

# **Brevard County Board of County Commissioners**

*2725 Judge Fran Jamieson Way  
Viera, FL 32940*



## **Minutes**

**Tuesday, July 8, 2025**

**5:00 PM**

**Regular**

**Commission Chambers**

In accordance with the Americans with Disabilities Act and Section 286.26, Florida Statutes, persons needing special accommodations or an interpreter to participate in the proceedings, please notify the County Manager's Office no later than 48 hours prior to the meeting at (321) 633-2010.

Assisted listening system receivers are available for the hearing impaired and can be obtained from SCGTV staff at the meeting. We respectfully request that ALL ELECTRONIC ITEMS and CELL PHONE REMAIN OFF while the County Commission is in session. Thank You.

This meeting will be broadcast live on Space Coast Government Television (SCGTV) on Spectrum Cable Channel 499, Comcast (North Brevard) Cable Channel 51, and Comcast (South Brevard) Cable Channel 13 and AT&T U-verse Channel 99. SCGTV will also replay this meeting during the coming month on its 24-hour video server nights, weekends, and holidays. Check the SCGTV website for daily program updates at <http://www.brevardfl.gov>. The Agenda may be viewed at: <http://www.brevardfl.gov/Board Meetings>

In accordance with BCC-97 Section G.1 the agenda shall provide a section for public comment limited to fifteen (15) minutes following approval of the consent agenda during each Regular County Commission Meeting. The purpose of public comment is to allow individuals to comment on any topic relating to County business which is not on the meeting agenda. Individuals delivering public comment shall be restricted to a three-minute time limit on their presentation. During this fifteen-minute segment of public comment, speakers will be heard in the order in which they turned in a pink card asking to be heard. Any speaker not heard during the first fifteen-minute section will be heard during a second public comment section held at the conclusion of business specified on the regular Commission agenda. Individuals may not speak under both the first and second public comment sections. With the exception of emergency items, the Board will take no action under the Public Comment section, but can refer the matter to another meeting agenda or request a staff report

Any invocation that may be offered before the official start of the Commission meeting shall be the voluntary offering of a private citizen, to and for the benefit of the Commission. The views or beliefs expressed by the invocation speaker have not been previously reviewed or approved by the Commission, and the Commission is not allowed by law to endorse the religious beliefs or views of this, or any other speaker.

**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

**A. CALL TO ORDER 5:00 PM**

**C. PLEDGE OF ALLEGIANCE**

Commissioner Adkinson led the assembly in the Pledge of Allegiance.

**D. MINUTES FOR APPROVAL**

The Board approved the minutes of March 6, 2025 Budget Workshop #2, April 8, 2025 Regular Meeting, and May 6, 2025, Regular Meeting.

**Result:** APPROVED

**Mover:** Tom Goodson

**Seconders:** Katie Delaney

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

The Board approved Commissioner Altman to participate in the Board meeting via telephone.

**Result:** APPROVED

**Mover:** Kim Adkinson

**Seconders:** Katie Delaney

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

**E.2. Resolution acknowledging June as Men's Health Month in Brevard County. - District 4**

Chairman Feltner read aloud, and the Board adopted Resolution No. 25-050, acknowledging June as Men's Health Month in Brevard County.

**Result:** ADOPTED

**Mover:** Katie Delaney

**Seconders:** Kim Adkinson

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

Colonel Marcus Smith expressed his appreciation to the Board for the Resolution. He stated the month of June is Men's Health Month; when coming up on October, one knows it is known as Breast Cancer Awareness Month; an initiative is being created as a way of advocating for more men's health awareness initiatives; in 2026, they are going to have the Men's Health and Fitness Summit; there is a website that is already up; and this proclamation is a way of creating more awareness and letting the community know that they want men to be a part of taking care of their health, and to create a safe space. He noted in 2026, they are hoping to have 200-plus men to come to Eastern Florida State College; and this proclamation is a way to show they are here.

**E.1. Proclamation recognizing July 24, 2025, as Space Coast Day (District 2)**

Chairman Feltner read aloud, and the Board adopted Resolution No. 25-051, recognizing July 24, 2025, as Space Coast Day.

**Result:** ADOPTED

**Mover:** Katie Delaney

**Seconders:** Kim Adkinson

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

Jamie Draper expressed his appreciation to the Board for helping them to celebrate 75 years of launches from Florida's Space Coast; he just discovered today that they started referring to this area as the Space Coast in 1969; and that is another little addition to all of the whereas'.

**E.3. Resolution acknowledging July 2025 as Parks and Recreation Month and Friday, July 18, 2025 as Parks and Recreation Professionals Day (District 4)**

Chairman Feltner read aloud, and the Board adopted Resolution No. 25-052, acknowledging July 2025 as Parks and Recreation Month and Friday, July 18, 2025, as Parks and Recreation Professionals Day

**Result:** ADOPTED

**Mover:** Katie Delaney

**Second:** Kim Adkinson

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

Ian Golden, Parks and Recreation Director, expressed his appreciation to the Board for its recognition of the important Parks and Recreation professionals who work there play in serving the communities and residents, such as the kids that one sees here from the camps; he stated the Parks staff and facilities embody the County's mission to enhance its residents' quality of life; they like to say 'It starts in parks'; this is never more evident than when looking at the sheer number of people who utilize the parks, facilities, sanctuaries, and educational centers; through them annually, internally and externally, there are two and one-half million people who attend programs there, more than 59,000 campground stays, and almost 10,000 facility rentals; this year, in celebration of the 40th anniversary of July as National Parks and Recreation Month, they have actually launched a passport to the community educational centers, with the goal of increasing knowledge in the activities and programs available; families that participate will be able to pick up a passport at one of the community centers; they will get them stamped as they visit different centers; and as one visits more centers and receives more stamps, he or she will be eligible to get prizes, all the way up to if they get all 19 centers, will be entered into a drawing for two free night stays at one of the campgrounds. He pointed out unfortunately, for the discounts and the raffle drawing, County staff are not eligible.

F.4. Approval, Re: Agreement with Brevard County School Board the the Teale New Haven LLC

Sandra Sullivan commented this is about waiving impact fees; essentially, the County's impact fees are already really heavily discounted, because they have not been updated in 25 years; and they are cents on the dollar as it is, so waiving impact fees, when the County has a fiscal crisis on its infrastructure, is probably not the wisest thing to do.

F.22. Appointments/Reappointments, Re: Citizen Advisory Baords

Jennifer Hopkins stated she is here today with her neighbors to express her disgust regarding Sheriff Wayne Ivey's warnings to peaceful protesters ahead of the No King's demonstrations on June 14th; his continued use of violent and inflammatory rhetoric deeply concerns her; he is creating a threat where none exists; and in doing so . . .

Chairman Feltner interjected by saying he hates to interrupt Ms. Hopkins, but on F.22., that is appointments/reappointments.

Ms. Hopkins advised correct.

Chairman Feltner noted he wanted to clarify; and he expressed his apologies.

Ms. Hopkins stated he is creating a threat where none exists, and in doing so, he is escalating tensions, encouraging fear, and putting his own deputies in greater danger; she will be honest, she wrote and rewrote this a couple of times; she has so much to say, and none of it is good; and it certainly will not all fit in the three-minute timeframe, so here are the highlights. She continued by saying her distaste for Sheriff Ivey's version of law enforcement began in 2022 when he stood in front of the jail and threatened the students with old school discipline and fear; there has never been an arrest or report of vandalism or violence at a peaceful protest in Brevard County; she has personally attended several over the last year, and the only thing that has made her uncomfortable is the amount of people who like to rev their engines, blow black

smoke over the crowd, and to peel out; Sheriff Ivey's threats to kill them graveyard dead, and Governor Ron DeSantis' declaration that it is okay to run protesters over with their vehicles serve to make those demonstrations of weakness even more threatening; Sheriff Ivey got exactly what he wanted, his posturing put him on a national stage, and he desperately wants that attention; and some of the comments she has seen on social media include, "Don't spit, throw bricks", "Point guns, or stand in front of the cars in the street seems reasonable", and "If people don't behave that way, they have nothing to worry about. Kind of like if you don't want to go to prison for a crime, don't do a crime. You know, any crime." She mentioned there are multiple points she can make about comments like that these, but she will stick to two; one, none of these actions is a capital offense; threatening extra judicial violence is not law enforcement, it is intimidation; two, many of these commenters have never been to Brevard County, much less attended a peaceful protest here; his threats have made the rest of the County believing that they are inherently violent and deserve to be treated like animals; Wayne Ivey is a bully; he is not just using harsh language, he is using his badge, uniform, and his platform to intimidate students, protesters, and anyone who dares to speak out; that is not leadership, that is a bully with power, and overshadows any good he may have done for this community; every person physically standing next to him while he spews his rhetoric should be ashamed of themselves; and this Commission has a responsibility to speak up and push back, because silence is complicity. She stated his words do not reflect the reality of Brevard County, nor do they reflect the values of a free and democratic society; she respectfully urged the Commission to publicly condemn Sheriff Ivey's dangerous rhetoric, initiate or support an independent review of his recent statements and conduct, and publicly affirm that Brevard County supports peaceful protests, civil discourse, and constitutional rights; and she asked the Board to please look into docking Sheriff Ivey's pay or she knows he is based on election, but they are asking for something to be done in this situation.

**F.1. Florida Department of Agriculture and Consumer Services, Division of Agricultural Environmental Services, Arthropod Control Budget Amendment**

The Board authorized the Chairman to execute the FDACS, Division of Agricultural Environmental Services, Arthropod Control Budget Amendment to ensure the Brevard Mosquito Control District maintains its status as a State-Approved Mosquito Control Program.

**Result:** APPROVED

**Mover:** Katie Delaney

**Second:** Kim Adkinson

**F.2. Florida Department of Agriculture and Consumer Services, Division of Agricultural Environmental Services, FY 2025-2026 Detailed Work Plan Budget - Arthropod Control**

The Board authorized the Chairman to execute the FDACS, Division of Agricultural Environmental Services, FY 2025-2026 Detailed Work Plan Budget for Arthropod Control to ensure the Brevard Mosquito Control District maintains its status as a State-approved Mosquito Control Program.

**Result:** APPROVED

**Mover:** Katie Delaney

**Second:** Kim Adkinson

**F.3. Approval Re: Transportation Impact Fee Technical Advisory Committee for the South Beach District Project Funding Recommendations**

The Board approved the disbursement of \$381,435.00 in Transportation Impact Fees, in accordance with the recommendations prepared by the Transportation Impact Fee Technical

Advisory Committee of the South Beach Benefit District; and authorized the Budget Office to execute any Budget Change Requests necessary for implementing this appropriation.

**Result:** APPROVED

**Mover:** Katie Delaney

**Second:** Kim Adkinson

**F.4. Approval RE: Agreement with Brevard County School Board and The Teale New Haven LLC**

The Board executed and approved the Agreement with the Teale New Haven LLC and the Brevard County School Board.

**Result:** APPROVED

**Mover:** Katie Delaney

**Second:** Kim Adkinson

**F.5. Final Plat and Contract Approval, Re: Lake Andrew Drive Segment G  
Developer: The Viera Company District 4**

The Board, in accordance with Section 62-2841(1) and Section 62-2844, granted final plat approval; and authorized the Chairman to sign the final plat and Contract for Lake Andrew Drive Segment G, Developer – The Viera Company, subject to minor engineering changes, as applicable, and developer responsible for obtaining all other necessary jurisdictional permits.

**Result:** APPROVED

**Mover:** Katie Delaney

**Second:** Kim Adkinson

**F.6. Final Plat and Contract Approval, Re: Crossings at Viera  
Developer: Star Rush, LLC District 4**

The Board, in accordance with Section 62-2841(i) and Section 62-2844, granted final plat approval; and authorized the Chairman to sign the final plat and Infrastructure Contract for Crossings at Viera, Developer – Star Rush, LLC, subject to minor engineering changes, as applicable, and developer responsible for obtaining all other necessary jurisdictional permits.

**Result:** APPROVED

**Mover:** Katie Delaney

**Second:** Kim Adkinson

**F.7. Final Plat and Contract Approval, Re: Reeling Park South, Phase 6  
Developer: The Viera Company District 4**

The Board, in accordance with Section 62-2841(1) and Section 62-2844, granted final plat approval; and authorized the Chairman to sign the final plat and Contract for Reeling Park South, Phase 6, Developer – The Viera Company, subject to minor engineering changes, as applicable, and developer responsible for obtaining all other necessary jurisdictional permits.

**Result:** APPROVED

**Mover:** Katie Delaney

**Second:** Kim Adkinson

**F.8. Approval, Re: Resolution and Deed of Conservation Easement for Local Governments for Wetland Mitigation, located on East Hall Road, related to the Wickham Road and Pineda Causeway Intersection Improvement Project - District 2 and District 4**

The Board executed and adopted Resolution No. 25-053; and executed and approved Deed of Conservation Easement for Local Governments for wetland mitigation located on Hall Road related to the Wickham Road and Pineda Causeway Intersection Improvement Project.

**Result:** ADOPTED

**Mover:** Katie Delaney

**Second:** Kim Adkinson

**F.9. Approval Re: Permission to Apply to the Hazard Mitigation Grant Program (HMGP) for Uninterruptible Power Supply (UPS) Systems for Traffic Signals - Countywide**

The Board granted approval to apply to the Hazard Mitigation Grant Program (HMGP) for Uninterruptible Power Supply (UPS) Systems for traffic signals, authorizing staff to submit the application via the State of Florida, Division of Emergency Management (FDEM) portal; authorized the Interim County Manager and/or County Manager to sign the grant application, grant agreement, any amendments or renewals, contingent on County Attorney, Risk Management, and Purchasing AO-29 approval; and authorized the Interim County Manager and/or County Manager to execute any necessary Budget Change Requests.

**Result:** APPROVED

**Mover:** Katie Delaney

**Second:** Kim Adkinson

**F.10. Adopt Resolution and Release Performance Bond: Crossmolina - Village 2, Neighborhood 7, Phase 2 - District 4  
Developer: The Viera Company**

The Board executed and adopted Resolution No. 25-054, releasing the Contract and Surety Performance Bond dated October 22, 2024, for Crossmolina – Village 2, Neighborhood 7, Phase 2 – Developer – The Viera Company.

**Result:** ADOPTED

**Mover:** Katie Delaney

**Second:** Kim Adkinson

**F.11. Approval Re: Resolution to Authorize the Interim County Manager or County Manager to Execute Documents for Ellis Road Widening - District 5**

The Board executed and adopted Resolution No. 25-055, authorizing the Interim County Manager, or County Manager, to execute agreements and all project-related documents to ensure timely project delivery and responsiveness to the County's partners on the Ellis Road Widening Project; approved, per Administrative Order 29, that the contract-related documents be reviewed by the County Attorney, Risk Management, and Purchasing Services; and authorized the Interim County Manager, or County Manager, to approve any Budget Change Requests associated with this item.

**Result:** ADOPTED

**Mover:** Katie Delaney

**Second:** Kim Adkinson

**F.12. Approval, Re: Resolution, Water Line & Ingress/Egress Easement Agreement, and Bill of Sale in favor of the City of Cocoa, for the Veteran's Memorial Park Bandshell and Additions Project - District 2.**

The Board adopted and authorized the Chairman to execute Resolution No. 25-056, authorizing the conveyance of real property interest by the County; and approved and

authorized the Chairman to execute a Water Line and Ingress/Egress Agreement and Bill of Sale in favor of the City of Cocoa.

**Result:** ADOPTED

**Mover:** Katie Delaney

**Second:** Kim Adkinson

**F.13. Approval of Lease Agreement and Resolution for Office Space for Brian Hodgers, State Representative, District 32.**

The Board executed and adopted Resolution No. 25-057, allowing the non-competitive lease of County Property (office space) at the Brevard County Government Center located in Viera, to State Representative, Brian Hodgers, for the Florida District 32 State Office; and authorized the Interim County Manager, or County Manager, to execute the resulting Lease Agreement, and any lease-related documents, contingent upon review and approval by the County Attorney's Office, Risk Management, and Purchasing Services.

**Result:** ADOPTED

**Mover:** Katie Delaney

**Second:** Kim Adkinson

**F.14. Approval, Re: Community Development Block Grant Citizens Advisory Committee Resolution**

The Board adopted Resolution No. 25-058, rescinding and replacing all previous resolutions for the Community Development Block Grant Citizens Advisory Committee; and approved revising the current seated members term limits from two to four years.

**Result:** ADOPTED

**Mover:** Katie Delaney

**Second:** Kim Adkinson

**F.15. Approval Re: Agreement between Brevard County Board of County Commissioners, Housing for Homeless (HfH) Forest Glen GP, LLC and Housing Trust Group (HTG) Forest Glen Apartments, LTD**

The Board authorized the Chair to execute an Agreement between the Board, (HFH) Forest Glen GP, LLC and HTG Forest Glen Apartments LTD, upon approval by the County Attorney and Risk Management; authorized the Housing and Human Services Director to execute any future amendment(s) or modification(s) upon approval by the County Attorney and Risk Management; and authorized the County Manager to execute all necessary Budget Change Requests.

**Result:** APPROVED

**Mover:** Katie Delaney

**Second:** Kim Adkinson

**F.16. Legislative Intent and Permission to Advertise Public Hearing - Change in TDT Ordinance Chapter 102 Article III**

The Board approved legislative intent and permission to advertise a public hearing to make amendments to Chapter 102, Article III, of the Code of Ordinances of Brevard County, Florida, pertaining to the collection of the Tourist Development Tax. Specifically, the proposed ordinance will amend Sections 102-118, 102-119(8), and 102-124, to replace reference to the County Tax Collector with the County Clerk of the Circuit Court. The responsibility to collect the tax will transfer from the Tax Collector to the Clerk on October 1, 2025.



**Result:** APPROVED

**Mover:** Katie Delaney

**Second:** Kim Adkinson

**F.17. Approval of Administration and Collection Cost for Business Tax Receipts - July 1, 2025 - June 30, 2026**

The Board approved the proposed cost, as submitted by the Tax Collector, for administration and collection of County Business Tax Receipts.

**Result:** APPROVED

**Mover:** Katie Delaney

**Second:** Kim Adkinson

**F.18. Economic Development Commission of Florida's Space Coast, Inc. Report of the Audit of the Financial Statements and Bi-Annual for the Period of October 1, 2024, through March 31, 2025**

The Board acknowledged receipt of the Economic Development Commission of Florida's Space Coast, Inc. Report on the Audit of the Financial Statements for the years ended September 30, 2024, and 2023, and the Bi-Annual Report for the period of October 1, 2024, through March 31, 2025.

**Result:** APPROVED

**Mover:** Katie Delaney

**Second:** Kim Adkinson

**F.19. Permission to Advertise the Sale via Sealed Bidding of three (3) parcels located on Barnes Boulevard and David Henderson Way, in the City of Rockledge, Florida, a Municipality within Brevard County, Florida.**

The Board approved permission to advertise a sale via a sealed bid for the three (3) parcels located on Barnes Boulevard and David Henderson Way, in the City of Rockledge, Florida, identified in the County Property Appraiser's records as Parcel ID Nos. 25-36-21-00-251, 25-36-20-11, and 25-36-21-00-278; approved that the minimum bid price as reflected in the appraised values will start at the following amounts: Parcel C will start at \$530,000, Parcel D will start at \$810,000, and Parcel E will start at \$340,000, and the amount for all Parcels (C, D, and E) to a single bidder will start at \$1,510,000; and approved that upon receipt of the sealed bids, the Chairman is authorized to sign all documents required to effectuate the sale and execute the necessary documents to provide the title to the highest qualified, responsive bid(s) at or over the appraised values.

**Result:** APPROVED

**Mover:** Katie Delaney

**Second:** Kim Adkinson

**F.20. Approval, Re: Transfer Surplus Property to the Utilities Services Department for Property Acquired by the County through the Foreclosure Process for Outstanding Code Enforcement Liens of \$170,627.82, Property Located at 8820 Highway 1, Micco, Florida, Unincorporated Portion of the County.**

The Board approved the transfer of real property ID No. 30-38-14-HH-8-1, to the County's Utilities Services Department at the appraisal value of \$165,000; and authorized that the proceeds from the transfer, once costs are reimbursed for the appraisal and to secure the property are paid, be deposited in the County's Code Enforcement fines account.

**Result:** APPROVED

**Mover:** Katie Delaney

**Second:** Kim Adkinson

**F.21. Legislative intent and permission to advertise a public hearing to amend the Brevard County Code of Ordinances modifying Chapter 14, Article II, Brevard County Code**

The Board approved and authorized legislative intent and permission to advertise a public hearing to amend the Brevard County Code of Ordinances, modifying Chapter 14, Article II, to reflect changes made to the Florida Statutes regarding Dangerous Dogs.

**Result:** APPROVED

**Mover:** Katie Delaney

**Second:** Kim Adkinson

**F.22. Appointment(s) / Reappointment(s)**

The Board acknowledged the appointment/reappointment of Betty Wells to the Central Brevard Parks and Recreation Advisory Board, with said term expiring December 31, 2026.

**Result:** APPROVED

**Mover:** Katie Delaney

**Second:** Kim Adkinson

**F.23. Bill Folder**

The Board acknowledged receipt of the Bill Folder.

**Result:** APPROVED

**Mover:** Katie Delaney

**Second:** Kim Adkinson

**F.24. Precinct Boundaries - Altered and Added (Chapter 101.001 (1) F.S.)**

The Board approved the revised precinct boundaries due to annexations by the City of Melbourne.

**Result:** APPROVED

**Mover:** Katie Delaney

**Second:** Kim Adkinson

**F.25. Permission to Advertise for a Public Hearing to consider a grant application for Brevard County.**

The Board granted permission for the Sheriff's Office to advertise for a public hearing to consider the Edward Byrne Memorial Justice Assistance Grant application; and authorized the Chairman to sign the Certification of Participation.

**Result:** APPROVED

**Mover:** Katie Delaney

**Second:** Kim Adkinson

**G. PUBLIC COMMENTS**

Susan Connelly stated for her Speak up Brevard offers an opportunity for a new level of citizen engagement that goes beyond public comment into committed collaboration between citizens and their government; throughout Florida there are similar programs; Orange County has

Connect, City of Miami has Forever Ideas, City of Tampa has Envision, Palm Beach County is Input Initiatives, and City of Melbourne has several programs for community feedback; none of these, however, have a dedicated program like Speak up Brevard with its clear process for submitting and reviewing citizen solutions for general government operations; and none of these programs have a structured method calling for solution proposals with a defined submission period and a subsequent review by government staff. She went on to say some of these programs focus on urban planning and development; however, none of them focus on the broader goal of efficiency and effectiveness of government operations; none of them have formalized presentations before a Commission; she asked how it makes the Board feel to be innovative and a leader; she stated it makes her feel very proud of Brevard County, her government; Brevard County is the first to see the necessity and benefit of citizens and government collaborating for the purpose of solutions for local government issues; Brevard County made CEER, which is Citizen Efficiency and Effectiveness Recommendation a household word before Department of Government Efficiency (DOGE) became a department; she has participated two years in Speak up Brevard; the process is not perfect; however, the process can be improved. She advised a group of citizens, in which she is one, calling themselves the CEER process improvement group have been coming together to complete written suggestions for change; in 2026, the nation will be celebrating its 250th birthday; and this will also be a time to celebrate Speak up Brevard as a shining example where citizens and government come together to be 'we the people'.

Elizabeth Blackford commented she is a Palm Bay resident and a 2015 graduate of the Brevard County Citizens Academy; tonight she is speaking on behalf of the ad hoc group Speak up Brevard working group, composed of people like her who participated in this year's program; for some of them 2025 was their first time; while the program has generated great ideas since it began in 2010, they found the process for submitting and implementing suggestions less than ideal; and this led them to form their group aimed at ensuring future citizens efficiency and effectiveness recommendations are more thoughtful, better researched, and actionable, making it easier for County staff to implement them. She continued by saying two modest changes could significantly improve the program, and the Board will see her suggestions on the slide provided; the first change involves revising the information entered by the submitter on what she will call the database input form; it includes an advisory that their contact information is publicly visible; her own experience was that although she could read other people's suggestions and see their names, she was unable to contact them to try and coordinate with them; the second change is to make an annual workshop a permanent part of the program held soon after the submission deadline passes; and all submitters, the Commissioners, County staff, and the public should be invited and encouraged to participate to address duplications, oversights, legalities, and frankly bad ideas. She mentioned the desired end product is a list of thoughtful, actionable, and well-qualified CEERs that the department personnel can reasonably be expected to recommend and implement; coordinating a workshop like that will likely require additional time and effort on the part of County staff; fortunately, the County already has a program in place called Brevardians Responding as Volunteers, BRAVE for short, that could easily solicit for candidates interested in helping out; and in fact, she mailed her application today. She noted she is taking her time to share her observations now because this program is really important to many of them; and she hopes the County will choose to take action soon so that next year's Speak up Brevard session will be far more productive and satisfactory.

Commissioner Delaney advised she just has a statement; she expressed her appreciation to Ms. Blackford and her group's hard work for this; she stated this is a program that is near and dear to her heart; and she looks forward to collaborating with them all, and hopefully bringing changes that they are talking about.

Mary Beth Laburda stated she is a Brevard County native, a licensed mental health counselor, and Vice President of Space Coast Pride; on behalf of Space Coast Pride Board of Directors, she would like to offer a very sincere thanks to four of the Commissioners for his or her no vote on the cultural grant; those Commissioners rallied their community, not just here in Brevard County, but also across the State and even across the nation; as a result, people came together to keep their festival thriving; in eight days they fundraised over \$9,100; and in 30 days, they fundraised over \$19,000, so thanks for the visibility the Board helped generate. She went on to say she would like to talk about why this 'no' vote was so confusing; Space Coast Pride was awarded the same grant in 2024 after their parade and festival helped boost revenue for businesses on the Space Coast; the festival took place just two days after Hurricane Helene, a Category 4 storm, which made landfall in Florida; despite that challenge, their attendance held strong and they achieved a 25 percent increase from past years in out of County visitors; nothing about their mission or their event has changed; the only thing that has seemed to have shifted is the political landscape; and suddenly, they are labeled too political, or not family-friendly, so she would like to respond to those feelings with facts. She noted by the way, that is a little therapist tip to help reduce cognitive distortions; Space Coast Pride is a 501c nonprofit organization; that means they are explicitly prohibited from participating in or intervening in any political campaign on behalf of, or in opposition to, any political party or candidate for public office; and they have always respected and upheld that role. She mentioned more than 20,000 people came together to celebrate in a safe, joyful, and welcoming environment; their attendees represented a wide-range of ages, gender identities, and cultural backgrounds; they hosted over 120 local and out of County vendors, and shined a positive spotlight on the Space Coast as an inclusive destination; families were present, children were present, and yes, it was a family-friendly event, just as it has been since the very beginning; while the Board's vote said no, Brevard County's response was a resounding yes; and as always, they invite the Board to attend Space Coast Pride's parade and festival on September 27th in downtown Melbourne.

Jane Rogers commented they live in Rockledge, and since they moved into their beautiful home, their street has flooded; the water from Fiske Boulevard floods into their street, and from the canal into their street to such a point that they had to buy a boat so they could get off of their street; they have water moccasins that end up in their mailbox, and attacked their mail carrier; they have asked for help from the City, they have sent letters, they have asked for requests, and made phone calls from Rockledge City; they said it is not their problem, it is the County's problem; it is the same thing from the County, they said it is not the County's problem, it is Rockledge's problem; but in the meantime, Fiske Boulevard with all of the new building that is going on there, is increasing the flooding down their street. She continued by saying the water comes up to waist level, the mosquitoes are standing, they cannot get out, and it shorts the engine on their car; they have been requesting help over and over again since 1993 when she was there; people before her have asked for the same thing; there has not been a solution; it is always finger-pointing at someone else, and no one helping them; the canal in front on Fiske overflows, trees fall into the canal, and one of their neighbors pulled a couch out of the canal that was blocking the water; in addition, Alura's wall is next to their street; they promised there would be no more additional flooding; and now the water from Alura goes under the wall into their yard, and then into their street. She stated they have been fighting this battle for a very long time; they were just wondering if somebody would please help them; they have even hired an attorney; but that cost \$800 just to get the attorney to speak with them; they have asked for help numerous times; and she asked if the Commissioners could please help them.

Chairman Feltner asked Ms. Rogers to give him an intersection of where she is, and what the next major street is closest to her that crosses Fiske.

Ms. Rogers replied Barnes, it is near Ruby Tuesday's, and then Roy Wall Boulevard; and one should not have to have a boat to get off of their street.

Commissioner Goodson pointed out he is in the process of trying to set a meeting up with Florida Department of Transportation (FDOT), Tyler Sirois, City of Rockledge, and the County; but her street was built, he guesses in 1992.

Ms. Rogers advised it was in '74, the house was built.

Commissioner Goodson stated if Ms. Rogers knows anything about their street, once coming off of Fiske, the road is two or three feet lower than Fiske; and he asked if that is correct.

Ms. Rogers replied it is lower.

Commissioner Goodson stated therefore, the water goes south; the County did get FDOT to clean out the ditch; it goes south to the 7-Eleven, it crosses under I-95, and it goes out through the canal; it is a terrible problem; everything Ms. Rogers is saying is dead on; and other than setting up pumps, he does not know what anybody in this whole organization is going to be able to do.

Ms. Rogers noted they have a pump in their yard; and they have enough water that they could have their own lake.

Commissioner Goodson advised this is the first he heard of that; he assumes water would have to be pumped to the lake, or he asked if it would have a natural fall to the lake.

Ms. Rogers stated when it rains, it fills it up; they really do not want to do that; but they thought about it; she does not want the gators and water moccasins; they have been suffering a long time; and everyone tells them they will help them, or that it is not their problem.

Commissioner Goodson stated it is a major problem for Ms. Rogers' street; he does not know how it will be solved; but like he said, he is trying to set up a meeting; Tyler Sirois is in Tallahassee; and the State of Florida needs to be on this meeting as well.

Ms. Rogers advised she will be happy to help write letters, or do anything it takes to send it to the State level.

Commissioner Goodson explained it is going to have to be a joint venture with everybody; Florida is basically flat; water does not drain quickly; then a road is built three or four feet lower than Fiske Boulevard; and the County does not control Fiske, because Fiske is a State road.

Ms. Rogers expressed her appreciation to Commissioner Goodson.

Commissioner Goodson pointed out they have had meetings down there since he was in the State House about the problem on both sides of Fiske; the people on the west side on Martin Road, they complain about it; but they built houses lower than the crown of the road.

Ms. Rogers mentioned there is an additional problem with the Alura white wall had blocked all access for the water to go to the retention pond that is right in front of Alura, so instead their water flows under their wall and into their yard.

Commissioner Goodson stated he wants Ms. Rogers to understand when they have this meeting, if anybody impresses her, to please denote them so he can shake their hand; just single out that person who impresses her from Rockledge or the State, because they have the answers, he will shake their hand; this is a major problem; and he asked staff to comment to Ms. Rogers.

Tad Calkins, Assistant County Manager, responded he knows they have been working on getting the meeting set up with all of the agencies Commissioner Goodson mentioned; it has been an ongoing problem; and he believes the key factor is ditch maintenance there, which would be south of that subdivision that he thinks everybody has identified as being the primary concern.

Commissioner Goodson commented the last meeting the County had about this, the State of Florida did not even want to clear their ditches; and he asked if that is a fair statement.

Mr. Calkins replied he believes that is true.

James Blouin stated he lives in West Melbourne, and he has taken part in some of the protests they have had in Cocoa and one in Palm Bay; at both of those events, the City Police Departments of Cocoa and Palm Bay worked with the organizers and everything was good; then one sees, all around the country, all of the sheriff's saying things, and it was pretty much level keel like that; then there is Sheriff Ivey; he has said things before like this and done things; and he hears that his budget is coming up. He went on to say it is funny that this man, his department is ranked number four in the most corruption of any police force in the State of Florida; the other three are in South Florida, which is where he comes from; he has been up here for two years; and that is enough on that. He pointed out the traffic light timing is set up like a small country town to keep speeding down; this County has grown to the point where that timing needs to be changed to traffic flow, because keeping the speed down timing creates traffic jams; the timing up here and these lights is unbelievably bad; the County needs to get some running red light cameras in this County; it is not against the fifth; they have had them down in South Florida for several years; and actually after a year and a half or two years, people stopped running red lights at some of the worst intersections in Dade and Broward Counties stopped being that, because people stopped running red lights. He stated one gets no points on his or her licenses unless they keep doing it; with the speed limits, in every single town one goes three blocks here at one speed limit, then go two more blocks at another speed limit; the County has to take initiatives and regulate the cities, depending on roadways, to keep it all of the same; the cities should not have so much control over the speed limits going through their city; the County has to take some initiative to keep it all one speed, keep traffic flowing, because some of the old people in this County, the speed limit is 40 or 45, and they are doing 25 or 30; and they just block traffic all day long.

Sandra Sullivan remarked she wants to talk about the Comp Plan; that lady was talking about flooding; the other side of I-95 around Fiske, the County is putting in a massive development on the wetlands, so people are going to see a lot more flooding in Brevard County as it is going to become like Broward; South Florida cannot be fixed because they filled in their wetlands; when it rains, they dump to the rivers, and they just massively flood; and the County is doing the same in its Comp Plan. She added the County needs to safeguard insurance rates, there is an insurance crisis; these Comp Plan changes are so bad; that is flooding from the west coast; lives matter for evacuation, so it would be doubling and tripling density on the barrier island, Merritt Island, from RES 15 to RES 50 with bonus density; her area to 37.5 from RES 15; doubling density equals more people will die; it is sad what is happening in Texas right now; and the County gets nine to 13-plus feet of storm surge, with no place to go if one cannot get

off of the barrier island. She stated this is from the East Central Florida Regional Planning Council (ECFRPC) document; they talk about the flooding issues pre-landfall; in 2000, there was a study done, and the State mandated the County on its future land use to restrict density to RES 15; they even wrote a letter to Department of Economic Opportunity (DEO) at the time saying the County shows a commitment to cap or even reduce densities starting with South Beaches as recently as 2000B plan cycle amendment, the County adopted Comprehensive Plan amendments that capped the residential densities for the unincorporated areas in northern and southern barrier at existing levels; the County is re-writing history, that intent is those right sizing studies to maximize density; when she did a records request, they said for that 2000B Comp Plan, that there was no records found; and she sent it to them. She alleged malfeasance, rightsizing reduced density to RES 15 with only three properties to RES 30, and yet the County is massively increasing, and she would like her 15 seconds; Florida Statutes say to protect human life; it is also in the Comp Plan; the key point is, the County is under nine to 12 feet of storm surge; according to ECFRPC, Brevard is 61 hours to evacuate; Brevard County staff is actually lying saying there is no evacuation issue; by State Statute, the County is supposed to have a level of service evacuation standard, which is a number to not exceed; and that is another problem with the Comp Plan.

Commissioner Goodson stated Ms. Sullivan commented about Fiske Boulevard and the big development south of I-95 will be causing huge flooding; and he asked if that is correct.

Ms. Sullivan responded no, what she is saying is what the County generally is doing . . .

Commissioner Goodson interjected by saying to forget that, she made a comment about that subdivision.

Ms. Sullivan stated specific to Ms. Rogers, she is saying about that problem.

Commissioner Goodson asked Ms. Sullivan to listen to him; and he stated she made a comment that the development south of I-95 on Fiske Boulevard, the apartments, are going to cause flooding.

Ms. Sullivan noted she said west of I-95 by Fiske Boulevard.

Commissioner Goodson asked if Ms. Sullivan knows how that water gets out of there, does she even know that.

Ms. Sullivan asked that what water gets out of there.

Commissioner Goodson advised how that water gets out of that area.

Ms. Sullivan stated she is not talking about that, she is talking about the fact that when wetlands are filled in, that water has to go somewhere; she asked to guess what it does across Florida; and she stated it floods people's homes.

#### **H.1. Approval, Re: Ordinance rescinding the Economic Development Ad Valorem Tax Exemption for Project Zeus, a/k/a Comprehensive Health Services, Inc.**

Chairman Feltner called for a public hearing to consider an ordinance rescinding the Economic Development Ad Valorem Tax Exemption for Project Zeus, a/k/a Comprehensive Health Services, Inc.

Kathy Wall, Central Services Director, stated this is a request for the Board to consider

adopting an ordinance rescinding the economic development ad valorem tax exemption for Project Zeus, also known as Comprehensive Health Services, and to consider the claw back of \$50,436.12 granted to the company in 2023 and 2024 exemptions; as the Board knows, each year staff gets the annual reports; and based on the annual reports, staff found that they are not meeting the requirements of their application.

Commissioner Delaney asked if that is the total amount the County has given them in tax abatements.

Ms. Wall replied no, it is not, it is just for 2023 and 2024; and the other years, they met the criteria.

Sandra Sullivan stated she is happy to see, she thinks it is nine years, that the County is finally realizing they did not meet their commitments; the Board may remember former Commissioner Tobia's presentation of how effective the Economic Development Commission (EDC) was; the County had \$14 million in tax abatements, and have some fiscal crises going on, and 85 percent of those failed to deliver on jobs, according to former Commissioner Tobia; this is a tax break for big business with an average company, a number of employees at 36,738 net jobs created by all of them was minus 404 jobs; the issue she has with the EDC tax abatement is annually the County should be going through all of them; if 85 percent of them failed, 85 percent should not be getting tax abatement; the other thing is in the Ordinance itself; and it says these companies are entitled to the tax abatement for 10 years. She advised it does not say it gets renewed, the next time the tax abatement gets renewed, that they continue and get a forever tax abatement; but she is looking at these companies when they got the tax abatements, and it looks like the County just rolls them over and it is a forever tax abatement; it is supposed to be a 10-year tax abatement to encourage new companies to come here and invest or to expand their existing businesses here; and it is not come to Brevard and get a free forever tax abatement. She noted something needs to be done about this because this County has a fiscal crisis, it needs to be addressed, and more revenue needs to be brought in.

There being no further comments or objections, the Board adopted Ordinance No. 25-08, repealing Ordinance No. 2016-21, granting an economic development ad valorem exemption to Project Zeus a/k/a Comprehensive Health Services, Inc., for failure to meet the criteria for such exemption; deleting in its entirety Chapter 102 – Taxation, Article IV. – Ad Valorem Property Taxation, Division 3. – Economic Development Ad Valorem Tax Exemption Ordinance, Section 102-238. – Ad Valorem Tax Exemption- Project Zeus and providing an effective date.

\*The Board recessed at 5:56 p.m. and reconvened at 6:02 p.m.

**Result:** ADOPTED

**Mover:** Tom Goodson

**Second:** Katie Delaney

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

**H.2. Petition to Vacate, Re: A portion of two Public Utility and Drainage Easements - Plat of "Port St. John Unit Eight" Plat Book 23, Page 70 - Cocoa - Alan Henry Scoville & Barbara Lynn Scoville Revocable Trust - District 1**

Chairman Feltner called for a public hearing to consider a resolution for a petition to vacate a portion of two public utility and drainage easements – Plat of "Port St. John Unit Eight" Plat Book 23, Page 70 – Cocoa, as petitioned by Alan Henry Scoville and Barbara Lynn Scoville Revocable Trust.



Marc Bernath, Public Works Director, stated this is a petition to vacate a portion of two public utility and drainage easements, east of Grissom Parkway, south of Curtis Boulevard in Cocoa; the applicants are Mr. and Mrs. Scoville; and there were no objections.

There being no comments or objections, the Board adopted Resolution No. 25-059, vacating a portion of two public utility and drainage easements, Plat of Port St. John Unit Eight, Plat Book 23, Page 70, in Cocoa, as requested by Alan Henry Scoville and Barbara Lynn Scoville Revocable Trust.

**Result:** ADOPTED

**Mover:** Katie Delaney

**Second:** Kim Adkinson

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

**I.1. Authorization of Settlement Agreement for Brevard County Shore Protection Project (Mid Reach Segment Renourishment Easement BRP-174)**

Morris Richardson, County Attorney, explained I.1. is an authorization of a settlement agreement for the Brevard County Shore Protection Project; this is for the Mid Reach segment re-nourishment; it is a specific easement BRP-174; back before the Spring break, the Board had an executive session to discuss litigation and settlement strategy on this; and this particular property is one of four that the County is having imminent domain proceedings on. He stated this particular property is one that the Board gave him direction to finalize a settlement negotiation with the amounts indicated here; the local cost for settlement and acquisition of this easement to allow placement of the sand and for a perpetual public easement for access along that beach is approximately \$26,000, which will come from the Tourism Beach Fund; because Commissioner Altman is a Trustee of the property involved, he needs to obviously abstain from voting; and he asked Commissioner Altman to briefly, publicly state the nature of his interest in the matter, which is really just as simple as him being Trustee in the property involved.

Commissioner Altman advised he will abstain from this vote due to the fact that he is a Trustee and part owner in this piece of property.

Attorney Richardson expressed his appreciation to Commissioner Altman; he stated he will help him complete the Conflict Disclosure Form that will be filed with the Clerk within 15 days of the meeting, as required; this is all consistent with what was presented in the executive session; again, this is required in order to get the easement necessary for the United States Army Corp of Engineers to perform the project; and if the Board has any questions, he is happy to try to answer those.

The Board approved a partial settlement of Brevard County Circuit Court Case No. 05-2023-CA-015474-XXXX-XX, settling the case as to defendants Thirrel A. Altman, Jr., individually and as trustee of the Thirrel A. Altman, Sr. Trust U/T/D March 16, 2001 (the Altman Group); and authorized the Chairman to execute the Settlement Agreement and any other documents necessary to finalize and effectuate the settlement.

**Result:** APPROVED

**Mover:** Katie Delaney

**Second:** Kim Adkinson

**Ayes:** Delaney, Goodson, and Adkinson

**Nay:** Feltner

**Abstain:** Altman

**J.1. Staff Direction: Disposal sites for muck being dredged from the Indian River Lagoon (Districts 1, 2 and 4)**

Virginia Barker, Natural Resources Management Director, commented this Item is seeking direction for staff regarding disposal sites for muck that is being dredged from the Indian River Lagoon in Districts 1, 2, and 4; to date, dewatered muck has been used as a nutrient-rich, organic amendment for agricultural soils; however, local interest from suitable agricultural landowners is nearing full satiation, so disposal options are needed for the Eau Gallie Causeway Muck Removal Project in District 4, the Sykes Creek, Phase 2 Project in District 2, and the Mims Rim Ditch, north of the Jones Road Boat Ramp Project in District 1; the best disposal options may differ from one project and County area to the next; the Board has seven options in the Agenda Packet; of those seven options, the first two really only apply to the southern part of the County; and whereas, the remaining five apply Countywide. She stated the Board has more detailed, sort of pros and cons, and risk considerations for all of those options in tables attached to the packet; and she will answer any questions the Board may have.

Sandra Sullivan remarked this is going to get a little bit entertaining tonight; Commissioner Altman was a senator at the time with Senate Bill 346 in 2015 to try to change the law so that it was legal to create a muck tax so that it would be legal under Florida Statutes 212.055; that Bill failed twice in appropriations; there was even a newspaper article about it as well; she will provide a copy of the Bill to the Board; the Board has its list of options; and it is real interesting to read. She noted the basic problem, just to clarify, is where they are putting the stuff that is dredged after it is dewatered; that is what this is about, the end result, which is contaminated in some places; but what is real interesting, what is not being talked about, is where DMAA location is, BD52, so for some of these projects like Eau Gallie, the County is pumping it 8.1 miles; and prior to this project, the Eau Gallie Project in the Indian River Lagoon Plan was \$8 million something to dredge that project, and she has the numbers. She went on to say that project increased to \$54 million; what is not on the list for that 100 acres is the \$113 million project for Eau Gallie South; she wants to talk about the Board's options, which is interesting because she has been posting about the controversies with the Sarno lands, the land that was a controversy where somebody made a profit of \$6 million back in 2000; there is another controversy because it looks like some staff member accidentally let the cat out of the bag; that property, which the County owns, and has not been disposed of; the County is trying to give it to the City of Melbourne; and it says on the form that is attached to this Agenda, that it is owned by Sheridan Lakes Development Corporation. She asked how that happened; she stated here is an agenda item from the City of Melbourne that says it is also the City's understanding that the County has received interest from potential buyers from the Sarno parcel; the muck dredging parcel was \$8.75 million, and it is now \$54 million; if one does not count shenanigans now that Natural Resources is doing to make the project two-thirds less, and take out interstitial so that stuff can be added in later to hide what it is really costing; the bottom line here is by giving away Sarno, it is costing the taxpayers \$160 million; and it is time to end this insanity with the muck projects. She provided documents she spoke of earlier to the Board.

Chairman Feltner stated the County have an Agreement that it can enter into with St. John's on an area that is in the Micco area that it can take dredge material to, so that is a recent development; he appreciates St. John's working with the County on that; and he thinks the other thing that the Board ought to consider tonight is to advertise a Request for Proposals

(RFP) to see what is out there from the community for dredge material.

Commissioner Adkinson mentioned she has kind of a procedure question; and she asked how the Board is going to look at these things, as three individual South, Central . . .

Chairman Feltner stated the Board can take three separate motions on the Items if that is what Commissioner Adkinson is looking for.

Commissioner Adkinson advised that is what she is asking; and the other comment she wanted to make is she is not crazy about the idea of the Board using parks that people frequent, Environmentally Endangered Lands (EELs) land, or County airports just as a thought.

Commissioner Goodson inquired how much muck would be coming out of the left to come out of the Pineda Causeway, Grand Canal.

Ms. Barker replied 67,300 cubic yards.

Commissioner Goodson asked if there are 400 cubic yards per acre per foot, could Sarno handle it easily on 50 acres.

Ms. Barker responded affirmatively.

Commissioner Goodson asked if it is true that if it was placed there, would it have to be mixed into the existing soil, or just spread it over the 50 acres.

Ms. Barker replied she believes part of that Sarno site has been set aside for debris purposes; if a foot or so could maybe be tilled in, if it is going to be deeper than that, she is not sure how it could till and still maintain soil quality; and it would depend on what purpose the site is going to be used for.

Commissioner Goodson asked if right now it is used to grow grass; then the Medieval show is there, so all 50 acres would not have to be taken off, so it could be placed there; and he asked would that be a good spot.

Ms. Barker advised she believes the site could work; a Conditional Use Permit (CUP) would be needed from the City of Melbourne; and the Water Management District is offering their site, which is already developed, permitted, and ready to go more or less.

Commissioner Goodson asked if it is true that the dump, Solid Waste does not want it because water sheets off of it but water will not flow through it.

Ms. Barker responded correct, the material is hydrophobic, so it repels water.

Commissioner Goodson inquired if that is the case, why they would not use it to build their leech aid system out at the new . . .

Chairman Feltner interjected by saying to ask Tom Mulligan, Solid Waste Management Director, that question.

Commissioner Goodson asked if water will not run through it, but water runs off of it, why he would not use it on 192 to build the leech banks that the County buys clay for.

Tom Mulligan, Solid Waste Management Director, replied because at the moment it is not an approved material to be used as a leech barrier.

Commissioner Goodson inquired who approves that.

Mr. Mulligan responded the Florida Department of Environmental Protection (FDEP) and U.S. Environmental Protection Agency.

Commissioner Goodson asked if it would take 10, 15, or 20 years, or it would take a while to have that change; he stated it is government at its best; and why Mr. Mulligan would not take some out to the dump, and mix it in place, because the County is buying dirt now, if he is not mistaken, at \$24 a yard from SNL.

Mr. Mulligan replied correct.

Commissioner Goodson asked why he would not mix it, and then would it be better if it was mixed.

Mr. Mulligan responded it might be better; staff has tried this in the past with previous Eau Gallie River dredge material, and it created lenses because of it being hydrophobic; and a lot more dirt is used than that soil, so it becomes a point where as much is being spent as if dirt was bought.

Commissioner Goodson remarked he did not think he would live long enough to see hydrophobic dirt, that is impressive, and that is some bad dirt.

Commissioner Adkinson stated regarding St. John's, the first one that was discussed, her understanding from the chart staff made for the Board is that, like Chairman Feltner said, there is already a Letter of Intent to be able to use it; the County has already been permitted; and she asked if Florida Power & Light (FPL) is allowing the County easement or does it think they are going to apply for the FPL easement.

Ms. Barker responded it is a 45 to 60-day review, she does not know yet; and she pointed out the Water Management District folks, the consultants for the dredge projects, as well as the contractor are here if the Board has any questions for them.

Commissioner Adkinson asked if this is one of the least cost effective of the Board's options.

Ms. Barker replied least costly.

Commissioner Adkinson stated most cost effective.

Ms. Barker responded affirmatively.

Chairman Feltner stated he wanted to do this in a couple of pieces; and he asked for a motion on the first option to approve the memorandum of agreement with St. John's.

The Board approved a Memorandum of Agreement with St. Johns River Water Management District (SJRWMD) to use their Sebastian River Dredge Material Containment Area for disposal of material dredged from the Eau Gallie Causeway area and the Grand Canal, including Indian Harbour Beach and Satellite Beach that will be dewatered in Palm Bay.

**Result:** APPROVED

**Mover:** Kim Adkinson

**Second:** Tom Goodson

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

Chairman Feltner asked if there would have to be some site preparation at Sarno, as it is not as easy as just pulling up tomorrow and starting; and could Mr. Mulligan give the Board a couple of minutes of the challenges to using that.

Mr. Mulligan explained there would have to be different stormwater control on that, which would require stormwater permitting through the FDEP; berms would need to be put up to make sure that any material that leeches out of the dredge material would stay onsite; again, as Ms. Barker had mentioned, a CUP would be needed from the City of Melbourne to have their cooperation in this; he thinks one other issue that might be potentially a barrier would be the traffic issues that have been pointed out with the Renaissance Fair on New York Avenue and the intersection of Wickham Road with the amount of trucks that would be trying to get in and out of that; and he does not think it would be conducive of being very efficient.

Morris Richardson, County Attorney, added there would also need to be some kind of fund transfer in the form of a lease or other arrangements because of the way that, that property was purchased with ratepayer funds, and there would have to be an interdepartmental transfer.

Chairman Feltner commented that the Board had a discussion on that today that there has to be some consideration for utilities, so one of the things, if the County sells that parcel, say that Utilities was able to receive \$6 million from someone who buys it, and cost of disposing of material, in a pit or something like that, is a million dollars, as far as the taxpayers money overall, the County is on the better side of that; then SOIRL would have to pay less potentially in the disposal than maybe what kind of consideration the County would have to give the utilities; and he asked if that is fair.

Mr. Mulligan replied that is fair.

Commissioner Goodson inquired if there is a good purpose for this material; and can it be used with anything or anywhere.

Ms. Barker advised it has been used successfully as a soil amendment when a small amount is blended in with significant native soils; she asked where it can be placed in the County if everything was perfect; and she stated if the Board determines there to be a public interest, then it can go on vacant land stacked up to six feet tall in compliance with the County Code.

Commissioner Goodson asked if it can be used anywhere in the County in construction, that is what he is asking.

Ms. Barker responded in its current state, not that she is aware of; if it was blended with a lot of other suitable material, it could slowly be used; but like Mr. Mulligan described for the landfill, by the time all of the mixing, blending, and buying more sand, that may cost more than disposing of it.

Commissioner Goodson asked in construction, the soil would have to be stabilized with either lime rock or marl; and he asked if that is what Ms. Barker is saying that it can be used as a stabilizer.

Mr. Mulligan responded mixed with other soil, it could be used as regular fill, but again, there would be more of the native soil than the muck itself, and it would not fit as what one would call structural fill, something one would want to build over.

Commissioner Goodson stated he thought that it could not be used in residential, but it could be used in industrial; and he asked if there is any truth to that statement.

Ms. Barker advised based on the constituents that is true.

Commissioner Goodson asked why, at \$25 a yard for field dirt coming out of Orange County, would the County not want to stockpile it and sell it to the public; he stated granted, there is 67,000 yards and there are 300,000 yards coming; he does not know if all of it could be sold; but contractors mix stuff all of the time.

Ms. Barker responded because it is State land, it is actually being dredged out of State waters, as it is State land, it cannot be sold; and an end user could mix it, blend it, turn it into some product that they could then get their costs out of, but they cannot sell the State land.

Commissioner Goodson asked if the contractor who is doing the dredging allowed to sell it.

Ms. Barker replied no, they can allow others to have, and they can cover the cost to get it to them, but they cannot obtain value for the material itself.

Commissioner Goodson pointed out it sure seems like a lot of issues.

Ms. Barker noted there are a lot of rules.

Chairman Feltner stated he wanted to make a comment real quick; he has spent some time calling engineers, construction companies, builders, and all sorts of different people who are experts in using different materials trying to find a use for it; but as it was described to him by an engineer, if one looks at sand under a microscope, it would look like a little cube; but by looking at this, it would look like little balls, so it is hard to use that in any kind of building material; and there are other smart people out in the world who are looking at this issue as well.

Commissioner Adkinson stated staff is looking for the Board to give them some direction; she does not like the idea of buying land for the County to throw this muck on it, that it is just not going to be able to be used again; she did speak to the Sheriff, because she knows he has some property that is already contaminated, as she understands it; and she asked if that is correct.

Ms. Barker responded affirmatively.

Commissioner Adkinson explained the Sheriff was amenable to the idea of talking to the County about using some of his land maybe to fix this, to take some of it; perhaps the County could have a fuller conversation with him about that; she thinks the Sheriff's properties are big enough; and she asked if that is correct.

Ms. Barker replied one of those three, which is the former State prison site that has contamination issues; the contamination is not on that entire site; but there are several areas of it that are contaminated, so staff would need to work with the Sheriff to find out what his plans were for that site.

Commissioner Adkinson commented it seems like he was interested in having that conversation, so that would be good.

Commissioner Delaney stated she wanted to comment off of that; she would have some concern over that, because surrounding the jail there is a lot of density, a lot of lower socioeconomic homes around that property; she does not feel right about putting a whole bunch of contaminated soil there; and she asked if the County were to put out an Request for Proposals (RFP) and nobody bid, would it come back to the Commission for it to make a different decision.

Ms. Barker replied yes.

Commissioner Delaney stated she thinks that is where she is personally leaning for the north project; she does not love the idea of putting this on any kind of usable land; but unfortunately, something has to be done with it; and piling it up six feet high is not ideal.

Chairman Feltner mentioned he thinks the reality that can be expected from the community who would submit a proposal to the County is filling in a pit; the County has pits all over throughout Florida; he is with Commissioner Delaney, that land is usable for something that seems like a waste; and he stated if Commissioner Delaney wants to make that motion, he is with her on number five to advertise.

Commissioner Delaney stated this is not completely pertaining to this, but she just wanted to say this needs to grow into a bigger conversation, because the muck from testing is from a lot of the sewage plants; she thinks the County needs to stop the source of contamination and really have some solutions in that; it may be adjusting the SOIRL tax to focus more on infrastructure or whatever it may be, or however it comes up with that; but this cannot be done forever.

Commissioner Delaney made a motion to approve advertising the RFP to find landowners willing to accept disposal of muck on their private property for the North Project.

Chairman Feltner advised the Board is going to have a larger discussion a little later, it is ahead of the Board, on the future of that, so Commissioner Delaney is not alone.

Commissioner Adkinson asked if this motion covers the Central and the North Projects.

Chairman Feltner stated the Board is going to see overall what that is; as far as the next Item, if that is what Commissioner Adkinson is talking about . . .

Commissioner Adkinson explained she is not talking about the next Item, she is talking about the Central Project, which is Sykes Creek; one of the options there is to go out for an RFP; the North Project also has an option to go out for an RFP; and she asked if they are separate or together.

Chairman Feltner replied he thinks the Board would be looking at both of those; he asked if that is right; he stated then the County has a possibility with another property in the north end of the County for the material up there; and he asked if that is right.

Ms. Barker asked if it is County-owned property.

Chairman Feltner stated he thinks another pit possibly that the School Board owned.

Ms. Barker noted that is right, there is a School Board pit that staff has been exploring that could take a portion of the material, but not all of the material, so they still need Board direction.

Commissioner Delaney commented she can amend her motion to include the Central Project.

Commissioner Adkinson asked if Commissioner Delaney was just talking about the North Project.

Commissioner Delaney replied affirmatively.

Commissioner Adkinson asked if that was in Commissioner Delaney's motion, could the Board also in that motion say to discuss the idea with the Sheriff of the possibility of using his land.

Chairman Feltner stated that can be put in the motion, but he thinks the Board is going to continue that path; and he asked if Commissioner Delaney wanted to amend her motion.

Commissioner Delaney stated she will amend her motion to add the Central Project.

Chairman Feltner advised the County will continue to see what else is out there.

Commissioner Goodson inquired if Ms. Barker can tell him on a scale from one to 10, 10 being the worst, one being the least, what contamination is this material.

Ms. Barker responded in the projects that are coming up, the only constituent of concern is arsenic; the arsenic levels are above the residential threshold; but they are below the requirements for agriculture, commercial, and industrial, so it really depends on the Future Land Use (FLU) and the intended use of the land whether it is a problem or not.

Commissioner Goodson asked if it would be a three out of one to 10.

Ms. Barker replied sure.

Commissioner Goodson asked if one will not die by handling it.

Ms. Barker responded correct.

Commissioner Delaney pointed out the issue is there are a lot of people out there with wells, so it could contaminate their wells.

Chairman Feltner stated there is a motion by Commissioner Delaney.

Commissioner Adkinson asked for a clarification of the motion.

Chairman Feltner advised it is to include Central and discussion with the Sheriff.

Commissioner Delaney mentioned she did not want to add the discussion with the Sheriff at this point; she feels like if the County can go out for RFP first, if that does not work, then when it comes back; and she does not feel comfortable, being her District, at this point.

Chairman Feltner stated he will split that with her to include those areas, and talk to the Sheriff



separate after the RFP process; and he asked if that is fair.

The Board approved advertising the Request for Proposal (RFP) to find landowners willing to accept disposal of muck on their private property for the North and Central Projects.

**Result:** APPROVED

**Mover:** Katie Delaney

**Second:** Rob Feltner

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

## **J.2. Staff Direction: Muck Removal from the Grand Canal (District 4)**

Virginia Barker, Natural Resources Management Director, stated J.2. is direction on muck removal from the Grand Canal; the Grand Canal Project was contracted based on volume estimates that were conducted from surveys six-plus years ago; more muck has been removed from the canal so far than what was included in those original estimates; there are a number of reasons for that; hundreds of homeowners have signed waivers that allow dredging to reach closer to their docks and seawalls than was assumed in the original estimates; the permits were revised to allow adding the Berkeley Canal and allow staff to go a little bit deeper to get to the bottom of the muck instead of leaving six inches of muck behind in the canals and additional new muck accumulation over intervening years; and because of that, the contractor is completing the contracted volume of muck removal before completing muck before completing muck removal from the entire Grand Canal area. She continued by saying there are three areas remaining to be dredged, the Lake Shepherd area and the southern two entrance channels; what the Board has in its packet are three different options to either award a change order to continue with the current process to complete those three areas, completing dredging by November 30th of this year, and then completing site restoration of that Pineda Dredge Material Management Area (DMMA) by February 28th of this year; another option is the pipeline option, which would be to stop using the Pineda DMMA in a couple of weeks, as soon as the contractor has completed the Berkeley Canal, take the remaining material in Lake Shepherd and the two entrance channels all the way to the BV52 site in Palm Bay; and there is a hybrid option, which is to complete Lake Shepherd this year by October 30th using the Pineda DMMA and come back years from now with the pipeline to Pam Bay to complete the entrance channels.

Carlia Vaughn stated she has been in the local area since she was born; she has lived off of Lake Shepherd and the Grand Canal all of her life; she has really seen an absolute decline in the water, the birds that come; it was used for swimming when she was a child, they watched the wildlife, went fishing, and she does not see that anymore; one cannot go into the water, it is muck, it looks like chocolate milk; and she used to be 10 feet into the water and be able to look at the fish, the stingrays, and the sheep heads when she would go fishing. She pointed out she cannot do that anymore with her kids, four generations; her grandparents bought the house 62 years ago; they have since passed, and her parents are now there; her kids have grown up there, but she could not take her grandkids into the canal; she reiterated it is chocolate milk, nothing lives there anymore; they could see the manatees coming up to the dock along with their calves; they do not do that anymore; and one might see an old manatee out there scarred up, but what they have now is they do not see the migratory birds. She commented they do not see the purple martins, ospreys fishing, ospreys crying in the morning, they are not there anymore; there used to be great masses of mullet coming by, sheep's head, it would be beautiful; they put oysters bags out there, pull them up, and take the data from the oysters; the data showed the that the oysters did not do quite as well in the lake; but what they did was they would find all kinds of fish, crabs, and a sea horse, which was found one year. She noted it is

not there anymore, it is just chocolate milk water, which they believe is because of the muck, climate change, and other things; the muck is poisonous; she asked how an animal could live where there should be seagrass; she advised it is a natural, spring-fed area; she implored the Board to continue the dredging in the Grand Canal and Lake Shepherd; Berkeley is so important for the manatees; they want their kids and grandkids to see the beauty of nature; it is going goodbye; and she asked the Board to please continue this process.

Patricia Barnett commented she lives on Lake Shepherd; her parents bought there in 1983, she was in her 20s, and lived on that lake; she moved there permanently in 2005; it was a difference, the changes after being away for a while; she wants to liken it to something that everybody can relate to, which is when one gets a bad diagnosis that someone a person loves is sick; even though the intensity is not the same, the emotions are kind of the same as one watches that illness progress; the steps are basically one gets the diagnosis, get a course of treatment from the doctor, and one follows that course of treatment; and that course of treatment is to dredge Lake Shepherd along with the rest that has already been done. She asked the Board if this was someone the Commissioners loved, would he or she wait until the last bit that needs to be done and stop; would he or she stop the chemo treatments on the last one; she stated no, he or she would push through; she knows it is hard, inconvenient, it smells, and it is loud; but she is asking to see if the life can be brought back in that lake.

Brad Evers remarked he is here on behalf of the users of the lake and the whole waterfront community; he grew up in St. Augustine; he came down here to Florida Technology and was fortunate to buy a waterfront home about 10 years ago, just in time for the big fish kill when all of this discussion came up; as he said, he attended that Schechter town hall center where he asked for a copy of these charts, because he is an engineer and he found them interesting; it kind of shows the depth, the cross-section of the canal, as well as Lake Shepherd and Sleepy Lagoon where the hard bottom return is and the soft bottom, or the top of the muck; and one can see on those cross-sections, like the canal he lives on only had like a foot of muck, and then a lot of others, based on their width and depth, as muck flows downhill, so the deeper the stuff is evidently, the more it collects. He stated he was initially skeptical of the whole project and curious if it will mean a hill of beans; they came through his canal last year; since then, in the past 10 years, he has seen water quality fluctuate; sometimes it is clear, and when it is cold and all of that stuff dies off, then when the rains come, he guarantees they will have algae and pollution within a few weeks; so he was skeptical, but they came through, and for the first time in years, he has full sized oysters on his docks and pilings; and in fact, a few weeks ago he started seeing soft corals, like soft sponges one would see in the Keys; and not algae, but actually legit growth. He went on to say it has swayed him to believe it is working; he voted for the tax in hopes of a last ditch resort; the charts he provided to the Board show that based on the canals, there is a lot of muck; by looking at the overall picture, Berkeley was not in the initial soundings, maybe due to the timing with the manatees, but Lake Shepherd definitely was; Lake Shepherd is up to three stories deep in certain spots; one can see in those cross-sections that the muck is up to 10-feet deep in those holes; across the entire lake the average is about six feet deep, the entire area, left to right, and front to back; whereas his canal, and others, are just deep right in the middle, so to postpone or potentially wait and ship the Lake Shepherd muck elsewhere, by the time infrastructure gets set up to go south; he is here to just advocate for finishing the project as originally sold to them, that is to get it to the DMMA site, shut that thing down, and then figure out the infrastructure for the next phases, to just stay on track; he knows it is volumetric estimates; but in his mind, this black line says what they paid to have the County do this.

Lisa Lantrip stated she is a local resident and a real estate professional in the area on behalf of Re/Max; she lives and works in the community; the issue that is currently at hand is the urgent

need for Lake Shepherd to be de-mucked; it was once a beautiful and active part of the community; now, it is an eyesore; and it is clogged with muck, algae, debris, it is a health and safety concern, it is attracting mosquitoes, omitting odor, and it is discouraging both recreation and investment. She commented from a real estate perspective, the condition of Lake Shepherd impacts everyone; homes near the water should carry a premium value; right now they are appraising lower, are taking longer to sell, and turning buyers away; it is not because the homes are not desirable, it is because the lake that these homes are looking at is completely being neglected; she currently has a property under contract that is on Lake Shepherd; it is a three-bedroom, two bathroom, two car garage, block home, beachside, which is crème de la crème; and that property is selling for \$500,000 with the lake in its current state. She added, the land alone is worth that; there was a lot just on the other side of the lake that sold six months ago; the land alone sold for \$525,000; why this home is selling for \$500,000 is drastic; and like she said, the land alone is worth that cost. She stated the numbers alone show the incredible potential that this specific area has; it is not just about the money, it is about all of the people, and about taking pride where they live; she personally has a young son and she would love to see him go play in the water; now he fishes, it is just in and out, and then he wants to go, if he catches a fish at all; it is an area where the kids need to be running, laughing, playing near a clean, safe, and beautiful lake the way they used to; she is asking the Board to prioritize the funding and the support for the de-mucking of Lake Shepherd; and she advised it is not just about luxury, it is about the responsibility, and restoring a shared place that was once a place of joy.

Sandra Sullivan stated as was mentioned by the previous speaker, she supports finishing the project of Lake Shepherd; there is only a little bit left, and this would be done by the end of the year; there is a grant called LPA0475 that is for 150,000 additional cubic yards of muck; this was discussed with the community last year in the meeting that there was additional muck found, so the County applied for the grant; they got \$9 million to address this additional muck; the issue is kind of misleading, because it is being misled by saying where is the DMMA site is; there is a DMMA site for this project now; and the County signed a Temporary Use Agreement (TUA) last year to extend the use of the site for that additional muck, so this is all handled. She continued by saying the issue is where the County is putting the dewatered muck; the people who are in the permits to receive it keep deciding they do not want it anymore, so there is a legacy of contamination; the County has lands like Sarno, it has other sites, and to that point, that site was previously used for de-mucking, dewatering, so it has had permits, it is not an issue, the County had permits that were used in 2017 through 2019; and the County does have land that it can put the dewatered muck. She mentioned there is arsenic up to more than two times the commercial cleanup target, petroleum, Copper over exceedances, and Per- and Polyfluoroalkyl Substances (PFAS); PFAS is really the big issue, because in 1991, the base put in a newspaper article in Florida TODAY that it was the most contaminated site; she goes to all of the Restoration Advisory Board (RAB) meetings; they did PFAS testing in December 2014; and she alleged that the whole muck tax, as it was called, in early 2015 was to address the Federal contamination issues and put that burden on 'we the people'. She noted one of the concerns is using that DMMA site; the issue she has the most concern is that ensure that the Pineda DMMA that the County keeps the promise that is only used for the Grand Canal Project for South Patrick Shores, because that was a commitment made by the County; her concern is when the muck tax was created that was in there was to dredge the base; the County has been testing and moving forward towards that; they do not want that; then there are the issues on the papers she provided to the Board, that Satellite Beach is saying that if they had have to pump the muck all the way down to BV52, they cannot afford to do the projects; and there is enough evidence here to suggest that the concern is that the County intends to use that Pineda site for other projects; and they do not want that.

Vicky Carter mentioned when she turned 50, the age of wisdom, she signed up for an iron man triathlon; although she was confident of the 112 mile bike and the 26-mile run, she had never before done a consecutive 2.4-mile swim; but for that, she had a couple of options right in her backyard; she could do 418 laps of a 30-foot pool, or about three laps around the lake, so the lake seemed like the logical option to her; and it turns out it was very nearly the lethal option. She stated she dove in, she came up, she swam two strokes, and she suddenly realized something was very wrong; breaking the surface of the water had released a cloud of noxious gas; little did she know that on day one, it was day one of an upwelling event when a change in temperature forces a swap of the surface water for water from the bottom, a bottom full of muck, decomposed organic matter; muck releases hydrogen sulfide, lethal in high concentrations; and with no choice but to breathe right at the surface, she was getting all hydrogen sulfide and zero oxygen. She pointed out she does not care how fit one is, to try to swim even just 10 yards without oxygen, a person's life will pass before their eyes, hers did; she made it back, and she is here; she is here to tell the Board that muck is no joke; it kills seagrass, it starves manatees, dolphins, and birds; it kills the fish; and it very nearly killed her. She asked the Board to continue muck removal, to include Lake Shepherd, and vote to do it sooner rather than later.

Craig Wallace stated what the Board just heard, he is choked up with that one, but he thinks that says it all; he is Chairman of the Broader Lagoon Coalition, and one of the things they do is to go out and talk to people; he was at the Zoo this weekend at Science Sundays; they saw over 500 people coming through there; he was just kind of asking people what he or she thinks; and people want to know that the Lagoon is being cleaned up the most efficient way it can be, and to use the tax dollars the most efficient way possible. He went on to say he told those people he thinks it is being done; he thinks County staff, on behalf of the County, is doing that; they are using scientific methods, he thinks the Board knows that; but it is the emotional things, the things being heard tonight, that maybe it had not heard before; and a lot of fisherman, people out in the Lagoon a lot, those are the tales they tell. He asked the Board to please listen to them; he stated from the Tortoise Island perspective, it would be nice to get the inland outlet canals done; but there are very little muck in those; they would like to have that done, because that is their main navigation to get in and out of the Grand Canal, so if the Board can do that, great, if it can; but it is important to get this done quickly and identify a date it is going to be done that the County will stick with.

James Glass commented he is a civil engineer and worked in the Tampa Bay area for 25 years, cleaning up Tampa Bay; he managed the water quality management plan for the Tampa Bay Regional Planning Council and that led to the decisions that they reached in Tampa Bay to clean up the Bay by removing sewage effluent from Tampa Bay; he just wanted to highlight on the basis of his experience, some recommendations that he has regarding the cleanup of the Lagoon; and first of all, money is being spent on projects to restore the Lagoon, not to dredge canals just because people think the canals need to be dredged. He went on to say after nine years, a SOIRL plan has failed to make a priority of removing human waste from the Lagoon; instead, muck removal is the priority; the County is spending more money on muck than anything else; funding projects such as planting oysters, mangrove, seagrass, restoring shorelines, tossing clams in the Lagoon, and harvesting aquatic vegetation before eliminating human waste is wasteful, it is wrong; these projects should be delayed until the Lagoon water quality has been restored, that is what was done in Tampa Bay; and they did not plant any seagrass until the water quality was cured. He noted the County is facing a huge financial burden to meet the State mandate and connect all 60,000 septic tanks, either upgrade them or connect them to a sewage plant by the year 2030; yet the SOIRL plan is funding dredging muck; for instance, the plan is funding dredging muck from the Sunnyland subdivision in the South Beach area; the 200 or so homes on septic tanks deposit an average of 250 gallons a

day of human waste into those canals; the human waste is the root cause of the muck; fixing the septic tank problem should be the priority to get rid of the root cause, which causes muck; to his knowledge, with so much dredging muck in the Grand Canal and the tributary canals; he has yet to see any evidence, and he has asked staff to show him this, that the water quality in the Banana River, outside the Tortoise Isle area, has been improved; and he has asked that twice, but he has yet to get an answer. He continued by saying they had staff people report to the Commission that after the septic tanks were removed and the sewage problems were cleaned up, the water quality was restored; he would like to leave this information with the Board, along with a letter that they did in 2020 to the Commission about the same problem; and this lead the Commission, at that time, to take \$100 million out of the muck fund and spending it on sewage problems.

Amir Pishdad, Jr., President of Florida Fly Fishing Association, commented they are concerned about the water quality; he can understand the residents that live in the Grand Canal and the other water estuaries that are concerned about the muck, it is definitely a problem; as a professional diver, he has seen muck; it is mucky down there; these funds were taken in the tax dollars from SOIRL that were designated to deal with the Indian River Lagoon problem by solving the problem of identified of 60,000 polluters from septic systems; and as of this afternoon, his understanding is from the offices here that only about 8,000 have actually been resolved in the Grand Canal. He noted he understands all the people that live there, but in the Grand Canal, every home, except for a few of the commercial establishments are now, their sewage is being taken care of by city pipes; they are no longer having septic systems that are causing the problem; the muck that is there is not actually contributing to additional pollution; it is there already; he does not know if the County takes it out of there how much that is going to cause more problems; he asked but if that money is not being spent that was identified by SOIRL, by 2030, which is four and one half more years, what the ramifications to this County are to this County, to the State, by fines or whatever may have that they want to charge the taxpayers more for not doing what was intended for the plan; the plan needs to be reviewed; and the muck needs to be removed, but one has to look at it in a responsible manner.

Steve Diaz remarked he lives directly behind the DMMA site, about 225 feet, so he and his family have been breathing in the hydrophobic polluted dust, the black dust, every single day; he would like for the canal to finish in Lake Shepherd and the south channel; he thinks it is fair; he thinks it has gotten this far, so to just wrap it up before this manatee season; and like Commissioner Delaney said, find out what is causing this and address it, because the muck is going to keep coming if the problem is not addressed.

Chairman Feltner explained he sympathizes with Mr. Diaz's situation; and he and Mr. Diaz have talked about this many times. He stated in his mind, the Board has two real options tonight; it has an option that just continues the path it is on and finishes up at the end of February; another option that means that they have got to come back sometimes in the future to do the entrance way; and that is the end of January. He stated he hates to put Ms. Barker on the spot, but can she agree to finish the Pineda, get Lake Shepherd and be done at the end of February.

Mr. Diaz replied he cannot speak to everybody else, he can just . . .

Chairman Feltner interjected by saying he is asking, and he knows it is hard, but again, he is very empathetic; he feels like the County is right at the finish line; he thinks Mr. Diaz does as well; and a little longer if the Board can get a motion.

Mr. Diaz stated if they could get a commitment date; no more change orders, because he knows there has been an extension of that permit up to 2032 that he saw that went through

from FDEP, so his concern is having a hard-end date, getting that land that is zoned PUD as conservation back to what it is supposed to be, maybe get that in a deed language as well, so this never happens again, to have it put back to its natural state; and like he said before, to address the cause of this problem with the Lagoon.

Chairman Feltner stated that is ahead of the Board, he promises Mr. Diaz; the issue is before the Board tonight because he was presented with a change order, and said no, it needs to be discussed by the Board, and that is why the Board is hearing this tonight; it is making this decision together; he has talked to the residents a lot over the summer, so he is leaning towards the Pineda option, which finishes this up; it is the most efficient and straightforward; and to get out of there by the end of February. He went on to say he and Mr. Diaz are going out and planting a sea grape together in March.

Commissioner Adkinson stated the Board promised that something needed to be done, and it needs to be done; she does not want to risk losing any grant money; she hates losing free money; and she wanted to make the motion to go ahead with the Pineda option.

The Board directed staff to continue using the Pineda Dredge Material Management Area (DMMA) to remove muck from Lake Shepherd and the two entry channels.

\*The meeting recessed at 7:05 p.m. and reconvened at 7:11 p.m.

**Result:** APPROVED

**Mover:** Kim Adkinson

**Second:** Katie Delaney

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

**J.3. Legislative Intent and Permission to Advertise Amendments to Chapter 62, Article VI, "Zoning Regulations" RE: Farm Animals and Fowl**

Commissioner Delaney explained that this Item seeks the Board's approval of legislative intent and permission to advertise proposed amendments to Brevard County's Zoning Regulations related to farm animals and fowl, specifically chickens; currently, the Code restricts most non-agricultural properties to only one chicken; she knows the County has a lot of things to worry about, but this is important to people; due to public complaints, particularly that chickens are flock animals and suppliers typically do not sell them individually, the Board is asked to consider updates that would allow up to six chickens on certain residential properties with appropriate conditions; if approved, staff will draft an ordinance to amend Chapter 62 of the Code to reflect these changes and bring the County more in line with practices in other jurisdictions; and there is no fiscal impact associated with this request. She continued by saying the reason she picked six was because she felt like for anybody who has chickens and knows laying cycles and things like that, she figured a family of four, if a person is trying to feed his or her family with some chickens, two is not enough, four is not enough, so she thought that six was a fair compromise; another thing is if one is allowed to have five dogs in a house, six chickens are quite a lot less of a nuisance than five dogs; she is a dog person, she loves dogs; but she would love any questions and Board support for this.

Jennifer Harris stated she lives in northern Brevard County on .39 acres in rural unincorporated Brevard County; Titusville City limits, she does not know if the Board knows or not, also Satellite Beach, allow their residents to have four chickens inside city limits; but unincorporated Brevard County is only allowed to have one. She advised a person cannot go to Tractor Supply and get just one chicken, it is not right, they are flock birds, and they have to be in groups; she

believes a person has to purchase four to purchase them; she is asking the Board to change this, because people need to be able to feed their families; sometimes the grocery stores can put limits on the amounts of eggs one can buy; sometimes a person just goes to the store and there are no eggs available; the quality is not that great; and she does not know if the Commissioners have ever had a store bought chicken egg compared to a backyard egg, but the quality is really different. She asked the Board to take this into consideration, and to change it for people living in the rural areas.

Luke Harris commented he has lived in northern Brevard County his entire life; when he was about seven years old to the age of 10, they had seven chickens in their backyard; they were a joy to him and his family that after school he could go outside and pet the chickens, feed them, and take care of them; it was a really good mental rest from the workday of what school brings; it was very beneficial to him and to his family of doing it; and it also helped to teach them responsibility of learning how to take care of these animals and how they can do that for their futures just in daily lives of the daily responsibilities learning from a young age. He stated he is asking the Board to consider six chickens as a very good proposal; it helps kids staying outside a little bit; he knows sometimes in today's day and age, there are a lot of children who are inside a lot or maybe on electronics a lot; he thinks it might be a good thing for them to be outside and learn about animals, taking care of them, learning responsibilities; and he hopes the Board is able to make the changes, make decisions, and whatnot.

Commissioner Adkinson stated she is not opposed to chickens, but unlike many people who live in Brevard County, she actually lives on .27 acre, she actually is not living in the County, so she is not directly affected by this, but for people who are, that is not a very big plot; her neighbors across the street, who she loves and adores, moved in and they have a couple of chickens; they feed them the scraps of their human food and whatever else one needs to feed chickens; and they bring her eggs, which is great. She pointed out unfortunately, they have also brought them rats; while talking about responsible ownership she has never owned chickens, so she does know what that means; but what she does know is that these particular people who have moved onto her street, into her neighborhood, who are lovely humans, have also brought them rats; in their backyard, they have rats that run the fence; and her Great Dane ran against the fence, cracked his head, and now she pays \$67 a month for seizure medications for him. She advised that is not going to be every situation, but she wants everybody to understand that she thinks that there has to be some kind of limit on the size where the Board allows some number of chickens; she would be amenable to that kind of conversation; and she has had some emails from people in her District who are opposed to this, so unless the Board can come to some sort of agreement about the lot size, she would have to be a no on this one.

Commissioner Delaney stated she hears what Commissioner Adkinson is saying; maybe the Board can do like a sliding scale, because like the speakers had mentioned, there is a limit to how many one has to purchase if he or she purchases chickens, so maybe the Board could do two if a person has a really small lot, then at a certain size, it could go up to four then up to six; and she is open to some kind of negotiation on what that looks like, so she is happy to discuss that.

Chairman Feltner stated the Board knows obviously it does not zone for cities on things; zone is the wrong word, they have their own rules; he asked in Commissioner Delaney's mind, would that be rural versus single-family residential neighborhoods; he stated he would imagine those who live in a homeowners association, and the lady walked a pig down the street; he asked how big is that pig going to be, and she said maybe 200 pounds; and he told her they were not going to go for that. He stated he does not know what happened with the pig, maybe she

moved to a rural area where she could do that; he hopes it is in the rural area, because one could have an agriculture classification or zoning, and maybe there would not be these constraints; and he asked if that is correct.

Commissioner Delaney replied correct.

Chairman Feltner asked if Commissioner Delaney would work on that and bring it back regarding what it might be and the way it will go.

Commissioner Delaney commented her opinions fundamentally changed about chickens during COVID when the stores were empty, or chicken egg prices were \$8 per dozen; it saved her family a lot of money, as her children can down some eggs; it is an American right that people should be able to feed their families; she hates to restrict it to a certain zoning, because like she said, a person could have five dogs in a home, which is far more of a nuisance in her opinion than a few chickens; it is not counting roosters, so there would still be a restriction on that; and hopefully, the Board can come to an agreement on this.

Chairman Feltner asked if one chicken makes a certain amount of noise, but two together make a lot more noise.

Commissioner Delaney replied the only time the hens really make a lot of noise is when they lay an egg, and that is usually in the middle of the day, not in the early morning or late afternoon, at least in her experience; it is not very loud and not for a long period of time; and it is maybe five or 10 minutes while the chickens lay the egg once a day.

Commissioner Adkinson stated she has one thing to say about rights; it is important to understand that one person's rights end where another's begins; and everyone has individual rights, but he or she has to respect each other's rights in where they live.

Commissioner Goodson stated five chickens laying an egg a day, times six days if they are off Sunday, a family is going to live off a lot of eggs; and he asked if people will be allowed to sell the eggs.

Commissioner Delaney responded in her proposal, it is for personal use, not commercial.

Commissioner Goodson inquired how would one control six chickens making 35 eggs a week when he or she does not sell them unless a person eats eggs.

Commissioner Delaney replied the reason for the six chickens is because hens do not lay eggs every single day, sometimes they skip a day; and for instance, her children can down a half a dozen eggs or more in one meal.

Commissioner Goodson asked would it be fair to assume a chicken did not lay an egg becomes a chicken pot pie; and if they can be killed, he is all for it.

Commissioner Delaney pointed out that is actually part of her proposal, as she believes people ought to be able to feed their families.

Commissioner Goodson inquired if one has chickens, feed, and poop, do they then get rats or coyotes.

Commissioner Delaney noted she would think people would need to abide by the law just the



same if one has a dog or a cat, so taking care of their property, containing their feed, and all of those things.

Chairman Feltner stated he has never purchased a chicken before; he thinks one of the Board's public comments, Miss Harris, said chickens cannot be bought one at a time; and he asked if one chicken cannot be bought, and is that a rule.

Commissioner Delaney stated it is a rule; and all of the breeders and Tractor Supply, one cannot go in and buy one chicken.

Chairman Feltner advised he stopped at a Rural King in northern Ohio recently; he will killing a little time before an event; they had hundreds of chickens; and from their perspective, he could see that they do not want to sell one at a time.

Commissioner Delaney stated if Rural King is listening, the Board would love to have them in Brevard County.

Chairman Feltner stated he thinks with a little work the Commissioner Delaney could maybe bring this back.

The Board discussed legislative intent and permission to advertise an amendment to Chapter 62, Article VI, "Zoning Regulations", regarding farm animals and fowl, but took no action.

#### **J.4. Proposed changes to Board Policy BCC-43, Commission District Office Annual Budget**

Commissioner Delaney stated this Item proposes updates to Board Policy BCC-43, which governs the annual budgets for Commission District offices; this recommendation aims to improve transparency, accountability, and clarity in how District office funds are managed and reported in response to growing public expectations and internal discussions; the proposed changes include the implementation of quarterly versus actual report for each District and clear procedures for funding and improving office related facilities expenses; these updates are intended to strengthen fiscal oversight, ensure responsible stewardship for taxpayer funds, and promote a greater trust in local government operations; there is no fiscal impact with this Item; she is proposing to update to 24-25 District office budget, just update that number to what is in the current budget book; and then also Section C, she is proposing to update that the Budget Office will provide each District with a quarterly budget versus actual to show year-over-year commitments, expenses, and remaining balance, just so the Board does not have to ask for those things, that it will just come to him or her. She went on to say this is regarding Facilities, any kind of updates to Commission offices, or renovations; Facilities will provide a written estimate of anticipated expenses and obtain written approval by the requesting Commissioner for any Commission office specific capital improvement or renovation project prior to proceeding with the work; she would like to share that this has been presented to staff, and she worked with them on their input on this; and this is what they all came up with.

Sandra Sullivan stated just a quick comment, she thought that the update was very good; it is a bit overdue; it seemed like that Policy needed to be updated; she thinks the Board knows having Commissioners have estimates for work ahead of time is just good business practice; and in the interest of transparency and accountability, it would also be nice if quarterly this was placed on an Agenda Item as transparency and accountability, so that the public sees it as well.

Commissioner Goodson asked if there has been any problems that he was not aware of about Facilities; and what seems to be the problem.

Commissioner Delaney replied affirmatively; she stated when she went through her office renovations, there was just miscommunication between the Facilities Department and her office; for instance, before her office renovation, she was told that her office would have a moment it could be blue taped, that she would get estimates, and those things; those things just did not happen; she was under the assumption they would come to her with those things; and as a new Commissioner, she got busy doing other things. She continued by saying the next time she checked in and asked how it was going, she was told the work had started and was well on its way; they did not have any cost updates for her, it was as if they did not know; because it was a Facilities project and not out of the Commission office, basically, they found a hole in Policy; when she and Marc Bernath, Public Works Director, worked together on this, he had already made the administrative change that this is what he was going to be going forward regardless, in the future; and they had asked that she just solidify it in policy.

Commissioner Goodson inquired if Commissioner Delaney was remodeling her kitchen in her home would she not be aware of what the contractor was doing or would she just turn him loose, go on a vacation, and come back for the bill; and would she watch that any closer.

Commissioner Delaney responded with all due respect, she was not on vacation.

Commissioner Goodson pointed out that was just a scenario.

Commissioner Delaney stated secondly, she was told that the first step her office would have a moment where they would go through the office with blue tape so that her office could decide where the walls were going to be because the State Attorney's Office gave over a section of his space to the Commission office so she did not have to rent a space, as she was fulfilling a campaign promise giving back Tom Statham Park to the public; that meant better utilization of a wasted space, some walls had to get put up, and so that never happened; and the work began without her knowledge.

Commissioner Goodson asked if the work began without Commissioner Delaney's knowledge and without any kind of understanding of what she was spending.

Jim Liesenfelt, Interim County Manager, replied he would say more likely, no, he does not have all of the details in front of him; and staff answered a lot of questions and sat down with the Commissioner.

Commissioner Delaney noted not in the beginning, no they did not; and Mr. Liesenfelt was not a part of this at all.

Mr. Liesenfelt advised he was not there at the beginning, so that is part of it; and he does know as part of the process, the Facilities Department already agreed that any renovations or changes to the Commissions offices that he or she would get it ahead of time, and sign off on them.

Commissioner Goodson inquired if Commissioner Delaney would like the Board to vote to restrict future Commissioners from doing something; and he asked if that is correct.

Commissioner Delaney responded not restrict, no.

Commissioner Goodson pointed out that is what she is implying.

Commissioner Delaney explained what she is asking for is to make sure that staff lets the Commissioners know what they are doing, and to get the approval of that Commissioner, and that they cannot continue without the signature of that Commissioner approving that change and project.

Commissioner Goodson stated thank God Commissioner Delaney did not buy furniture that would have taken more money.

Commissioner Delaney advised that was taken from her office before she even got there, she has all Asset Management furniture.

Commissioner Goodson stated if one knows anything about furniture, they have a barnyard full of it; Commissioner Delaney talks about giving the center back to them there at the park; and he asked if that is correct.

Commissioner Delaney replied that is correct.

Commissioner Goodson stated so far, that being said, they tried that thing with a venue of marriage, or funding, or parties, or reunions, because she still has the cost of removing the walls inside of that.

Commissioner Delaney commented that is minimal.

Commissioner Goodson asked if Commissioner Delaney has the price.

Commissioner Delaney replied it was minimal, about \$5,000.

Commissioner Goodson asked by giving up that office previously occupied by former Commissioner Pritchett, if it made money as the venue it was proposed to do.

Ian Golden, Parks and Recreation Director, responded like Commissioner Delaney said, there was minimal funds that were generated; they did a Request for Proposal (RFP) in previous years; they had an agent that went in and used it and facilitated it as an event space; and what staff found is they actually charged too much and priced themselves out.

Commissioner Goodson asked if there could be a benefit to doing that.

Mr. Golden replied there could; they are actually not going to be putting it back out as an RFP, it is going to be put out as another rental facility like the County does its other rentals; and they are hoping that generates more revenue.

Commissioner Goodson stated every month he gets a breakdown of his expenses and what he is spending it on; and he asked if that is correct.

Jill Hayes, Budget Office Director, responded correct; and when Commissioner Goodson took office, he had asked for that monthly report, so she has it on her calendar to provide that to him.

Commissioner Goodson asked if Commissioner Delaney could do the same.

Ms. Hayes noted she is happy to provide any Commissioner with the budget versus actual at any time.

Commissioner Delaney added that Tom Statham Park not only can it be used to generate some income, but the County has a serious shortage in North Brevard for space for not only the elderly, but people with disabilities, and places for teenagers to hang out, so if this does not produce the income that the County is looking for, she believes that this building will provide a massive community service to her community; when she was door-knocking, the community came out loud and clear saying they wanted the building back, so she made that promise to them; and she was going to fulfill that. She explained a space has been renovated in the six-story building which massively needs huge improvements, as many people have talked about; now this space is being better utilized, more efficiently utilized, and people can come see her, the Tax Collector, and the Property Appraiser all in the same trip; everyone knows where she is; it is traditionally where the District 1 Commissioner should be is in that six-story building, and she stands by her decision; but really, this Policy change has nothing to do with any of that; she thinks it is fair, because there are no onboarding for Commissioners, she does not know if the public knows that; and he or she basically gets thrown to the wolves. She noted it would be great if the County could safeguard its Policies so that when new Commissioners come onboard, there are some safeguards in there that the Commissioners budgets just get sent to he or she, that is just good practice; she asked what is the issue with that; why does a Commissioner have to ask for it; she advised that should be something that most people would assume just happens; a CEO of a company does not have to ask their financial person for the budget, it just happens; she just does not understand why it is controversial asking for that; these are pretty simple changes that all of the staff that this would revolve around, all signed off on this saying basically that it is good and they are comfortable with it; and she asked for the Board's support on this.

Chairman Feltner stated one of the things looking in here, she has to include out of State travel, has discretion and approval over their line items within their budget to include the out of State travel; he thought, correct him if he is wrong, that the Commission did not do out of State travel without asking the Board; he seems to remember that there was an issue like that in the prior Board; and he asked if he is right on that.

Mr. Liesenfelt replied he believes Chairman Feltner is correct, the Commission comes to the Board for out of State travel.

Commissioner Delaney advised that can be stricken if that makes him more comfortable if it is duplicative.

Commissioner Adkinson stated it is her understanding from her staff that the Commissioners can actually pull these reports from SAP; and she asked if that is accurate.

Ms. Hayes responded that is correct, that is what some offices have preferred to do, whereas, some would like to have the reports sent to them during different time periods; it all depends on the office; and they work with each office on how they would like to receive those reports, or they provide training on how to access those reports.

Commissioner Adkinson stated she has capable staff, which she appreciates, so her office does not need to have the report sent to it quarterly, they can pull it themselves and she will be responsible for the money coming in and out of her office, because she thinks there is no excuse for not knowing what was going in Commissioner Delaney's renovation; she also had a renovation, although smaller than hers; and she knew exactly what was going on, because she asked.

Commissioner Delaney explained she was told she would be brought into the loop before the work was started.

Commissioner Adkinson stated like she said, there is no excuse for Commissioner Delaney not knowing what was going on with her renovation, she lived there.

Commissioner Delaney commented she thinks that it is important that the County has, like she said, safeguards put in place so that new Commissioners do not have to go through what she did.

Commissioner Adkinson pointed out she was also a new Commissioner at the same time.

Commissioner Delaney stated by the way, everything that was done in her office, just because she has not said this on the dais, everything that was done in her office was standard; and she asked if that is correct.

Mr. Liesenfelt replied he believes that is correct.

Commissioner Delaney noted if there was an issue with what happened in her office, the standard in this County needs to be looked at. She stated she is open to any suggestions the Commissioners may have as far as tweaking the language; again, these were staff recommendations; she is happy to change and tweak any of this; if there are any suggestions that anybody has, she is happy to talk about that; and it can be brought back with a red line, or if everybody wants to bring back what his or her red line would look like, or their suggestions, she is happy to do that if the Commission is not comfortable with this exact language.

Chairman Feltner advised he thinks there could be a couple of amendments; he does not know if the Board is prepared to do all of that tonight; that is his personal view; and he appreciates the other information in here; the out of State travel was one thing he saw; the Bill Folder is one of the good things that came out of prior Boards or a consequence of, the Board finds that works pretty well; he is aware of the budget, he discussed that with his staff; and he never has concerns. He pointed out obviously, moving offices was a different thing, so other have come into an office that already existed, so he will give Commissioner Delaney that; he does not know if this is ready tonight; that is his two cents; and he is happy to bring it back.

The Board discussed proposed changes to Board Policy BCC-43, Commission District Office Annual Budget, but took no action.

Chairman Feltner stated there are quite a number of cards on the final Public Comment; so the Board knows, there are three cards on J.5.

#### **J.5. Discussion re: Dissolution of Community Redevelopment Agencies (CRA's)**

Commissioner Delaney commented this Item calls for a Board discussion regarding the potential dissolution of Community Redevelopment Agencies (CRAs) throughout Brevard County; originally created to combat blight and spur redevelopment in certain areas, many CRAs have now exceeded their intended purpose, often operating without updated plans or measurable outcomes; while she will admit that there are some of them that are doing a really great job as well, but meanwhile the Brevard County Fire Rescue faces increasing pressure from population growth, rising call volumes, and aging infrastructure; this proposal recommends directing staff to assess each CRAs legal status and funding structure to determine if dissolution, or a reduction in County Tax Increment Financing (TIF) is possible; and the ultimate goal is to sunset outdated CRAs and reallocate millions of dollars in annual

revenue to essential public safety services, most notably Fire Rescue, improving response times, promoting equitable distribution of taxpayer dollars, and prioritizing Countywide safety and resilience. She advised she spoke about this when the topic of North Brevard Economic Development Zone (NBEDZ) was brought forward, and that was dissolved, so that money is now going back to the General Fund; during that time, she had talked about other CRAs, even though NBEDZ was not exactly a CRA, but the other similar funding mechanism; it has been said over and over again, the County has a crisis in the Fire Department; while the Board is heading in the right direction, she does not believe that where the County is right now is enough; she does not believe it is going to fix the problem; she was told that to get the voter-approved Multiple Services Taxing Unit (MSTU) back to its voter-approved millage, the Board needs to come up with around \$4 million; and these CRAs would equal about that. She pointed out CRAs cannot be resolved if they have outstanding debt; there are a couple with outstanding debt; there are three that are significant; then there are two that have some debt that she is assuming that the Board could pay off that debt, and the remainder of that money could hopefully come back to the County; \$3.5 million could be available now; once the debt is resolved on those two, that would give it another \$671,000; and once the other debts are resolved, which will take some time because it is considerable, the total is \$4.2 million. She remarked while there was a time for CRAs, right now the County is dealing with a massive fiscal issue; it has to be able to fund its Fire Department properly in a way that they could be successful; right now, even with this newest proposal, while she hopes the Fire Union accepts it, but she fears it is not enough, they will not be able to use it as a recruiting tool; if the Board dissolves these CRAs and gets the money it needs to get a Kelly Day, that will be the thing that they will be able to recruit with, and the County will truly be able to solve this issue the Board promised it would do; and she is hoping she can get the Board's support on this, like it supported ending the NBEDZ.

Sandra Sullivan stated historically speaking, and coming to these meetings, Commissioners generally defer to whose District it was in making decisions; this Board is not operating in that way with other Commissioners making the motion to dissolve NBEDZ, which was in District 1 and partially in District 2; she agrees the County has a fiscal crisis and it needs to cut costs; the CRAs are an area where costs can be cut; obviously, the ones that have debt can have an interlocal agreement to cost-share and pay off those debts over time; and they do not have to be paid immediately. She noted she would also like to say that there are other things that need to be done to address the magistrates' report, which clearly states that the cost of growth is competing with wages; in other words, the County does not have enough money to solve the problem with Fire and Emergency Medical Services (EMS); it has a Fire Department that has been harmed greatly since last October and longer that they have been advocating; the Board took a vote to do an impact fee study to address the costs of that growth; unfortunately, despite her coming up and speaking, this Board decided not to do milestones to get the Fire and EMS assessment back earlier; and in 1997, a study recommended that the \$97 Fire EMS impact fees be updated to \$305, it is still \$97. She mentioned this problem of growth, which went from \$48 million in January to the magistrates meeting being around \$63 million; and in 2022, it was \$620,000, huge cost in growth, which is not being addressed. She stated in addition to addressing the CRAs, she would urge this Commission in November, which means it only has until August 19th, to do a referendum for a one cents sales tax for Fire and EMS; then the Fire assessment and EMS assessment can be removed from the citizens' property tax bills, so remove that tax from the bills, and people get some relief; the Fire Department has to be addressed, and this is just a single step, addressing the CRAs, which is only fair; and the Board abolished NBEDZ.

Tracy Moore stated it sounds like she is hearing that the value of a CRA is not really being seen by all of the Commissioners; she thinks that what the CRAs offer to the communities

overall needs to be examined and also to realize that they are not through; there are assistance they have completed, what they were supposed to have done, she begs to differ; the County not only needs to go around and discover what has been done, but what still needs to be done; there is still a lot of economic development that needs to happen; they are trying to do their best to revitalize Brevard's communities; she is with the Diamond Square Redevelopment Board; and they have a lot of projects they have been doing for economic development. She continued by saying they are creating jobs, bringing businesses in, they have an upstart program that they have invested \$10,000 in new businesses that are coming in to the Diamond Square area; they have affordable housing; everyone is talking about that as a subject; affordable housing is something they have been able to do; in fact, they received an award for that; they built five houses that they were able to invest in their community, and was able to actually get folks to live in those houses, so those provided tax increments for this County and for their community; they develop streetscapes and roadways, so they are developing the appearance of what the community looks like; she does not know how long each Commissioner has been here, but she has been here since 1984; and what Diamond Square used to look like, it is a lot better now, but not all the way there yet. She mentioned they have improved infrastructures, public spaces, quality of life for the residents, and it affects their businesses and visitors who come to visit Cocoa overall; she knows she only has 30 more seconds, but she is just going to tell the Board how they are affecting their children, the future of Cocoa, and the future of Brevard County; they have programs, Cops and Kids, they have the PAL Program, Alliance for Neighborhood Restoration, summer camp scholarships, they have for the community façade grants, and paint and beautification grants; they are doing a lot, but there is a lot more to do; and she hates to see any CRA be dissolved, because they are making a difference in Brevard County, and in each and every community that exists and has a CRA.

Marcus Herman, resident of Merritt Island and current Chairman of the Merritt Island Redevelopment Agency (MIRA), commented he stands against the proposal to end CRAs; CRAs play a vital role in helping to revitalize the older communities, which helps bring a larger tax base to the communities, and helps pay for Firefighters, police, and everything else needed; he cannot speak for all CRAs because he does not know specifically how they function or what is going on with them; he can specifically speak about MIRA; MIRA is very different than any CRA that the County has because it is 100 percent controlled by the County Commission; and the residents of Merritt Island are very thankful to the Commission, this Commission, and past Commissions for allowing the local residents appointed by the District 2 Commissioners at those times to be a part of, and have a voice in, the Tax Increment Financing (TIF) funds that are used for the MIRA District, specifically in MIRA. He commented they have done an outstanding job, the Board Members and staff; they have been great stewards of the responsibility that has been put upon them; a couple of notes, 86 percent of the money that they get in TIF funds is spent on infrastructure; that is roads, bridges, parks, and septic to sewer; they were doing septic to sewer long before it became popular after the big fish kill; MIRA also has an outstanding track record of leveraging the money that they get; and they have gotten millions and millions of dollars from Federal, State, and local agencies that makes a much better return investment than just the money, the TIF money, that they are getting, which this is all County money. He stated this goes back to the County; everything they do is owned by the County; and he respectfully requests that this Commission continue to allow the residents of Merritt Island to have a say in the future in keeping MIRA intact.

Commissioner Goodson asked if anything is true with what Mr. Herman said, with all of the infrastructure work, bridge work, corridor work, and landscaping work, would the County have been able to do it solely on the County's dime.

Jim Liesenfelt, Interim County Manager, replied no, the County would have had to move other

projects around or cut; like the stormwater project, the veterans, that was three or four different departments; and he can tell the Board, water, even like Waterway Park, that MSTU on Merritt Island does not have enough funds to build parks, so that would not exist, and even though it is County money, they still are doing it.

Commissioner Goodson commented even though it is County money, they are still doing it; and he inquired if Mr. Liesenfelt would say they are doing a good job.

Mr. Liesenfelt responded yes, this is just him as a professional planner background; that stormwater project, it made more parcels available for development; and that was pretty much ideal.

Commissioner Goodson asked if staff could tell the rest of the Board, he is asking because it is in his District, does he know of any job that they might have done that has not been well received by the County government.

Morris Richardson, County Attorney, advised façade grants were once incredibly criticized, they were not well-received by a Board at one point, and they were done away with years ago.

Commissioner Goodson stated the only other issue he can remember was the sign at the courthouse that former Commissioner Tobia did not like.

Mr. Liesenfelt advised those are the two he can remember from the Board.

Commissioner Delaney stated she is not going to discount all of the good that these CRAs have done, just like the North Brevard Economic Development Zone (NBEDZ) did a lot of great work; but the County has a lot of serious fiscal crises; this Board said that its priority is to make sure that it fixes this; if NBEDZ was told it was not allowed to have this because the County needs a Fire Department fully-funded, then the Board should be equitable and fair across the County; and everybody should be contributing to this issue, not just North Brevard, so she is not trying to discount the good work that people have done along the way. She went on to say the Board has to make these hard decisions when it comes to funding its Fire Department; if anybody has any other suggestions to do that in a very quick way, she is open to those; and she is hoping to get the Board's support on this.

Chairman Feltner stated personally, there is one that touches his District, and might go into District 5, and that is the City of Melbourne Eau Gallie community; he thinks there may be a pending meeting with the City on this specifically; and he asked if that is correct.

Mr. Liesenfelt responded yes, there is a meeting Friday; the City had set it up before this Agenda Item; and it is to talk about the parking garage.

Chairman Feltner pointed out that is a single CRA issue; it is something that prior Board decided on; he thinks when former Commissioner Tobia was here, he had pared that down to just the parking garage in the Eau Gallie arts district; and he would like to let them have that meeting before the Board does something with that one at least, only because he does not have all of the information on that.

Commissioner Delaney asked if that would cost the \$300 and whatever thousand, or would it be more than that.

Chairman Feltner replied that is what the annual TIF funding is; and he does not know how



much a parking garage is going to cost.

Commissioner Delaney noted that would stop it from being able to be dissolved if the Board allowed them go into debt; while she understands that they want a parking garage, being able to recruit for the County's Fire Department seems to her . . .

Chairman Feltner interjected by saying he does not know that they would have debt, so the money that they have could be used on that; but he does not have that today, Commissioner, and there is a pending meeting with the City of Melbourne to discuss that; if they do not want to move forward with that, or whatever, then that is fine; and he just thinks they ought to have that meeting.

Commissioner Delaney advised there was a lot of pending things in NBEDZ as well; respectfully, she thinks that this Board made it clear what its priority was, and Chairman Feltner campaigned on getting rid of the CRAs; the Board has made a priority that this is what it is going to do, fund the Fire Department, and North Brevard has done its part; she wants to make a motion to go out for legislative intent to dissolve the CRAs; and she asked if that is correct.

Attorney Richardson explained he suggested that the Board also request staff to prepare a report on the CRAs identifying exactly what it is able to do, because, for example, his staff did some preliminary work on this, actually some pretty thorough work that is pretty close to final, and at least three of the CRAs that are municipal CRAs, the Board cannot touch because those were created prior to the County's Home Rule Charter; it has the issue of CRAs that have outstanding indebtedness; and because the CRAs were greatly pared back and restricted with a series of Interlocal Agreements ranging from 2018 to 2021, and the Board only retained authority to dissolve some of those CRAs, so at the most right now, staff has identified three of the CRAs that the County Commission could either dissolve or take on the hat and lower or eliminate the TIF increment funding.

Commissioner Delaney stated okay.

Attorney Richardson pointed out it looks like it would be MIRA, City of Melbourne Eau Gallie, and Diamond Square.

Commissioner Delaney inquired what about the second MIRA one.

Attorney Richardson advised there is only one redevelopment agency; there is a portion of MIRA funding that has been dedicated, so the TIF was, others would be able to explain how it was accomplished; and basically, there was a millage adjustment, so there is a dedicated fund to the replacement of the Sea Ray Bridge that is annual.

Commissioner Delaney stated so, it is still over a million dollars, well over, probably closer to two, if not more.

Attorney Richardson commented MIRA, one and a quarter.

Commissioner Delaney asked then the Melbourne one.

Attorney Richardson replied \$326,000 annually, and they have been setting aside funds for that parking garage project; and Diamond Square gets very little, \$122,000 annually.

Commissioner Delaney mentioned she is not saying this is not a hard decision; she was not for

getting rid of NBEDZ, she voted no; but this Board said this was a priority, so this will be really telling to people.

Attorney Richardson asked if the motion included that report.

Commissioner Delaney replied affirmatively.

Motion died due to lack of a second.

Chairman Feltner stated maybe this will come back in the future.

Commissioner Delaney stated all right, it is very disappointing to hear this; and she hopes that everybody watching this at home sees that this was a vendetta, a political vendetta, to harm North Brevard.

Chairman Feltner noted the Board has a lot of Public Comment tonight, and there will probably be a break in between.

\*The Board recessed at 8:10 p.m. and reconvened at 8:18 p.m.

Chairman Feltner expressed his appreciation to everyone for hanging around.

#### **K. PUBLIC COMMENTS**

Rose Plummer stated she has lived on North Merritt Island for 28 years; their family built their home, raised their children, and have made their lives on Crisafulli Road; several years ago they noticed a significant increase in speed and traffic on Crisafulli Road; they put up signs along with many other families encouraging people to drive as if their children live there; those signs were both ignored and some even stolen; and after realizing this issue would not go away, she reached out to the County to help find a resolution to this problem. She continued by saying the County came out, performed a traffic study on Tuesday, October 31, 2023, for a 24-hour period; the study was shocking to her, not only on the number of vehicles, but the speed; in that 24-hour period, there were 11 vehicles that were traveling in excess of 70 miles an hour, imagine that; she asked if the Commissioners would want its neighbors driving 70 miles an hour past his or her driveway; she advised in that same timeframe, there were 422 vehicles that were traveling between 40 and 70 miles per hour in a 30 miles an hour zone; since the installation of these speed humps, the families that have the humps in front of their homes have been subjected to months of harassment; and they personally have had trash thrown in their yard. She mentioned they had dead animals dumped on or near their property; some members of their community posted on various social media platforms, and she quotes, "I urge all of my East Crisafulli neighbors to sign the petition to have them removed. In the meantime, show your appreciation for them by giving them a short or long blast of your car horns;" that post was made by a neighbor present this evening and a main offender of the speed limit; her family has had to engage law enforcement assistance to intervene on their behalf due to excessive harassment to the point that one individual has been notified that if he did not stop, criminal charges could be filed; she has lived and served in this community for decades; they have enjoyed their neighbors and their friendships over the past 28 years; and it boggles her mind that some who used to stop by and chat or wave as they went by now despise them because they and others tried to make their community safer for them, their families, pets, and the community as a whole. She pointed out Crisafulli has become a dangerous road; and she asked her neighbors respectfully to slow down and likewise requests that the Commissioners see fit to keep the speed humps in place.

Bill Plummer commented he guesses one would call their house as ground zero for the speed humps; to begin with, this is a situation that has been increasingly worse over time; countless vehicles have gone off the road and into the drainage ditches along Crisafulli; in front of his house, four cars alone, causing damage to the ditch, the head walls, and even mailboxes; countless pets and wildlife sprinkled all over Crisafulli were hit and killed by speeders; his daughters have lost three cats to this; and two young men died while speeding on Crisafulli. He asked if that is not enough to justify speed humps; he mentioned the first attempt was to try to get a four-way stop at Judson and Crisafulli; the traffic study determined it did not meet the criteria for the stop sign and the situation just got progressively worse; he put signs in his yard, 'Drive like your kids live there'; those signs were met with vandalism and one was even stolen; some of the worst offenders of the speed limit are here in this room tonight; it was no longer safe to walk the road, bicycle, or even drive ones golf cart, not to mention try to check the mail, or back ones car out of the driveway; and he asked how did they get here. He noted at the request of more than 85 percent of the residents east on East Crisafulli, west of Judson Road to Courtenay, a study was conducted; this study was done on the eastbound and westbound lanes of Crisafulli Road from Courtenay to Judson; the study was done from 12:00 a.m. on October 31, 2023, and concluded at 12:00 a.m. on November 1 for a total of 24 hours; in front of his house, a recorded volume showed 969 vehicles passed by his house in that 24 hours, so this is what they know from the speed study that is public record; and of the 969 vehicles, 431 exceeded the speed limit by over 10 to 14 miles an hour, 30 miles an hour on the road, 122 of those vehicles were 15 and 19 over the posted speed limit, 51 vehicles at 20 to 24 miles over the speed limit, 28 vehicles at 25 to 29 miles over the speed limit, and they had nine vehicles at over double the 30 mile an hour speed limit, six vehicles 29 to 39, and to top it off, 11 vehicles in a 24-hour period that went in excess of over 40 miles an hour over the speed limit. He stated this is a public safety issue, and he appreciates the Commissioners listening.

Louie Hanna stated he thinks Wayne Ivey is the best Sheriff the County has ever had, and people are damn lucky to have him; the summer of 1965, his old man pulled up in the yard one days and told him to get in the truck, and here he is; in 1980, he was lucky enough to go to work at the Space Center where he worked for a long time; in 1996, 29 years ago on the 4th of July weekend, they moved into their house on East Crisafulli Road; it has been his neighborhood, his home, and he likes it there; it gets kind of wet when it rains, he had catfish swim past him in his driveway; but it is his community, it is his home. He went on to say they resurfaced the end of East Crisafulli Road, he thought it was great; about a week later, they came in and put in speed humps; he did not ask for that and did not know anything about it; he asked his County Commissioner about that and he said he was not asked because he was not affected; he was thinking, not affected, this is his home, it affects him; if one goes to Publix and wants to avoid the speed humps, he or she has to drive Judson Road; and that is two miles every trip on a dirt road. He mentioned he did not buy property on a dirt road; East Crisafulli is his neighborhood, his home; he does not like the speed humps, he does not like Judson, but the fact that he was told that he did not have a say in the matter of what he thought did not matter in his own neighborhood; that bothers him, because it is his neighborhood, it is his home; he has lived there a long time, and he thinks he should have been included; there are 230 houses in the East Crisafulli neighborhood; and the County asked the people from Judson to Courtenay about this and everybody down there just about voted for it. He commented that means 11 percent of the neighborhood decided for the other 89 percent that there would be speed humps; that is not right; he does not care what the County's Policy says, they should have all been included in this decision, that is wrong; and some of them do not like it.

Robert Adams mentioned he is here today talking about the speed humps; he has lived on that road for 41 years, have not needed speed humps; it is none of his business how one drives by his house; if a person wants to run into a canal, he or she can go right ahead and run into the

canal; on November 16th, Commissioner Goodson, with a swipe of his pen, decided to install five speed humps on a half-mile section of road; he only surveyed 20 of the folks; and like Mr. Hanna said, not one of the individuals in the affected area was mentioned, even though it is a dead-end road. He continued by saying the only way one can get off of that road without going over the speed humps is to drive around Judson; one way or the other, one either drives down a washboard or a muddy road; he has not taken a clean buggy to church in a year because he has to drive down a dirt road if he does not want to tear his equipment up going over five speed humps; in April of this year, they waited the designated year before they were allowed to put in for a request to have the speed humps removed; he spoke to a lady by the name of Cynthia Morris; the only term in her vocabulary is this is Policy; and obviously, the Policy is not working. He noted Ms. Morris gave them a packet to have the speed humps removed, but she only gave them the packet for the people that already put them in; she did not give them a packet for everybody east of Judson Road; he does not know what that game is, he has no clue; they were told that they have 120 days to complete those forms and get them back; and they are in the process of getting all of those signatures now. He asked once they get this package done, do they burn another year waiting for something else to happen; he pointed out there are over 200 homes in that affected area; they have gotten 146 signature so far; out of those 146, there were only two no's; obviously their percentages that they worked with to get those humps put in were bogus; they did not need to do it that way; some of the factors that they put in different papers are slower emergency response times, damage to vehicles, noise pollution, ineffectiveness, reducing speeds, and the negative impact on the property values; and additionally, it has caused a dreadful rift in a neighborhood that was very pleasant beforehand. He stated he used to go by the Plummer's house and enjoy the fact they were sitting out there burning logs in July, because it smelled like fall; now, one cannot go by at all because it is nothing but aggravation, it is harmful; if anybody that has any ideas, if one goes right there, everybody that leaves this place has to go over 10 speed bumps every day; he has driven over, if he did it that way, 3,650 in one year; and there is something not normal about that.

Catherine Testa commented she lives on Crisafulli; her concern is that even though they are further east of Judson, they are still impacted, because she drives Crisafulli, she has a sports car, and she cannot drive on Judson because it will actually ruin the car to the point she will not be able to use it; she has a lifetime warranty, but they are not going to fix what is wrong with her car if it has been caused by the road; she does not have a choice; the only time she would ever drive on Judson with her car is if there was a brush fire and she would have to get out; and she would take the risk then, but not if she is driving anywhere between two to six times a day over this particular road. She mentioned since they put the speed humps in, people pass her because she goes slow over the speed humps, which is not to their liking, so people then drive over the double yellow line, pass her, there are curves in the road, and one time the person who was passing her literally missed hitting the person coming from the other direction by inches; it scares her, and she asked what is he going to do; she stated he might not hit the person head on, but he might come back into her because at this point, he is still passing her since he cannot see past her; a stop sign, which she had never even heard, was not even a possibility, makes a lot more sense, it slows people down, but it does not cause one to have to go over five speed humps in like a quarter of a mile; she gets up to about 15 miles per hour before she has to break to go onto the next speed hump; and it is just dangerous. She mentioned passing over the double yellow line, people going on the opposite side with head-on traffic coming, it is dangerous; it is more dangerous now than before they had the speed humps; the earlier mention about the two boys who died, that was almost right next to her house; those boys had been partying the whole night; it had nothing to do with being safe drivers; they were just totally reckless; and any speed hump would not have stopped them, they probably just would have gone over the speed bump at whatever speed they were doing that took down the telephone pole, the electric pole, and stuff like that. She stated she feels bad

because she has to pass where they died; no speed bump would have ever stopped that accident; it has become more dangerous because people are now angry as they go over the speed bumps; and she has to go slow because she does not want to damage the under carriage of her car.

Chairman Feltner asked Ms. Testa if she has a sports car with a lifetime warranty.

Ms. Testa replied yes, American made, Dodge Challenger; and it is a lifetime, bumper to bumper.

Emily Robinson stated unlike everybody here, she is relatively new to Brevard; she has lived in Titusville and moved to Merritt Island about a year and a half ago; she is a newer resident to East Crisafulli; she lives in the newer development; she thinks it is safe to say that her neighbors are happy to have her represent them here; and she is here to speak the facts, because she really does not have a dog in the fight in terms of emotions. She went on to say there are very specific parameters, as all are aware about these speed humps, volume of traffic, and the road size; she does want to note one specific statistic about that traffic study that was not mentioned, the average speed in that traffic study was only 35 miles per hour; yes, that is five over the speed limit; but the average for that night was 30, so those outliers that were doing 70, that is what that is, an outlier; one of the parameters to have a speed hump installed is no more than 1,500 vehicles per day; that traffic study that has been cited up here was about 1,189 cars; that was 19 months ago before their development of 200 homes was built; and the volume of traffic has greatly exceeded that. She noted she posed her question to traffic ops saying she guarantees them the volume has exceeded 1,500 now; she asked if another traffic study could be conducted if so; she asked if the volume has exceeded 1,500, is there room to have these speed humps renegotiated, removed, anything, because they cannot tell her that if the road has a speed hump today just because it meets the perimeters today, it is there forever; she is sure traffic ops is a great office, Cynthia was very pleasant; she told her she would get back to her; she gave her a week, but she had to call her back; and Cynthia told her she forgot about her. She advised she was told Cynthia's supervisor said it was grandfathered in, and it is done, it cannot be removed; that is an unacceptable answer to her, because speed humps are not forever, they can be removed, but that is neither here nor there; she thinks it needs to be addressed in a future policy about if a road no longer meets the requirement, how they can get it removed; the other thing she does want to also address was that she reached out to Commissioner Goodson's office kind of with the same question saying if the perimeters or characteristics of this road are no longer matching if it could be compromised, talk about this, because there is so much animosity in the community, there is so much drama; all she got back as a response was to see the administrative order, not to work with her, not a talk about it, but to just see the attached as it is what it is; and that is her two cents.

Karissa Johns stated she is here to address the grave injustices and the continued tenure of Sheriff Wayne Ivey; the law enforcement officer should be a guardian of justice, a protector of civil rights, and a servant of the people; yet, Sheriff Ivey has repeatedly demonstrated that he is none of these things; his record is marred by corruption, radical profiling, violent rhetoric, and a blatant disregard for constitutional rights; and it is time for him to be removed from office, disbarred from any position of power, and held accountable for his actions.

Kelly Colomberti advised she is a resident of Palm Bay, and she is here to ask the Board for help because the person in charge of keeping the citizens safe, Sheriff Wayne Ivey, prefers to threaten them with disproportionate and cruel punishment as a publicity (PR) stunt to appease his Make America Great Again (MAGA) friends; Wayne Ivey's comments from June 13 must be

unequivocally condemned by this Board, because every rally they have held in Brevard County has been operated with maximum cooperation of law enforcement and etiquette; she asked the Commissioners to come see for his or her self; they even tidy up the space when the rally ends; and this is not an Los Angeles (LA) city riot, it is basically Woodstock with poster boards. She explained Sheriff Ivey's comments about making protesters graveyard dead, saying someone who spits will end up in the hospital, and his entire tirade was unacceptable; he may feel like a big man for gleefully fantasizing about killing the very people he is in charge of protecting, but most of them were repulsed; he is an elected official, not Judge Dread; she does not care what he says when he looks in the mirror, because they are asking that the Board do everything in its power to demand accountability and reasonable behavior from this unhinged Sheriff; according to the Brevard website, he makes as much as four-fifths of this entire Board; he gets paid \$256,000 a year; and he seems to put more care and detail in the police procession for his dog, Junny, than for the people of this community, immigrants or not, who deserve due process and actual justice. She stated he is accountable to the residents of this County, not his followers on FaceBook; his fear-mongering and intimidation will not be forgotten by the voters of this County; if he chooses not to rein in his cowboy daydreaming, she would love to promote his recall and replacement and make his policing career in Brevard graveyard dead, because she cannot tolerate three more years of this childish behavior; Sheriff Ivey's TV antics have garnered the ridicule and disbelief of national and international news outlets; on one hand, she appreciates his theatrics because she too is an actress at heart; but he should spend a little less time playing influencer and a little more time understanding why Brevard citizens are coming out in the thousands to protest his buddy Trump. She pointed out he should be helping keep these peaceful protesters safe from the reckless drivers both on Crisafulli and at these rallies who blow their exhaust in their faces and nearly run people over; these protesters are retirees, they are veterans, and they are families; that is who the Sheriff threatened; that is who he wants to be intimidated into silence; additionally, she finds his association with the constitutional sheriff's group deeply concerning; it is associated with a white national group that cannot be denied; that is the circle that Sheriff Ivey runs in; and Brevard citizens deserve a Sheriff who lives in the real world with the rest of them, believes in human dignity, and wellness.

Debra McGirr commented she lives on Maemir Way in Rockledge, and has lived there since 1988; they have a problem there with flooding, which has been brought up here before; they had a flood there last year when the hurricane came; everything was pretty bad; they had a meeting with the County Commissioner and some engineers in November; she brought pictures so they could see certain things to help them out; and they asked to keep the pictures. She continued by saying the two engineers, a lady and a gentleman, said they would follow up on this and get back to her, and she has heard nothing; they were also told at that meeting that they would coordinate with the City of Rockledge, State of Florida, and the County who together would have a meeting to work on trying to resolve their problems; she learned tonight when one of her neighbors came up to speak that they are planning to have this meeting that has not happened; they are about ready for hurricane season and they have been fortunate this year that they have had drought and they have had no problems; the problems have not gone away, they will continue; and she understands the road is lower, but that is not the main problem. She noted they have an issue, the bank along the side of Maemir Way to Milan on the south side of . . . when going on Fiske in their neighborhood, the bank is lower in certain areas; and what has happened is when the main drain on Fiske becomes full, overflows, it now has an inlet and it drains into Maemir Way, and they have a reservoir, it looks like they have a lake. She stated they are becoming a reservoir for the County's water that is not flowing down its drain; her suggestion was for them to take a look at it and see if they could berm it so the water would not be able to overflow and come down into Maemir Way; the other thing was for them to clean the drains, which they did come and put pink ribbons around two trees on one side and

one on the other because they were falling over and tearing down the side of the bank; they took those away and left other ones that are still falling down into the drain and pulling down the side; she does not know why they took some and left some, but they did; she thinks that one of the issues why this problem has become worse is because several years ago there were pepper trees growing along that bank and they sent whatever machines they use to chew up and pull up all of the pepper trees; and she thinks in doing so, it caused some erosion and that is why when the water rises so high, it is able to run over the banks and come into Maemir Way. She asked the Board, since it is hurricane season, to address this and not leave them hanging. She explained she did leave the pictures so the Board could see where the inlets were, and unfortunately, some bushes are starting to grow, so it is a little harder to see where the inlets are.

Doris Varner stated she has been before the Board before, and has lived in Merritt Island for at least 17 years; her husband passed away, and she is going to try to get through as much of this as she can; she works at and attends East Coast Church; she helps the homeless and she tries to help single people; she tries to help them find jobs and housing; the problem she is having is there are more elderly people coming into the foodbank who are homeless; the housing situation is really bad; and the cheapest place she could find is \$1,300 at Orchid Lakes, and that does not include lights and the other things. She mentioned she is having a complication that when these people are going to register like at Orchid Lakes, one person has to meet a total of \$33,000 to be able to get in that place; if two people are going to rent it, they need \$36,000 to get in there; she is trying to find these single people rooms; if they cannot get an apartment, she is trying to get them a room; the rooms are running \$600 a piece; and she is not asking for a hand out, she is asking for a hand up. She advised two things have happened since she talked to the Board last, she was working with a mother and daughter who were homeless for three months and living in a car; this guy who lives in her neighborhood knew what she was doing, and he ended up selling them that house for like \$1,000; now, they are off the street and living there; she needs access if the County has any information on what can be done; these people have to be helped, she is trying to get them through; but people from New Jersey and New York are buying these campers, apartments, and stuff; they are raising the rent; Colony Park raised their rent like three times in just one month she thinks; and people can look back on the Channel 9 News. She asked the Board if there is any way it can help, to please give her some ideas; she cannot give up; she is tired of seeing people laying on the streets; she is trying to help them with jobs; when they try to get jobs, they are not getting hired; she came tonight to let the Board know what is happening; she is fighting like crazy to do something for these people; and she is not just trying to get them homes without money, she is trying to get them jobs so they can help themselves.

Chairman Feltner advised that Juanita Jackson, Housing and Human Services, is going to talk with Ms. Varner.

Robert Spinning stated he lives on Maemir; they have been having a bad flooding issue; he talked to the Commissioner, and asked him what the status was; he told him in May, they are going to have a sit down with Rockledge, the State, and the County; May has come and gone; he called the Commission office and left a message; the other day, he just happened to call District 1 Commission office; District 1 Commissioner has sweet people and they were very nice; her staff told him to come to the Board meeting and spend his three minutes; he is not trying to get anyone in trouble, they are in trouble with their street; he can sit there and say that the street is wrong; but if the main canal will not take the water, there have been a lot of developments built north of Rockledge. He noted the County got paid \$10,000 per, whatever that bond is called; he asked why it is not being put back into the County, cities, and State; where does that money go; he advised he pays a lot of money for taxes; he has called the

County Manager's Office and left five phone calls, and he never called him back; he understands there was a storm there; he called this man's office five times; and finally, the Commissioner called him after the fifth call. He stated it is funny, one night he happened to be walking past the TV and he was in West Melbourne for another meeting over there; he repeatedly told them his house was built wrong; Brevard County set the standard for the slab height; Brevard County set the standard for the road, drainage and all going out; the Commissioner can sit there and roll his eyes all he wants, but Brevard County set the height of the road; and he asked if it did or not, or did some developer come in and lie about that.

Commissioner Goodson replied, but it was unclear what was said.

Mr. Spinning stated no, that is the County's fault.

Commissioner Goodson pointed out it was built in 1972.

Mr. Spinning advised no, it was not. He stated there were plans for it and somebody decided not to make them; he asked what the retention pond is going to do; once that fills up, where the water is going to go; and he stated in their homes.

Commissioner Goodson stated Mr. Spinning is right, he is absolutely correct.

Mr. Spinning stated Commissioner Goodson has got to be the worse County Commissioner.

Commissioner Goodson noted he will get another Commissioner come next November.

Mr. Spinning stated he is sorry, but he stresses; his neighbor's home took on a foot of water during Irma he thinks; and there was a County Manager, Assistant Manager in her backyard who said the County would take care of it.

Gretchen Zeigler stated Sheriff Wayne Ivey's appalling display on June 12 was an example of the polarization taking place in the nation as a whole; the so-called constitutional sheriff is nothing but a bully with a badge who threatens and demonizes anyone who disagrees with him; his incendiary comments actually put peaceful protesters at risk of suffering extralegal violence, both from those sworn to enforce the law and those who would act in their absence; the Posse Comitatus Act of 1878 has received a lot of publicity lately; but the concept for which this Act is named dates back to biblical times. She went on to say in medieval English common law, Posse Comitatus allowed an English sheriff to summon able-bodied men to assist in keeping the peace, making arrests, or pursuing criminals; the constitutional sheriff's movement is an ideology based on a selective interpretation of this concept, and is an attempt to apply these historical powers to the modern US concept, that the County Sheriff is the ultimate constitutional authority and has the power to interpret and implement the law as they see fit; when she heard Sheriff Ivey's threat to kill ICE protesters graveyard dead, it brought to mind Sheriff Ivey's own mounted posse citizen observer patrols; she asked if he would send reserve deputies to disperse peaceful protesters; would they rely on strong armed tactics and even violence; and she stated he sure sounded like he meant it. She mentioned Sheriff Ivey will not confirm or deny membership in the CSPOA, but his ties to the far right are clear; he served as an advisor to a group Protect America Now, itself associated with the hate group Federation for American Immigration Reform, as well as True the Vote, the organization responsible for the debunked propaganda film 2000 Mules and its claims of widespread election fraud; the Orlando Sentinel and Florida TODAY have repeatedly written editorial pieces warning citizens of Sheriff Ivey's ideologies; so far, these have fallen on deaf ears; his June 12 outburst went viral, and not in a good way; people the world over learned of his record of corruption, racial profiling, and



bribery; and the timing could not be worse as Florida is already being boycotted as a tourist destination around the globe. She stated Sheriff Ivey's remarks served to fuel this fire; while he has never been convicted of a crime, it is worth noting that he continues to act with impunity; as an Air Force veteran and independent voter, she respectfully asks the Board to heed their call for transparency and accountability; and the citizens of Brevard County deserve no less.

Richard Schuette commented he would like to add a few thoughts about Sheriff Ivey's statements in the video and irrespective of how people feel about him; his comments amounted to nothing short of a presumption of guilt by association with non-peaceful demonstrators such as many in Los Angeles; his remarks indicated to the world there would be no presumption of innocence nor due process here in Brevard County; he thinks that is actually a reflection on the Board of County Commissioners; he and his deputies would serve as judge, jury, and even executioner at the scene; and how ironic that the Sheriff made these statements just a day or two ahead of the No Kings rally. He noted Americans exercising their right to peaceful assembly is not breaking the law; in the event that a rally goer does commit a very real crime of throwing a soda can, water bottle, or rock in protest, yes, certainly, an arrest and due legal process should result; but that level of incident does not carry an immediate unchallenged death sentence, whether Sheriff Ivey thinks it should or not; he is reminded of the saying, "When your only tool is a hammer, every problem starts to look like a nail;" immediate intimidation tactics against nonviolent Americans raising their collective voices are not only morally reprehensible, but also a direct violation of the Sheriff's oath to protect and serve; the Governor has proclaimed this free State of Florida; peaceful and lawful demonstrations will and should be encouraged to continue in Brevard County as a means for Americans collective free voices to be heard; and he sincerely hopes that will be the case for Americans across the entire political spectrum. He stated America is still a democracy of the people, by the people, and for the people; it is not a police state; whether or not one personally agrees with the threats and promises in that video, Sheriff Ivey crossed that line; and at the very least, please consider issuing or requiring an official retracting statement.

## **PUBLIC COMMENTS**

Paul Lyal stated he is here today not just as a concerned citizen but as someone representing a growing nonpartisan group of residents who are paying close attention to how the County leadership chooses to wield its power, spend its funds, and represent its people; they recently addressed the Mayor of Melbourne regarding his support for the troubling rhetoric coming from Sheriff Wayne Ivey, rhetoric that starts with local leadership, but carries rippled effects far beyond a single city line; today he wants to bring that same concern to this Board; and this Board holds the purse strings, the oversight authority, and the responsibility to act in the interest of every Brevard resident. He remarked they are watching a dangerous erosion of transparency and public trust; when local officials use inflammatory language or proposed policies that stoke division or threaten civil liberties, the consequences do not stay confined to sound bites; they impact public safety, community cohesion, and even the economy; tourism is one of Brevard's lifelines; and yet, they risk damaging their image as a welcoming community when their leaders amplify rhetoric that alienates and intimidates. He stated what one says and does at the County level matters; today, they are asking this Board for real oversight, not rubber stamps; they are asking for budgets that reflect community priorities, not unchecked funding for individuals or departments without clear accountability; they are asking for leadership that recognizes the power of its voice and the weight of its silence; Brevard deserves leadership that puts people over power, service over slogans, and accountability over ego; and they are asking for the Board to either dock Sheriff Wayne Ivey's pay or consider recall.

### **L.2. Morris Richardson, County Attorney**

Morris Richardson, County Attorney, stated it is his anniversary today; since he got to spend the night with the Commissioners, he just wanted to give a shout out to his wife saying that he remains the luckiest man in Brevard County, Florida, America, and potentially the world.

Chairman Feltner pointed out it is Donna; and he asked how many years.

Attorney Richardson replied 19 years.

L.4 Tom Goodson, Commissioner District 2, Vice-Chair

Commissioner Goodson stated he would like to take a moment to honor Jack Ratterman who passed away last month; he was a constant presence on Merritt Island, always advocating for the betterment of his community that he loved; he served as a volunteer on many boards, Merritt Island Redevelopment Agency (MIRA), Historical Commission, District 2 Dredging Committee, and North Merritt Island Dependent Special District board; his dedication and spirit will leave a lasting impact; and he will be deeply missed.

L.3. Katie Delaney, Commissioner District 1

Commissioner Delaney advised she is blown away by the citizen's participation tonight; regardless of people's opinions, views, or whatever, she is just really glad that people are showing up and speaking; regardless of what ones topic is, that is why the Board is here, to listen; it is really encouraging; and she again expressed her appreciation to the speakers. She stated the Board had a month break, no Commission meeting for the month of June, but she was pretty busy; she wanted to give a shout out to the people who work at the Mims Water Treatment Plant; she had the opportunity to tour the facility; there were some major repairs that needed to happen; the people who work there every day are just incredible with what they do; she wanted to acknowledge and thank them for what they do; and Rudy and his team do a great job. She went on to say one of her campaign promises was to try to make her office more accessible, help information get out there easier to the public, and not make it so difficult to have to go through and read a thousand-page Agendas and things like that; when she first got elected, she attempted to talk to the County's Communications Department on some things that could maybe be done differently, but then she learned that was not the correct avenue; she decided to hire a part-time helper, Megan Moscoso, who is also a Titusville City Council Member; she is calling Ms. Moscoso a communications coordinator; and she also is helping in constituent relations, so basically any extra help she may need in the office and that sort of thing. She noted she has finally gotten everything organized, and she asked Logan to put the slide up; she expressed her appreciation to Don and his team for putting out the press release for District 1 so fast, and made it very easy to do that; not only is she keeping everything up-to-date on FaceBook, she started a Substack website; on that website she is putting up articles of things that are going on that are pertinent to District 1 that people care about; for instance, there are plates on Fay Boulevard, and there was a lot of community-engagement around that issue; she went to staff to see what could be done about these plates; basically, she just put it in an article to let everyone know what the plan is, why the plates have been there for so long, and so on and so forth; she just wanted to put this information out there, because she knows a lot of people at home are watching these meetings; and she wants to make sure that people are staying connected, informed, and that they are able to find her, so she put all of her information on there, her office number, and her email. She pointed out this is one of her campaign promises, and she is happy that it is another one she can check off; she is going to continue putting out information, so people do not have to dig so hard to find the information that they care about; and she expressed her appreciation to her team and the County staff that has helped along the way as well.

L.7. Rob Feltner, Commissioner District 4, Chairman

Chairman Feltner expressed his appreciation to the gentlemen who come to every meeting to

keep everyone safe, the lieutenant and sergeant who are here tonight from the Sheriff's Office.

Upon consensus of the Board, the meeting adjourned at 9:12 p.m.

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