

Commissioner Goodson stated he would second that.

Commissioner Delaney stated she has discussion; she understands where Commissioner Adkinson is coming from; she and he staff have been looking into these appointments for quite some time and it is still under her authority as the District 1 Commissioner; the next District 1 Commissioner can literally wipeout any board seat that he or she wishes and replace them with someone else once they become Commissioner; there is nothing holding he or she back from doing so; she does not believe these vacancies should continue; she believes it is part of her role as the Commissioner to appoint somebody; and these are the people she has chosen due to their experience and willingness to serve. She reiterated the next Commissioner can swap them out if he or she so chooses; and she noted she does not think that District 1 should not have the representation during that time just because of her situation.

Commissioner Adkinson pointed out these positions have been vacant for a year and a half.

Commissioner Delaney stated no they have not, one has.

Commissioner Adkinson stated Brevard Commission on Parks and Recreation has not had a previous member in the seat, West Canaveral Groves Strategy Area since December 2024; in any case, she thinks that from a Board's perspective, it is not a great idea to force the next District Commissioner to have to work with people that were not selected by them; and it would only be a matter of months before this could possibly be straightened out, if someone is appointed for District 1.

Commissioner Delaney noted all the Commissioners do that; they all did that when they got elected; she does not foresee any issues with these people; they are all professionals and highly experienced; it is just an insult to the people that have applied to these positions to even suggest something like that; these boards are an advisory role, they are not making any decisions; and there should be representation in those seats.

Morris Richardson, County Attorney, asked if he could make a clarification.

Chair Altman responded affirmatively.

Attorney Richardson noted that Commissioner Delaney was correct that the incoming Commissioner in District 1 could remove and replace appointees if that Commissioner wanted to as to two of the boards, TICO is a District 1 Commissioner appointment for that particular seat and the Marine Advisory Council appointment; both of those are acknowledgements; the Commissioner has in effect made those and the Board is just being asked to acknowledge those; as to the remaining, the CDBG, the Health Facilities Authority, and the North Brevard Library, North Brevard Parks and Recreation, and North Merritt island, those are all Board appointments; and North Merritt Island specifically, must be recommended by the District 2 Commissioner, and the Board acts upon that recommendation, in an advice and consent manner.

Chair Altman stated so the Board is talking about four appointments.

Commissioner Adkinson replied it is three appointments.

Chair Altman asked what those were.

Commissioner Adkinson responded by saying Health Facilities Authority, CDBG Citizens Advisory Board, and the North Brevard Commission on Parks and Recreation.

Chair Altman asked if the motion is for those three.

Commissioner Adkinson replied affirmatively, stated the other ones stand.

Commissioner Delaney stated from what she was told, those boards were District 1 appointments approved by the Board.

Attorney Richardson advised that is not correct; he explained TICO and Marine Advisory Council are District Commissioner appointments, the others are Board appointments.

The Board approved the appointments/reappointments of Adam Popp to the Marine Advisory Council, Joyce Jeffrey to the North Brevard Public Library Advisory Board, John Hopengarten to the Titusville-Cocoa Airport Authority, and Frank Golan to the North Merritt Island Dependent Special District Board; and denied the appointments/reappointments of John Holmquist to the Community Development Block Grant Citizens Advisory Board (West Canaveral Groves), Maya Widmeyer to the Health Facilities Authority, and Joyce Jeffrey to the North Brevard Commission on Parks and Recreation.

Result: APPROVED AS AMENDED

Mover: Kim Adkinson

Second: Tom Goodson

Commissioner Altman inquired if there needs to be a larger motion or if that one covered disposing of that item.

Commissioner Adkinson stated the way she worded it was...

Attorney Richardson replied everything else went through, the North Brevard Library and North Merritt Island were both approved by the Board.

Commissioner Adkinson agreed.

Commissioner Delaney stated she had thought when she spoke with Kathy Wall, Central Services Director, about this that she has an appointment on the TICO board, a District 1 appointment; she has an appointment on the Health Facilities Authority; and from that spread sheet she was provided that is what it said, District 1, it did not say Board.

Ms. Wall stated she is not sure what spreadsheet it is, but she looked at every one of these appointments; the appointment for the CDBG, the appointment for the Health Facilities Authority, and the appointment for the North Brevard Commission on Parks and Recreation, the way the legislation is written, those are Board appointments.

Commissioner Delaney stated that is not the information that was given; and she asked about TICO.

Ms. Wall advised that is a District appointment.

Attorney Richardson clarified that is what he said, TICO and Marine Advisory Council are just acknowledgements from the Board; Commissioner Delaney made those appointments; those are District 1 Commissioner appointments.

Commissioner Delaney stated so those are done.

Attorney Richardson responded affirmatively about those two.

G. PUBLIC COMMENTS (Individuals may not speak under both the first and second public comment sections.)

Jeanette Egerton stated she is going to read; they had started a petition for the trees that are going to be cut down, or they are planning to be cut down; there was some discussion about that in the community so they started a petition; they got over 120 homes, with 192 in the community; they were pleasantly surprised that they received more than half; and she read, "We the undersigned residents, supporters of the Hammock Trace Community, respectfully urge you to halt the planned removal of approximately 60 mature Oak trees within our neighborhood and to consider alternative solutions that preserve the natural environment we value so deeply. The trees in our community, are not merely part of our landscape, they are essential to our health, beauty, and character of our neighborhood. Many of us choose to live here because of the rich tree canopy and sense of peace and connection to nature that it provides. The mature Oak tree is capable of supporting over 2,300 species. These trees provide vital food, shelter, and habitat for wildlife contributing to a thriving and balanced ecosystem. In addition to their ecological importance, these trees offer significant everyday benefits. To residents, they provide shade from the intense Florida sun that we're all familiar with, making our streets more walkable and enjoyable for families, children, pets, to help regulate temperatures, reduce energy costs, and enhance overall quality of life. The removal of these trees would have lasting negative impacts including those already mentioned, loss of wildlife habitat, increased heat and reduced shade, increased energy costs for residents, decreased property values, and neighborhood appeal." She mentioned one of the reasons she bought in there was because of the beautiful Oak trees, and if she has not said that she wanted to make she did; she stated they are talking about 60 trees being taken out of the easement area and she is not sure why; that is one of her questions at the end; this outcome was not what the residents want for the community, nor what was envisioned at the time Hammock Trace was developed; the residents urge Brevard County to look into nearby communities such

as Titusville, where thoughtful tree protection policies have been successfully implemented through citizen advocacy and city leadership; Titusville established regulations which she knows they have them in place, but she does not have the numbers at this point in time, requiring preservation existing tree canopy protection of heritage trees of which there are many because she has been there for over 30 years, and the developer contributions towards tree mitigation; these measures demonstrate that responsible development and environment preservation can go hand-in-hand; and the residents believe community involvement is essential, not just individual homes, in decision that shape the community. She went on to say the residents would respectfully ask that the Board pause all plans to remove these trees, engage in residents to explore alternative solutions and consider implementing stronger tree-protection measures; and she asked how people will know what the Board's decision is and how will the residents be kept apprised of that in the future.

Chair Altman stated he has a question.

Commissioner Feltner advised there are three cards on the trees and he and Marc Bernath, Public Works Director, are happy to speak on it if Chair Altman prefers to do that.

Chair Altman stated them the Board can hear all three, but he has a question for this speaker; and he asked about the top picture.

Ms. Egerton advised that pictures is one of Pats.

Chair Altman stated then he will wait, although he thinks he knows the answer.

Patrick French stated he is going to give a quick history; he has been there since 1960, South Patrick Shores; he joined the Marine Corps in 1980, retired in 2000, went to Viera and thought what is that, drove around with the wife and found that area over in Hammock Trace, and he's been there for 26 years; like Ms. Egerton said the trees are just beautiful; that picture was sent to him by one of his neighbors; he has more pictures but the Board does not have time to be looking at pictures all day long; and to him, it is devastating and he does not like it.

Chair Altman interjected by saying this is a depiction, like a photoshop picture, where the trees were removed.

Mr. French stated someone from the neighborhood sent that to him to give him an idea of what it would be.

Chair Altman stated it is a great graphic.

Mr. French continued by saying he has pictures here of one of the streets that looks like that, but he does not want to keep passing pictures out, this is just giving an idea of what is going on.

Chair Altman stated they are worth a thousand words.

Mr. French stated they really are; he cannot sleep at night when he sees that; this place, it is beautiful; he has been there 26 years; his tree is probably one of the bigger ones; it has only been shaved, and staff knows this, but one can lift the sidewalk, cut the roots, and then cement and form it back up, and it is done; his has only been shaved once to make it level with the other part of the sidewalk, once in 26 years; the trees here and there are going to lift, they are getting big, they are beautiful Oaks, but it does not happen all the time, it is intervals of about

every five years; if they were to come out there and do the sidewalks and lift where they need to be lifted in front of the trees, cut the roots, he has seen it a thousand times out there; as a matter of fact, they were just over at Spyglass about three months ago doing it, not hurting the trees; and last week they were over at Crane Creek, not hurting the trees. He noted it kills him to see that picture; he looked at it too many times; he does not carry it with him any longer he just brought it for the Board; there are places in our little community there in Hammock Trace that needs to be either shaved of the sidewalk lifted, then voila, the tree is still there; these trees are awesome; the kids play there, people walk around with their dogs, the babies; if he wanted to live in a desert he probably should have stayed in the Marine Corps by that picture, it is just decimated and ugly; the neighborhood will never be the same; he has a couple years left, but he is saying if they were to come and do that; his is lifting a tiny bit now, after 26 years, actually 30, because in 95 he thinks they put it in; he probably would not be here if they did the sidewalks, three panels of the cement, he does not think it would lift 15-20 years later, and he probably would not be around by the time they had to do something to it again; he does not want to lose the trees; and the picture says it all, so he does not have to say too much. He asked if the Board has any questions for him.

Chair Altman stated no questions.

Mr. French noted he provided Commissioner Feltner with the petition.

Commissioner Feltner replied he has everything and he will speak after the last speaker.

Chelsey True stated hers is not about the trees and asked if the Board wanted her to wait.

Chair Altman stated to wait then, and to bring this back to the Board.

Commissioner Feltner stated there is a neighborhood in Hammock Trace, it is a lovely neighborhood; if one were to take Spyglass all the way to where it intersect Murrell and go across, hang a right, one would be in Hammock Trace; he has friends in there and was in there last week; he spoke with Mr. French on Good Friday; he met with a couple of the neighbors and walk around the sidewalks; the short of it is, and they do have majestic and beautiful Oak trees that are 30 years old, as he thinks the neighborhood is about 30 years old, the trees are between the sidewalk and the street, so there is that thin strip of grass and that is where they placed the trees; conversely in his neighborhood, they put two live Oaks in all of their front yards; he had to remove his because it buckled the driveway, caused other problems after the 04 hurricanes, and all those sort of things; and anyone who has the Oak trees has to deal with them, but they are beautiful trees, no debating that fact. He continued by saying the situation is that the County does take care of the sidewalks, they are not behind a gate; there are now sidewalks that are raised up, therefore, there are American Disabilities Act (ADA) concerns with that; now, they can grind some tops of the sidewalks, but there are definitely some areas that are going to have to be addressed; he went out there and walked with one neighbor and there are five inches, so that is not shaving the top of the sidewalk; and he talked with Mr. Bernath, just so everyone understands, nothing is moving forward today, everyone is on pause until it can be figured out. He noted the County does not want to go out there and cut all the trees down; he would suggest to everyone that it is a lot cheaper fi the County did not have to do that; the County is going to find a good way to do it; there will definitely have to be some root trimming to deal with the sidewalks; he has heard this term where the sidewalk can be lifted, trim the root, put the sidewalk down, but he does not think the County quite thinks it happens like that; he thinks it needs to be repoured; there are places in Suntree, since he has been a Commissioner, where they have had to repour individual segments; when he first got here Interlocking was finishing up that ditch work and several pieces of the sidewalk individually

were broken because heavy equipment were driving across doing the ditch work; that went on for a while; and he will say the contractor that County had at that time, did a very good job of getting out there pretty quick and doing it; and they want to be very respectful, and make sure they do it right. He went on to say he thinks his office is trying to plan a meeting with the residents here, and they are the contacts for that; that will be done before the County moves forward with any plans; and that is where they are today.

Chair Altman stated he was a longtime resident of Viera; in this case, Viera had experienced it as well; they have a beautiful Oak tree in the middle of their yard, was between the house and the sidewalk; he did not realize they were between the sidewalk and the road, which complicates factors; it is the same thing, sidewalk is lifted; it is amazing what the Oaks in this part of Florida will do to raise sidewalks, probably because of the high water table; he has lived this issue and still lives it as a property owner in Viera; he is a part of the community and appreciates what Commissioner Feltner does there; and he has a couple of questions about this. He went on to say this is a huge issue, and of course everyone knows about the tree battle on Rockledge Drive, it was legendary, and still is; this is an issue that will not go away and ultimately affect all Districts; one of the things that comes to his mind and he thought this, maybe the Board needs to look at the Subdivision Codes, Site Plan approval codes, that whenever a sidewalk is put it that it is put in properly; included in that, may be the need to put in what is called tree wells, a thickened footer on the edge of the sidewalk between where any tree would be planted to help create a wall to prevent those roots from going right under the sidewalk and lift it up; that is just a thought; and maybe when the Board looks at the Code, it might want to evaluate that from this point going forward. He continued by saying his second question is and he would assume the County would bear the cost of doing all of those repairs, and he asked what would be the revenue source, an Municipal Services Taxing Unit (MSTU) tax that would benefit the local residents; he commented that maybe the County should apply a certain percentage of the MSTU to fixing these problems; and also, he would love to see a poll from the neighborhood of how many want to keep the trees and how many want to take them out, it would be interesting for him.

Commissioner Feltner stated he is going to concede that election, that point; he knows the results of it.

Chair Altman asked, really.

Commissioner Feltner replied affirmatively; he stated he thinks probably most folks can agree that yes there are a few problematic areas that have to be addressed; he wants to be sympathetic to the rest that they are not all sort of just broadly done; to address the key things, he has heard the border-type situation that Chair Altman described, with keeping the roots from doing this again; it is 30 years old, so that is probably the manifestation of 30 years of root growth; if these things could be addressed, they are probably going to be, and he hopes the Board are still all around when or if roots do this again, but probably going to take care of the lion's share of it; he thinks to the point of talking about Code and such, he does not think the County allows for these trees to be that close now in the modern neighborhoods; one knows that is a problem; he thinks staff makes sure there is enough setback for all that; it is not just the sidewalk, they have utilities there; he was looking at the water meters and all of those things; and one good part he notices, and just happenstance really, that he notices, thinking about Rockledge Drive to Chair Altman's point, it does not seem that they have a height problem, so it is not a truck going through there and hitting the limbs, that was a different thing in Rockledge. He stated it is not always just what is happening underneath or always what is on top, it is kind of a combination of both; he thinks their problem is exclusively roots; he thinks staff can get there and find a solution for the neighborhood that is not going to have a liability

problem for the County, ultimately, that is where they have to be; and again, if they were behind a gate, the Board would not be having this conversation.

Chair Altman stated that is interesting; he looks forward to hearing the report; he knows the constituents are in good hands; he looks forward to this coming back; this definitely has a Countywide impact; this is a big issue; he works at the Cape and at the Astronaut Memorial Park there was massive destruction of all the walkways where they had to rip them out and put gravel replacement down; that seems to be working, but these Oak trees are powerful; and it is amazing what they can do. He advised he is fascinated to hear what Commissioner Feltner comes back with. He thanked the speakers for coming and commented that is why there is a public part of the Agenda, it is very informative.

Chelsey True stated she is a Merritt Island resident and she wanted to speak today about public trust and the process, especially as it relates to active rezoning matters currently before this Board; over the past several months, residents have been following a rezoning case, 25Z00054; that case has now gone through multiple continuances with explanations that the project is still evolving due to land acquisition and outreach; at the same time, public records show that the applicant's registered lobbyist has had multiple contacts with County leadership while this matter remains unresolved; additionally, they have become aware that this same individual is under contract with the County for State lobbying services; and that contract appears to include related conflicts and restrictions on lobbying on behalf of private developers during the term of the agreement. She continued by saying she is not making any accusations, but from a residents perspective, when these overlapping roles exist, it raises questions about how those provisions are being interpreted and whether appropriate disclosures have been made; additionally there are still open questions about how this project would function from an access and infrastructure stand point; for example, based on publicly available information, she has not been able to locate any Florida Department of Transportation (FDOT) permit or application related to the proposed access points associated with this development; and she has also spoken to the project manager for this specific project. She mentioned if key elements like access and traffic mitigations depend on approvals that are not yet in place, it adds to the concern that the project may still be evolving in ways that are still not fully visible to the public; when a project continues to change between hearings and residents are trying to understand what is actually being proposed, it creates a perception that the full picture is not always clear in real time, perception matters; because when residents are showing up, asking questions, and still struggling to get a consistent understanding of the project, it can erode confidence in the process itself; and she is simply asking for clarity and transparency. She added as this application moves forward, she respectfully ask that any material changes, as well as any relevant disclosures and outstanding approvals be clearly presented so that both the Board and the public can evaluate the matter in full confidence; and she would also beg the Board to give weight to the Merritt Island Redevelopment Agency (MIRA)'s unanimous no and the no majority vote for Planning and Zoning twice, and the continuous community outreach to ensure that the people are heard.

Chair Altman stated he has a request that Ms. True's concern be placed in writing so that the County Attorney can address that.

Ms. True replied affirmatively.

H.1. Permission to Participate in and Accept the U.S. Dept. of Justice (DOJ) Edward Byrne Memorial Justice Assistance Grant Local Solicitation - Brevard County Sheriff's Office.

Chair Altman called for a public hearing for the Brevard County Sheriff's Department's request

for permission to participate in and accept the U.S. Department of Justice (DOJ) Edward Byrne Memorial Justice Assistance Grant application.

Jim Liesenfelt, County Manager, stated this is permission to participate and accept the U.S. Department of Justice Edward Byrne Memorial Justice Assistance Grant; this is an Item the Board sees every year; this is the second time it has been in front of the Board; the last meeting was to request this public hearing; this is for the Sheriff's Office to accept the grant; the award would be \$48,444; and the award will enhance criminal investigations by funding a deputy agent position that focuses on forensic fraud referring to crimes in which somebody wrongfully obtains and uses another person's personal data.

The Board granted permission to participate in and accepted the Edward Byrne Memorial Justice Assistance Grant application; designated the Brevard County Sheriff's Office as the point of contact; and authorized the Chair to execute the necessary contractual agreements, modifications, and amendments and authorized the County Manager to execute necessary Budget Change Requests.

Result: APPROVED

Mover: Rob Feltner

Seconders: Kim Adkinson

Ayes: Delaney, Goodson, Adkinson, Feltner, and Altman

H.2. Petition to Vacate, Re: A portion of a public utility easement - Plat of "South Merritt Estates Pineland Section", Plat Book 14, Page 101 - Merritt Island - Jeffrey N. Mathis - District 2

Chair Altman called for a petition to vacate a portion of a public utility easement, Plat of "South Merritt Estates Pineland Section", Plat Book 14, Page 101, located in Merritt Island and requested by Jeffrey N. Mathis.

Marc Bernath, Public Works Director, stated this Item is a petition to vacate a portion of a public utility easement south of Highway 520 and south of Courtenay Parkway on Merritt Island; Mr. Mathis is the owner, in District 2; and they are requesting a portion of a public utility easement to be vacated to allow an existing storage facility to remain that was discovered during a an unrelated Code enforcement case; and there are no objections.

There being no comments or objections, the Board adopted Resolution No. 26-036, vacating a portion of a public utility easement, Plat of "South Merritt Estates Pineland Section", Merritt Island, Florida, lying in Section 13, Township 25 South, Range 36 East, as petitioned by Jeffrey N. Mathis.

Result: ADOPTED

Mover: Tom Goodson

Seconders: Katie Delaney

Ayes: Delaney, Goodson, Adkinson, Feltner, and Altman

I.1. Request Approval to Advertise a Request for Proposal for a Boating Infrastructure Study

Chair Altman stated this Item requests approval to advertise a request for proposal for a boating infrastructure study.

Rick Heffelfinger stated his question was he believes this was brought up earlier by Commissioner Adkinson about looking at reevaluating what the County is charging for boat registration fees; he does not see any numbers, he sees one number, \$80,000 to \$100,000 for a study; he sees a reference to a County boating improvement fund; and he was wondering if the Board could discuss or provide some information at its discretion, of how much is in the County Boating Improvement Fund right now, and what is going to be the return on investment for spending \$80,000 to \$100,000 to study the problem, if there is a problem. He commented maybe that is just a reevaluation that is done routinely, he does not know; he wonders why the County is going to spend, and he does not know what fund that comes out of, General Fund maybe for the \$80,000 to \$100,000, he does not know and he does not think it says it; and he reiterated he just wants to know the return on investment for a study, how much money they have, and what they think they need from the study, maybe it is looking to grow that fund for some reason; that is all he had if the Board can answer those questions he would appreciate it.

Commissioner Adkinson stated this Item is coming back to the Board because of Board direction on March 17; she thanked staff for getting this done so quickly; she expected this to be done in May, but it is early and that is fantastic; the direction from the Board was to prepare a Request for Proposal (RFP) that will study the current state of and need for expansion of County infrastructure that falls within the approved uses of the Brevard Boating Improvement Program; the money this may cost, somewhere between \$80,000 and \$100,000, is in a fund that is specific to these things and is not the General Fund; it has the potential to generate over \$460,000 per year extra, and can only go towards specific things; it can only go toward providing, maintaining, and operating recreational channel marking and other waterway markers, public boat ramps, lifts, and hoists, marine railways, boat piers, docks, mooring buoys, and other public launching facilities; also in removing derelict vessels and debris that specifically impede boat access, not including the dredging of canals, also vessels and floating structures deemed hazardous; this is the County getting approval to go out and get the study completed; and she asked if there is anything else that staff would like to say about that.

Ian Golden, Parks and Recreation Director, stated he would like to add that this would actually help the Department with planning for the next five to 10 years as they look at expending and obligating funds to different projects, something that staff will be looking at within the RFP is actually prioritization regarding some of those needs that the Department has moving forward.

The Board approved to advertise a Request for Proposal for a Boating Infrastructure Study; authorized the County Manager to execute a contract with the Consultant that the Selection and Negotiating Committee recommends and has found to have the most experience with a Boating Infrastructure Study and has submitted the most responsive proposal; and authorized the County Manager to approve the necessary budget amendment (BCR) to execute the contract.

Result: APPROVED

Mover: Kim Adkinson

Second: Katie Delaney

Ayes: Delaney, Goodson, Adkinson, and Altman

Nay: Feltner

- J.1. Approval, Re: Write off uncollectible ambulance debt associated with Emergency Medical Services (EMS) accounts for Fiscal Years (FY) 2024 and 2025 related to the closure of accounts associated with Change Healthcare; and to approve the annual write-off of uncollectible EMS-Management & Consultants ambulance**

debt for January 1, 2025, through September 30, 2025.

Chief Patrick Voltaire, Fire Rescue Director, stated this is write off of uncollectible ambulance debt associated with Emergency Medical Services (EMS) accounts for Fiscal Years 2024 and 2025; in accordance with BCC-37, Brevard County Fire Rescue refers appropriate delinquent accounts to contracted collection agencies for further recovery actions; for all these accounts, this action does not preclude continued collection efforts in future years; for the average of the two year write-off rate, it is an average of 39.6 percent with a seven year average being 41 percent; and Fire Rescue requests Board approval in accordance with Resolution No. 79-21 for Fiscal Years 2024 and 2025 write-offs of uncollectible EMS accounts receivable and the closure of accounts associated with Change Healthcare and EMS Management and Consultants.

Rick Heffelfinger stated her is his concern, the County is writing off, which means the County or EMS is not getting money for services that were provided; he will make the assumption, and he knows what happens when one makes assumptions, that that is a true statement; those guys are working hard, getting paid, picking people up, and those people are welching on their bill; the Board can clarify if that is true; he thinks what that means is instead of the people receiving the service, paying for the service, the taxpayers are because the County is not shortening their paychecks, and they are still doing their job; that amount of write-off really bothers him; he does not know if the County is writing-off Medicare or something, makes a minimum payment, because insurance is a mystery to him still; but when the County bills someone for \$400, and Medicare pays \$200, the County eats \$200 because the County cost was \$500, it eats \$300, his math is foggy this morning; and he asked if that is what is being written off, something that the County never anticipated in getting because insurance did not cover it, or is the County actually issuing a bill saying it is the persons responsible who rode in the ambulance and they just say, "I don't know." He asked if the collection is against the individual person.

Chair Altman stated he thinks those are all good questions, let the Chief respond.

Mr. Heffelfinger stated that was his question because it is a lot of money that is not coming into this County and he would hate to think the taxpayers are making up the difference.

Chief Voltaire stated that is a good point; the Medicare Medicaid Tricare contracted rate is all separate from this; a better word, people that either cannot or will not pay their bill is what this number is that is being seen today; and he thinks there was a third question but does not remember what it was.

Chair Altman asked if Mr. Heffelfinger remembers.

Mr. Heffelfinger stated EMS is being compensated for the difference though. The County is making it up to them.

Chief Voltaire stated part his statement was they will continue with the collection agency; that number does not preclude continued collections; say somebody is making a \$5 a month payment, that will continue to trickle in; so...

Mr. Heffelfinger stated people that did not respond, and he assumes they receive a lien on their credit, or do they receive a lien from the County, he is not sure; but they are financially impacted, but staff is going to say they did not respond, there is no chance they are going to pay, and the County is writing it off; and he asked if that is what the write-off part is.

Chief Voltaire stated it is a write-off to clear the books today, but they will continue collection

efforts moving forward on these accounts.

Mr. Heffelfinger commented so the County will continue to ping them.

Chief Voltaire responded affirmatively.

Mr. Heffelfinger continued by saying but they will assume they may not get anything.

Chief Voltaire stated exactly.

Mr. Heffelfinger continued by saying and if it does, it reports that as additional income the next year, and say they got some of that back; and he noted he is really concerned about the size of what the County is expending resources for; and he asked if the County needs to be meaner to people who do not respond to their bills. He stated he knows they cannot be denied service, the doctor must provide services; the County cannot tell them not to get their own ride or call a Uber; he does not know how to deal with that; but it does affect his taxes, he thinks, if the County is making up the difference.

Chair Altman stated it is a tough issue; he has a questions; this is a little bit of a bookkeeping thing then; and the County is writing off what it would call bad debt expense in private sector.

Chief Voltaire responded by saying yes sir, bookkeeping.

Chair Altman went on to say but they will still make efforts to collect.

Chief Voltaire responded affirmatively.

Chair Altman mentioned another question he wants to clarify because it did come up; and he asked if there will a lien placed on the property for lack of pay.

Chief Voltaire replied he does not think so.

Chair Altman asked so he does not think that is being done in this particular place.

Chief Voltaire replied by saying no.

Chair Altman asked if any jurisdictions do that.

Chief Voltaire replied no not that he is aware of.

Commissioner Delaney stated when he says they continue the efforts to retrieve the money that includes litigation; and she asked if that is correct.

Matt Wallace, Public Safety Director, stated it can, up to litigation; the collection agency has a process defined that they will go through based on the time and the amount; and then it is their call as they use those processes of how far they want to go.

Commissioner Delaney asked when it comes to the hacking that went on with that third party agency, they are still going through that process of trying to retrieve those funds and all of that.

Mr. Wallace responded affirmatively.

Chair Altman commented that is another issue that was not even talked about in the briefing; and this is the outgrowth of the cyberattack, if Mr. Heffelfinger is not aware of that.

Mr. Heffelfinger noted he did see the notice and he just stuck to that page; he did not know about the cyberattack; and he asked if somebody ripped off money from the County.

Chair Altman asked Mr. Wallace to provide a quick description, he thinks it helps.

Mr. Wallace stated it is a separate issue, but connected; Change Healthcare experienced a cyberattack in 2024; staff is going through the process now to identify the impact of those revenues that potentially could be lost; part of that is working with the County Attorney's Office right now for a demand to get that data being brought back to the County; and once that data is received, they will be able to analyze it and go through the processes, potential audits, to determine that magnitude and the proper steps going forward.

Mr. Heffelfinger stated he hopes the County makes that company that let the cyberattack happen pay the lawyer fees; and Morris Richardson, County Attorney, needs to get money from them for his efforts, not from the people, so go get them.

Chair Altman stated this is a serious problem.

Commissioner Feltner asked how indigents are handled; does EMS have nothing to bill, or does it bill Medicaid; and how is it paid for.

Chief Voltaire stated Medicaid, Medicare is at the contracted rate; he wants to say around \$250 or \$300 is the standard rate that they will pay; and that is the contracted Federal rate.

Commissioner Feltner stated so that is 30 percent of what somebody else is going to pay; that is what the Federal Government is going to pay the County for indigent folks; he asked what about folks from out of town, they do not have anything to lien; he stated he knows that question came up about lien on property, but he is not sure that can be done for an ambulance ride, but certainly collections probably report to credit agencies; and he asked if that is correct.

Chief Voltaire stated he does not believe that this...

Commissioner Feltner interjected by saying that this one does because of the nature of it being medical.

Chief Voltaire responded by saying yes sir.

Commissioner Feltner stated that has to be a problem when there are out of town folks and not even a resident of Florida; and he asked if that changes their ability to collect from them versus folks who live here.

Mr. Wallace stated no, the collection agency can go nationwide to try to find those folks; some of the issues might be if there is not good contact information when the service is provided, maybe a detailed address, phone number, or that kind of stuff; and then the collection agencies try to run those folks down; and every ambulance ride bill that is produced and that is not paid for goes to the collection agency and they make a due diligence to try and collect it.

Commissioner Feltner inquired he thinks maybe it was mentioned, to refresh his recollection, when someone is in a Coastal ambulance and they did not pay, is it largely Coastal's problem.

Chief Voltaire stated it is 100 percent Coastal's problem.

The Board approved in accordance with Resolution No. 79-21, for the FY 2024 and FY 2025 write offs of uncollectible EMS accounts receivable and the closure of accounts associated with Change Healthcare and EMS-Management and Consultants ambulance debt for January 1, 2025, through September 30, 2025.

Result: APPROVED

Mover: Kim Adkinson

Seconders: Katie Delaney

Ayes: Delaney, Goodson, Adkinson, Feltner, and Altman

J.2. Settlement of Atlantic Housing Partners L.L.P., et al v. Brevard County, Case No. 6:23-CV-02473-CEM-DCI in the United States District Court for the Middle District of Florida, Orlando Division.

Morris Richardson, County Attorney, stated this Item is the proposed settlement of a case known as Atlantic Housing Partners et al v. Brevard County that was filed in the United States District Court for the Middle District of Florida in 2023; Commissioners Feltner and Goodson were the only ones on the Board when the events giving rise to that litigation happened, but essentially, the Board at that time denied a request from someone who had gone through the Housing Finance Authority process for tax-exempt private activity bond financing for proposed development within the City of West Melbourne; the Board heard strong objections from the city as well as area residents, and took those into account; and the Board did not elect to give preferential bond financing treatment to that developer. He went on to say the developer sued under the Florida and Federal Fair Housing Acts claiming \$14 million; the County prevailed at summary judgment; they have appealed the case to the 11 Circuit Court of Appeals in Federal Court; there was a mediation last week and have agreed to settle the case with them paying \$125,000 of the County's fees and costs and dismissing the appeal and the lawsuit; that was accepted by the County's outside claims adjuster; and he would strongly urge the Commission to accept that as well.

Commissioner Feltner stated if there are no questions or any other debate he will make the motion to approve.

The Board approved the mediated settlement between Brevard County and the plaintiffs; and authorized the Chair and County Attorney to sign a settlement agreement, release, and related documents as necessary and appropriate.

Result: APPROVED

Mover: Rob Feltner

Seconders: Katie Delaney

Ayes: Delaney, Goodson, Adkinson, Feltner, and Altman

J.3. Improving Agenda Transparency Through Financial Disclosure

Chair Altman stated this is approving Agenda transparency through financial disclosure; he has a point of order on this; and he asked if the Board had voted on this before.

Morris Richardson, County Attorney, stated the Board did previously and because it is a motion for reconsideration, the Board follows BCC-97 and under BCC-97, the Board follows Robert's

Rules of Order, generally; under Robert's Rules one can only make a motion for reconsideration at the same meeting in which a vote is taken; in order to hear this Item, the Board would need to do two things first; one, pursuant to BCC-97 (3)k, the Board would have to have a majority vote of the Board to suspend Robert's Rules of Order and two, a separate motion to reconsider the Board's action at the prior meeting; and if both of those pass, the Board can address the subject of the Agenda.

Commissioner Delaney stated she has a point of order on that; what her request is today is to...

Chair Altman stated he had a point so he needs to dispose of that first; under Robert's Rules of Order if there is a motion to reconsider it must be made by a member of the prevailing party; and he asked if that is correct.

Attorney Richardson stated that is correct but in this instance if the Board waives Robert's Rules to even consider it, then that does not apply either.

Chair Altman stated he thinks what is needed is either a motion from the prevailing party to reconsider or a motion to not follow Robert's Rules of Order; there is a reason for that, it is to prevent it from rehashing these items; and he asked if Commissioner Delaney has a question.

Commissioner Delaney stated she objects that this is a reconsideration; what she is doing, under the Board authority, the Board has the authority to make changes to Policy; what the motion was at the previous meeting was to direct staff to do this; now this time she is proposing the changes; and she feels like that is two different things.

Attorney Richardson stated if he may address that, the requested action is once again to direct staff to revise the Policy and reading from the Commissioner's Agenda Items, it says the Item is being brought back for the Board's reconsideration; he believes the reconsideration rules apply; and it is the Board's preference.

Chair Altman stated as Chairman he agrees with that; he was going to make that a ruling as Chair; and he thinks what is in order is if anybody wants to consider this a motion would be in order to waive Robert's Rules of Order or a motion from the prevailing party to reconsider this item.

Commissioner Delaney stated she would like to make the motion to waive Robert's Rules.

Motion dies for lack of a second.

Chair Altman advised the Board's original action stands from the last meeting.

Commissioner Delaney advised there is a card.

Chair Altman advised Item J.3. is not being heard, it was disposed of in the last meeting and it died.

A public speaker asked if he can make a comment on it during Public Comment now that there are rules about discussing something that is on the Agenda.

Chair Altman stated he can comment whatever he wants to, there is no limit under Public Comment.

K. PUBLIC COMMENTS (Individuals may not speak under both the first and second public comment sections.)

Rick Heffelfinger stated now that the Item is off the Agenda he would like to talk about it a little; waiving Robert's Rules, he inquired how many times he has seen, he does not have a specific list, where the Board is pretty fast and loose with Robert's Rules around here; maybe it was more previous, he thinks Chair Altman does a better job; this Item was trying to push for some transparency; Commissioner Delaney is on her way out; he asked if this Board not just cut her a little slack, hear the Item, and reconsider; he noted she is trying to leave something that she started and she has to go now, not her choice, an opportunity; and this Board will block it at every opportunity. He continued by saying he hears a lot of pushback; she is leaving give her a gift; at least do not try to block her Agenda that she promised to the people, that she was going to get some transparency; the Board does not seem to want to do anything with that; it looks bad and the optics are bad that this Board does not really want to hear from the people; he does not know if that is true; again, he assumes and makes an ass out of both when one does that; but it is for her constituents and she promised this stuff. He went on to say he does not know what their constituents think, he would be concerned; the Board looks like it is blocking transparency and openness, and care showing some concern because this is not just for District 1; this is for everybody in the County who wants to come up do a Citizens Efficiency and Effectiveness Recommendation (CEER), have some time, have a Policy that says it is going to be heard and there is going to actually be some action; people will get it in writing; people make a comment by just going through and making a suggestion to the County; and he asked if that is written down anywhere. He stated that is what he said with the garbage, he is going to follow up and say when the garbage contract comes up, that he made some suggestions and if the Board will talk about those; he hopes that Don Walker, Space Coast Government Television (SCGTV) Director, is passing that along, but he does not know that; the CEER is a documented thing; the Board can either says yay or nay, and then the people can go, wow; he tried to help, he will try again next year; or they do not do that, maybe there is another avenue; but not supporting that program looks bad, it does; and that is all he had to say about that one. He added he really does not like the fact that it seems like ever since Commissioner Delaney has been in this position, the people hate to see her go, and there is hope to get somebody that continues that, but this Board is brutal to her.

L.1. Jim Liesenfelt, County Manager

Jim Liesenfelt, County Manager, stated he has a handout for each on an Item to talk about; he already handed a copy to the Clerk; with Commissioner Delaney leaving on May 2, he put together a sheet more of talking points for him to discuss with the Board, options for District 1 office during the vacancy; the County had this case back with Commissioner Lober, he believes it was 2022; there was also the same issue with Commissioner Zonka in 2023 or 2024, of how to keep the office operating and the staff members; and there are four different discussion points or ideas. He noted one, is to retain the remaining District 1 staff member, Kristin Lortie; the other two member have resigned, or will be resigning, and no longer employed as of May 2; two, appoint an interim District 1 staff member as appointing authority for the office; three, is other Commissioner offices take the calls, emails, and other communications; four, County staff takes phone calls, emails, and other communications; underneath are some talking points on there to consider such as how often would the office be open, how would citizen input be routed to other Commissioners if it is handles by other Commission offices, what to do with Policy issues if staff is handling it, or how to go about appointing staff members; and what staff is looking for is the Board to give direction on who the appointing authority staff-wise would be for the office while it is vacant. He continued by saying, to remind everybody, under Commissioner Lober it was in April and the Governor did not fill that position, it was filled by an election in November; with Commissioner Zonka, it was just a couple of weeks between that and the office was filled by Governor DeSantis; he would remind Commissioners that the office would be

vacant until November when the swearing in is, the third Tuesday of November; if the Governor appoints someone earlier than that, the Commissioner can appoint their own staff members at that time; and he is open to direction and ideas.

Commissioner Delaney stated she wants to bring forward that when former Commissioner Lober happened, there was no chance given for him to provide any input or bring this conversation up due to the way that situation happened, his quick exit; Commissioner Zonka is the one who brought it up for her staff; she just wants to throw it out there that she was willing to bring this up and was told that the County Manager was bringing it up; she is wondering why that was the case when other Commissioners had been afforded the opportunity to make decisions about their office and she is not being afforded that same opportunity; Ms. Lortie has been someone that has been in her office and she has been incredible to not only herself but to the constituents; she almost never takes any time off; she is always there and professional; and she knows the community. She continued on by saying especially during this time of vacancy, she thinks that for District 1 it would be a good thing for them if they had a familiar face in her office because they have already built the relationships, she has done the work; that would be her recommendation to retain Ms. Lortie; when the new Commissioner comes in, there is some cohesive change of power and whatnot; and at that time the new Commissioner can make their own decision about staff.

Chair Altman asked if there was any other discussion and if not he thinks that Commissioner Delaney should put that in the form of a motion; he noted he thinks the reason staff brought this forward is appropriate because they acknowledge they are not the one to make this decision that it has to come from the Board itself; and if staff is looking for direction, the Board needs to give it.

Commissioner Feltner asked in lieu of some motion today, what happens then.

Morris Richardson, County Attorney, stated first of all the Commissioner is the appointing authority until May 2; the Board cannot do anything that is effective immediately; the Board can only do something effective following that; following that the Board...

Chair Altman interjected by saying the Board does not have to take action today, it can bring it up after the May 2 timeframe.

Attorney Richardson advised the Board can take action today, bring it up at the next meeting on May 5, or however the Board wishes to proceed.

Commissioner Delaney stated the issue would be that May 2, if her understanding is correct, because she is no longer here, it would also take away her appointment because it is a point of service position; she asked if that is correct; and she pointed out between May 2 and May 5, her constituents would not have anybody in the office to answer the phones.

Attorney Richardson stated he thinks because her term does not expire on May 2, she is just leaving the office, he thinks at that point the Board becomes the appointing authority, and because Ms. Lortie has already been appointed, she would continue on until the Board takes other action, or appoints someone else as the appointing authority to take other action.

Chair Altman inquired if the Board did nothing, nothing changes.

Attorney Richardson stated if the Board did nothing, nothing changes with regard to Ms. Lortie's position.

Chair Altman stated right.

Commissioner Feltner stated the Board could revisit it at the May 5 meeting.

Chair Altman stated if the Board chose.

Commissioner Delaney stated her only thing is that if there is something different that is going to happen, she would respectfully request that the Board do a kindness and not leave this hanging because it has already been brought up now; and she thinks it is only fair, and imagine if it was one of the other Commissioner's Chief of Staff not knowing.

Commissioner Feltner stated he would like to split something; as part of this today the Board could give direction today for a formal letter to be sent to the Governor requesting that an interim appointment be made; and the Board does not have to weigh in on who or what.

Commissioner Delaney stated she does not agree with that at all.

Commissioner Feltner asked an interim appointment.

Commissioner Delaney asked to her seat.

Commissioner Feltner stated whether the Governor is going to pick someone to serve in the role or not...

Chair Altman stated he thinks that is an excellent idea.

Commissioner Delaney commented she does not think this Board should be saying who should be sitting in her seat.

Chair Altman noted he does not think Commissioner Feltner said who.

Commissioner Feltner stated no, not at all.

Chair Altman commented he just thinks the Board needs to let the Governor know.

Commissioner Feltner noted he thinks there is a question of whether the Governor will, he certainly can.

Commissioner Delaney interjected by saying historically he has not done that.

Commissioner Feltner inquired he has not done that.

Commissioner Delaney reiterated he has not done that historically.

Commissioner Feltner advised they did do it with Commissioner Zonka.

Commissioner Delaney stated right, but to look across the State historically, he knows this...

Commissioner Feltner stated no, actually he does not, respectfully, he does not have to; he thinks there is a question of shall; and he inquired if it states the Governor shall appoint. He continued by saying to rephrase, the appointment, if there is one, is the Governor's to make.

Attorney Richardson stated it is the Governor's to make; the Constitution and the statutory do use the mandatory language, "shall", but that does not mean there will be an appointment.

Chair Altman stated that is an interesting legal question because he agrees with Commissioner Feltner; he trusts the Governor...

Commissioner Delaney interjected by saying my constituents do not want an appointment from the Governor, she is just going to put that out there.

Chair Altman interjected by saying to let him finish; this is before the Board and it is improper for the public to be interrupting as well as each other; do not talk over each other...

Commissioner Delaney interrupted by saying if the Board is doing...

Chair Altman interjected by saying let him finish his point; and he stated he agrees with Commissioner Feltner, he would love to see the Governor make this appointment, he does not think this seat should go vacant.

Commissioner Feltner stated the Board could even split it another way.

Commissioner Delaney stated she hopes everyone is seeing this at home.

Chair Altman inquired if Commissioner Delaney is saying she does not want the Governor to appoint.

Commissioner Delaney replied absolutely not, she wants the people of District 1 to decide who is there Commissioner, absolutely.

Commissioner Feltner responded by saying respectfully they will decide that in November, that is going to happen.

Commissioner Delaney stated it does not matter they still have to endure; this Board has no idea what the constituents have had to endure over these years; she asked why the Board thinks she was elected here; she advised she got elected because these people out here have not been listened to in decades; they do not trust the government; and she does not know how much more clearly people have to say that.

Commissioner Feltner stated okay.

Chair Altman stated the Governor also got elected overwhelming as well; and he thinks when the people...

Commissioner Delaney interjected by saying if the Board were to poll her D1 constituents she can promise they do not want an appointment from the Governor.

Chair Altman called on Commissioner Adkinson noted she has not had the floor.

Commissioner Feltner stated he was just going to make one last suggestion then he will stop.

Chair Altman stated okay.

Commissioner Feltner stated the Board could just formally inquire whether an appointment is going to be made or not; if the Governor responds that one will not be made, with that information the Board can make a better decision on May 5; if he says an appointment is coming, then the Board can also make a decision on May 5 of what to do with the office; just having some directive from the Governor's office on that question he thinks would be helpful for the Board; and having no answer from the Governor is difficult.

Chair Altman stated he agrees, that is a good point.

Commissioner Delaney stated she has something to add.

Chair Altman stated let Commissioner Adkinson have a voice.

Commissioner Adkinson stated for the record, and the Board, she also would not support requesting the Governor make an appointment to this Commission; and she wanted everybody to hear that.

Commissioner Feltner reiterated that is fine, the Board could simply ask if one is going to happen; if one is going to happen okay; if one is not going to happen it is okay too; now the Board has the information to make a better decision; and that is all.

Commissioner Delaney stated what is being talked about today and what the Board is given the opportunity to give direction on is her staff in her office; personally she does not think the Board should be bugging the Governor with this; she does not think the D1 constituents want an appointment from the Governor; she thinks it should just be left alone; what is being talked about today is who is going to answer the phones, handle constituent services, and things like that in her office between now and the third Tuesday of November; what her recommendation would be is to leave in place the person that her constituents know; and that would be her motion to leave Kristen Lortie as the point person for the District 1 office from now until the new Commissioner comes in.

Motion dies for lack of a second.

Commissioner Delaney stated she has another motion.

Commissioner Adkinson stated she would like to make a motion that the Board bring this back to the May 5 meeting for discussion by the Board.

Chair Altman asked if there is a second to that motion.

Commissioner Feltner stated he seconds the motion.

Commissioner Delaney requested discussion.

Chair Altman called for discussion.

Commissioner Delaney stated first she has one question; and she inquired if the Board has to allow for public input because it is making motions.

Attorney Richardson stated not on this motion, if it is just being moved to May 5, it can have public input on May 5.

Commissioner Delaney stated okay; one thing she would ask to consider because if the Board thought about it being one of their Chiefs of Staff, would he or she want their position to be unknown for another two and one-half weeks; she does not think it is fair or a kindness to her staff that has served this District loyally and fully; she really hopes this motion fails and the Board can continue further discussion today so that Ms. Lortie has some idea of what her future looks like; and that that does not have to hang over her head for a few more weeks.

Chair Altman asked if there was any further debate; and he called the vote. He stated motion passes on a 4:1 vote.

The Board continued consideration of options for manning the District 1 Office to the May 5, 2026, meeting.

Result: CONTINUED

Mover: Kim Adkinson

Second: Rob Feltner

Ayes: Goodson, Adkinson, Feltner, and Altman

Nay: Delaney

L.3. Katie Delaney, Commissioner District 1

Commissioner Delaney stated she has a question; and requested that she has her report last since this is her last meeting.

Chair Altman obliged.

L.6. Rob Feltner, Commissioner District 4

Commissioner Feltner stated he has two things; and he mentioned the Board could ask the Chair to call the office of the Governor to ask if an appointment will be made.

Chair Altman stated he does not think he needs Board approval to do that, any Commissioner can call the Governor's office.

Commissioner Feltner stated he thinks just trying to get an answer for the Board, a very simple answer; it is going to happen or it is not; the Board can...

Chair Altman interjected by saying he is going to make that inquiry on a personal level.

Commissioner Feltner stated alright that is good; finally, there is an art show at Wickham Park this weekend, and it is always a great one; and everyone should go to Wickham Park and look at the many artists who will be there this weekend.

L.3. Katie Delaney, Commissioner District 1

Commissioner Delaney stated she had a citizens engagement event the other day and it was really great; it was in the Space Coast Room where she went through and talked to the citizens from all over the County about how they get informed; they were walked through the County website and she helped them all find the Agenda, the backup documents, and all that stuff; there were about 20 people there and they were all excited to learn about this, so they could be more informed and engaged with the County government; and she has a Substack with the same information. She went on to say she is not going to play the video but there is a video on there that walks one through how to go through the calendar, the Agenda, and find the backup details so if anybody wants to get informed, all this information is out there; even though it

takes a little finagling to get used to the website, it is not that hard; she knows there are loads of citizen advocates that would help walk anybody through; anyone could contact her and she will help anyone, even after she is no longer in Brevard; and people should definitely check out that Substack if they are interested because it will give that tutorial to walk right through the County's website. She continued by saying she also wanted to give a shout out to Lieutenant Manley; there was a resident that has a situation going on and he went with her because there was a police report that needed to be made and she just needs to give him a shout out; and it is a very intense situation and just his professionalism, his care, and his concern for the resident in this situation, it is not every day that one has a Mayor, a Commissioner, and a Deputy in one's living room, so she just wanted to give him that shout out for how fantastic he was and showing that resident that he really cared about the situation and the follow-through. She stated because this did not get to be brought up, she just wants to read a couple things and give a little explanation about why she brought back that financial transparency item; it is because the overwhelming feedback she received from the community; she received multiple phone calls after the last meeting in regards to that item, just in shock; this one is from District 1 and they are in support; this one is from Merritt Island and they were in some serious shock that the item did not go forward; this one came to all the Board members emails, she thinks it was District 2 because Commissioner Goodson's staff member responded to him; then this one is from Melbourne also supporting; another one from Melbourne; she does not know any of these people, except for one; and this is not like she galvanized people and asked them to email all the Commissioners. She mentioned this is just feedback from the people who were watching this meeting; she hopes and prays that this Board considers bringing this item back forward and making this change because it will help people; she understands that the Board does not want the Agenda to be too lengthy, but people are really trying to figure out how to get informed; when one is not part of the government it is really difficult because he or she does not know who to call, contact, what to do, what websites are out there, or what resources are out there, people have no idea; and this is just one small thing that the Board could do to help its constituents get more informed. She stated just because she did not get to say it last meeting, she really appreciates staff; she knows at times she would ask for a lot and she really appreciates the hard work, the information, the kindness, and the patience that it has given her; to the Board, while they do not always agree all the time, it has truly been an honor to serve with all of them; she will always be praying for this Board and this community; and she thanked them again.

Chair Altman thanked Commissioner Delaney for her willingness to serve; and he stated that will conclude the meeting and he will see everyone at 1:00 for the Budget Workshop.

Commissioner Feltner stated if anyone has not been to the Olive Tree in Viera, today is a beautiful day and a great time to do it; and getting there before 11:30 a.m. means one can get a table and be back here by 1:00 p.m.

Adjourn

Upon consensus of the Board, the meeting adjourned at 10:17 a.m.

ATTEST:

RACHEL M. SADOFF, CLERK

THAD ALTMAN, CHAIR

**BOARD OF COUNTY COMMISSIONERS
BREVARD COUNTY, FLORIDA**