

# **Brevard County Board of County Commissioners**

*2725 Judge Fran Jamieson Way  
Viera, FL 32940*



## **Minutes**

**Tuesday, August 12, 2025**

**5:00 PM**

**Regular**

**Commission Chambers**

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

Rollcall

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

**C. PLEDGE OF ALLEGIANCE: Commissioner Tom Goodson, District 2**

Commissioner Goodson led the assembly in the Pledge of Allegiance.

**D. MINUTES FOR APPROVAL: July 3, 2025 Special Meeting; July 17, 2025 Zoning Meeting**

The Board approved the July 3, 2025, Special meeting minutes and the July 17, 2025, Zoning meeting minutes.

**Result:** APPROVED

**Mover:** Katie Delaney

**Second:** Thad Altman

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

**E.1. Resolution, RE: Aging Matters in Brevard's 60 Year Anniversary - District 1**

Commissioner Delaney read aloud, and the Board adopted Resolution No. 25-067, recognizing Aging Matters of Brevard for 60 years of distinguished service to the citizens of Brevard County.

Dr. John Potomski stated on behalf of the Brevard County Commission on Aging, he would like to extend their congratulations to the former Community Services Council and now Aging Matters in Brevard for 60 years of dedicated service to the seniors of Brevard County; not only congratulate them, but also thank them for all they do every single day for the seniors; with the Meals on Wheels Program, as mentioned, in addition to all the other things that they do, they are providing the basic nutrition and basic medicine for all these elders; and he will turn it over to Tom Kammerdener, President and CEO, to provide a little more information.

Tom Kammerdener stated in his role he serves as a member of the Brevard Commission on Aging; on behalf of Aging Matters of Brevard, the Board of Directors, its professional staff, hundreds of volunteers, and the thousands of seniors that have been served since it first launched in 1965, they all express their appreciation to the Board for this proclamation, it means a great deal to them all; on July 1, they kicked off their new champions initiative; on October 30, at the Champions Breakfast launch event that initiative will take flight; as they prepare for launch, they are looking back to remember the champions who made all that has been done possible; among those champions are this Board and the Boards who preceded this one, who had the foresight to support the mission and keeping pace with Space Coast seniors, keeping them home, independent, safe, healthy, and with quality of life for as long as possible; and in this proclamation it was mentioned the Board's desire to celebrate the enormous contributions of businesses that substantially contribute to the economic vitality of Brevard County, this is a business that is in the business of saving money. He continued by saying Donald, a 92-year old in critical need of Meals on Wheels, lives in Brevard County; Donald is homebound, has advanced dementia, and while his family can assist him, they have extremely limited resources; Donald was on the verge of moving into a nursing home, why, because Donald, along with 21 others in critical need, were on the Meals on Wheels wait list that has

330 seniors on it, with 22 in most critical need; without champions like this Board, the Space Coast Meals on Wheels wait list will double by this time next year, why, because Federal, local, and State funding no longer keep up with the growing cost of food and transportation, and the silver tsunami that is flooding into Florida; it is time for new champions like Shari Tabat of Remax Space Coast, who heard they were starting their Adopt a Senior Program to drive down the Meals on Wheels wait list, starting with Donald and other seniors in critical need; and she donated \$2,000, the cost to feed one senior for a full year, and now Donald can stay in his home. He went on to say consider this, if Donald instead went into a nursing home, it would cost \$340 per day on average, so in less than one week, the cost could exceed the \$2,000 it took to keep his family and Donald safe in his home, independently healthy, and safe in his home with a better quality of life; Commissioner Katie Delaney met them recently at the Titusville Chamber and in that setting, they were looking to set up a Meals on Wheels delivery drive along route; that is being worked on now because she is going to come and drive and see what they do; they would invite each of the Commissioners to do the same so they can meet some of the seniors that they champion; in closing, they invite the Board to share their vision of the future that Brevard County will be an example to the nation of how to treat citizens as they age and to do that they are going to need all of the Board to help continue to champion for the Space Coast seniors, to go well beyond the next 60 years; and he expressed his appreciation to the Board.

**Result:** ADOPTED

**Mover:** Katie Delaney

**Seconders:** Thad Altman

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

**F.1. Approval RE: Correctional Impact Fees Technical Advisory Committee for Brevard County Detention Center (District 1-5)**

The Board approved the disbursement of \$3,458,670 in Correctional Impact Fees in accordance with the recommendations prepared by the Correctional Impact Fee Technical Advisory Committee; and authorized the County Manager to execute all necessary budget amendments.

**Result:** APPROVED

**Mover:** Tom Goodson

**Seconders:** Katie Delaney

**F.2. Approval, Re: Resolution Designating a Portion of County-Owned Parcel Identification Number 27-36-22-00-1 as Right-of-Way - District 5.**

The Board executed and adopted Resolution No. 25-068, designating a portion of the County-owned parcel to be designated as right-of-way pursuant to Section 336.08, Florida Statutes.

**Result:** ADOPTED

**Mover:** Tom Goodson

**Seconders:** Katie Delaney

**F.3. Approval, Re: Resolution and Underground Easement (Business) from Brevard County to Florida Power and Light Company for the benefit of Lift Station V-15, as part of the Save Our Indian River Lagoon Zone M Milford Point Septic to Sewer Conversion Project - District 2.**

The Board executed and adopted Resolution No. 25-069, authorizing the conveyance of Real

Property Interest by the County; and approved and executed the Underground Easement (Business) from Brevard County to FPL for the benefit of Lift Station V-15, as part of the SOIRL Zone M Milford Point Septic to Sewer Conversion Project.

**Result:** ADOPTED

**Mover:** Tom Goodson

**Second:** Katie Delaney

**F.4. Approval, Re: Amended Purchase Agreements and Addendums to Purchase Agreements for a Portion of County Owned Parcels 110 and 112, and Amended County Deeds and Resolutions for Parcel 100, 101, and 109 all Related to the Florida Department of Transportation (FDOT) Facility Improvement Project 4074023 State Road 528 East from East of State Road 524 (Industry) to East of State Road 3 - District 2.**

The Board approved and authorized the Chairman to initial page two of the attached Purchase Agreements; approved and executed the Addendums to the Purchase Agreements; adopted and re-executed Resolution Nos. 25-070 and 25-071 and County Deeds; approved and authorized the Interim County Manager, or County Manager, to execute all subsequent agreements, upon approval from the County Attorney's Office and Risk Management; and approved all project-related documents to ensure timely delivery and responsiveness on FDOT's Facility Improvement Project for State Road 528 East of State Road 524 (Industry) to East of State Road 3.

**Result:** ADOPTED

**Mover:** Tom Goodson

**Second:** Katie Delaney

**F.5. Consideration and Approval of Proposed Consent Order Issued by Florida Department of Environmental Protection (FDEP) Regarding Certain Activities Conducted by the County to Improve Drainage within the Pelican Creek Outfall/Old Causeway Outfall (the Old Causeway Outfall ditch) (District 2)**

The Board considered and approved the proposed consent order issued by FDEP regarding certain activities conducted by the County to improve drainage within the Pelican Creek Outfall/Old Causeway Outfall (the Old Causeway Outfall Ditch); and authorized the Public Works Director to sign the consent order and any necessary amendments or related documents thereto, subject to review and approval by the County Attorney's Office and Risk Management.

**Result:** APPROVED

**Mover:** Tom Goodson

**Second:** Katie Delaney

**F.6. Approval to Submit for Florida Department of Environmental Protection (FDEP) Grants for South Beaches Wastewater Treatment Plant (WWTP) Projects (District 3).**

The Board approved and authorized the Brevard County Utility Services Department to apply for FDEP grants and use matching funds for: South Beaches 2nd Deep Injection Well (\$10 million), and South Beaches 6 Millions of Gallons per Day (MGD) Advanced Wastewater Treatment (AWT) Conversion (\$10 million).

**Result:** APPROVED

**Mover:** Tom Goodson

**Seconders:** Katie Delaney

**F.7. Approval, Re: Resolution and Lease for the North Brevard Senior Center, Inc. located at 909 Lane Avenue in Titusville, Florida (District 1)**

The Board executed and adopted Resolution No. 25-072, allowing the non-competitive lease of County property located at 909 Lane Avenue in Titusville, Florida, which was developed to serve the recreational, social, and wellness needs of Brevard County's senior population, to the North Brevard Senior Center, Inc.; executed and approved the Lease Contract for the North Brevard Senior Center, Inc., located at 909 Lane Avenue in Titusville, Florida; and authorized the Parks and Recreation Director to execute the agreement, renewals, modifications, and amendments upon approval of the County Attorney's Office and Risk Management.

**Result:** ADOPTED

**Mover:** Tom Goodson

**Seconders:** Katie Delaney

**F.8. Approval, Re: Resolution and Lease space for the Martin Andersen Senior Center, Inc. located at 1025 South Florida Avenue in Rockledge, Florida (District 2)**

The Board executed and adopted Resolution No. 25-073, allowing the non-competitive lease of County property located at 1025 South Florida Avenue in Rockledge, Florida, which was developed to serve the recreational, social, and wellness needs of Brevard County's senior population, to the Martin Anderson Senior Center, Inc.; executed and approved the Lease Contract for the Martin Anderson Senior Center, Inc., located at 1025 South Florida Avenue in Rockledge, Florida; and authorized the Parks and Recreation Director to execute the agreement, renewals, modifications, and amendments upon approval of the County Attorney's Office and Risk Management.

**Result:** ADOPTED

**Mover:** Tom Goodson

**Seconders:** Katie Delaney

**F.9. Approval, Re: Resolution and Lease to Wickham Park Senior Center, Inc. located at 2785 Leisure Way, located in Melbourne, Florida (District 4)**

The Board approved and adopted Resolution No. 25-074, allowing the non-competitive lease of County property located at 2785 Leisure Way, Melbourne, Florida, which was developed to serve the recreational, social, and wellness needs of Brevard County's senior population, to the Wickham Park Senior Center, Inc.; and approved and authorized the Parks and Recreation Director to execute the agreement, renewals, modifications, and amendments, upon approval of the County Attorney's Office and Risk Management.

**Result:** ADOPTED

**Mover:** Tom Goodson

**Seconders:** Katie Delaney

**F.10. Approval, Re: East Coast Zoological Society Aquarium Groundbreaking Deadline Extension**

The Board approved an extension of the construction groundbreaking deadline of the East Coast Zoological Society Aquarium (aka The Bowen Aquarium) to April 30, 2026; further, based on the facts specified for each grant, by approval of this Agenda Item, the Board will make the legislative finding that Tourist Development tax funds are authorized for capital grants pursuant to Section 125.0104(5)(a)3, Florida Statutes, and Section 102-119(3)(a), (5)a, and (6)a of the Brevard County Code of Ordinances, as the tourist-oriented capital grant has as one

of its main purposes the attraction of tourists, and the entity and the Space Coast Office of Tourism both intend to ensure marketing and promotion of this facility to tourists; approved authority for the Tourism Development Office Director to negotiate and sign all necessary agreements, addendums, and related documents upon County Attorney's Office, Risk Management, and Central Services approval; and authorized the County Manager to execute necessary Budget Change Requests.

**Result:** APPROVED

**Mover:** Tom Goodson

**Second:** Katie Delaney

**F.11. Approval, Re: Advance the purchase one (1) Sutphen SPH 100' Aerial Platform Ladder Truck.**

The Board approved the advanced purchase of one (1) Sutphen 100-foot Aerial Platform Ladder Truck; and authorized the County Manager to approve Budget Change Requests (BCRs) and other administrative actions required to complete the purchase as necessary.

**Result:** APPROVED

**Mover:** Tom Goodson

**Second:** Katie Delaney

**F.12. Resolution approving the issuance by Brevard County Housing Finance Authority of Multi-Family Housing Revenue Bonds (Cocoa West Apartments Project), in an amount not to exceed \$80,000,000**

The Board approved and adopted Resolution No. 25-075, allowing the Brevard County Housing Finance Authority to issue multi-family housing revenue bonds to finance the acquisition, construction, equipping, and development of the Cocoa West Apartments Project.

**Result:** ADOPTED

**Mover:** Tom Goodson

**Second:** Katie Delaney

**F.13. Memorandum of Agreement with DR Horton, Inc. re: The Pines**

The Board approved and authorized the Chairman to execute Memorandum of Agreement (MOA) with DR Horton, Inc. regarding The Pines development in the City of Melbourne.

**Result:** APPROVED

**Mover:** Tom Goodson

**Second:** Katie Delaney

**F.14. Appointment(s) / Reappointment(s)**

The Board appointed/reappointed Neal Johnson to the Planning and Zoning Board, with said term to expire December 31, 2026; Brooke Bothun and Maggie Lewis to the South Brevard Parks and Recreation Advisory Board, with said terms to expire on August 11, 2027; and Brian Germain, Kelly Kervin, and Denise Rich to the South/Central Brevard Public Library Advisory Board, with said terms to expire on August 11, 2027.

**Result:** APPROVED

**Mover:** Tom Goodson

**Second:** Katie Delaney

**F.15. Bill Folder**

The Board acknowledged receipt of the Bill Folder.

**Result:** APPROVED

**Mover:** Tom Goodson

**Second:** Katie Delaney

**F.16. Request of \$725,000 for the General Special Election that will be reimbursed by the Department of State**

The Board approved request for funds in the amount of \$725,000 to cover the expenses to hold the June 2025 General Special Election, which funds will be reimbursed by the Department of State once all documentation submitted is reviewed.

**Result:** APPROVED

**Mover:** Tom Goodson

**Second:** Katie Delaney

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

Reverend Johnnie B. Dennis stated he is the President of the National Action Network in Cocoa, Florida; he is also a Navy combat veteran, retired; he is here today to speak on the lies and racism of a County government; he has been at this podium for the last 15 years; when the Board sees him, then there is a serious issue going on in West Cocoa; it is a 99 percent black community and they pay the same amount of money that everybody else does, but they receive no service for their money; he was in the County Manager's Office seven months ago about the Grade haul because the last storm they had, because no one was cleaning those ditches out, he had water in his livingroom, and ruined his carpet; to prevent that he had to bring the news in on it; but they started bringing in the Grade haul out once per year to dredge those ditches, so when they get excessive rain they do not get any flooding; and he was at the County Manager's Office seven months ago and he had to call in four other times before he got a response. He commented the response he got was from the streets and highway supervisor, which told a lie about the Grade haul was going to be in another neighborhood for about two months; that was seven months ago; he called Ms. Delaney's Office one time and was asked if he wanted to make an appointment; he said no, just let her know that the West Cocoa needs that Grade haul out there to dredge these ditches; once she gets a chance he would like for her to call him so they can do a ride around in West Cocoa; he reiterated it has been seven months and the Grade haul has not shown up yet; he has seen it in Levitt Park, he saw it on Eyster, he saw it on Pluckebaum cleaning out the fish ponds; the last time they had the storms out there and the water came into his livingroom and ruined his carpet, he calls that a loss because the carpet was old, but if it happens again, he is going to have to take some kind of action; and what he is saying is this community pays the same amount of taxes as everybody else does and they are not receiving the services. He noted it has been seven months and the Grade haul has not showed up yet; he sees it everywhere; he sees it in ditches that do not even need cleaning out today; he knows Commissioner Delaney is new, but he asked her to give him a call the first chance she gets and they can do a ride around.

Commissioner Delaney advised she would be happy to.

Commissioner Goodson asked if Eyster and Levitt Park would be in Rockledge.

Tad Calkins, Assistant County Manager, responded affirmatively.

Commissioner Goodson asked if that would be a Rockledge Grade haul or a County Grade haul.

Mr. Calkins advised he believes that would be a Rockledge Grade haul maintaining...

Commissioner Goodson asked how many Grad hauls the County has.

Reverend Dennis interjected by saying one.

Mr. Calkins advised he would have to ask Marc Bernath, Public Works Director.

Reverend Dennis commented to go ahead and ask him.

Commissioner Goodson asked if there are three; and how many miles of ditches the County has to clean with three Grade hauls and the walking excavator.

Mr. Bernath advised there is approximately 1,000 miles of ditches and swales combined.

Commissioner Goodson stated in reference to Reverend Dennis, Pluckebaum, Burnett Road, and inquired if that is in his neighborhood.

Reverend Dennis replied yes, they were out there with the Grade haul cleaning the fish pond out; the fish pond does not flood, but the ditches behind Catalina, there are three ditches over there that are a problem; he lives on Catalina, but the houses behind it, if they are dredged out at least once per year, when they receive two or three weeks of rain, like that storm, the water comes out of the ditches and it is four-feet deep in the streets; ones car will float down the road; and they do not want that to happen again.

Commissioner Goodson stated he understands.

Reverend Dennis noted he would like the County to come out once per year and do it because they pay the same amount of money that everybody else does.

Commissioner Goodson reiterated that he understands. He asked how the County rotates, for example Mr. Dennis' neighborhood, would it be once or twice per year.

Mr. Bernath stated it depends on the number of ditches within each District, how much equipment, how many resources he has, and then they try to prioritize based on whether or not they are similar to roads, collector ditches, or just local ditches; historically, there are ditches within the County that do not get maintained or had not been maintained for 10, 20, or 30 years; staff is doing much better, where on average it is one to three years; and he would have to look into this specific issue to be able to answer for this particular ditch.

Commissioner Goodson stated he knows maybe two or three years ago the County did a lot of work at Stratford and Range Road, then did work down Clearlake, the ditch crosses back over I-95 and goes out to the river; and he asked if that is correct.

Mr. Bernath agreed.

Commissioner Goodson continued by saying with this particular situation, can Mr. Bernath do some research and get back to the Board to his problem.

Mr. Bernath replied absolutely.

Commissioner Goodson asked what fish pond Mr. Dennis was referring to.



Reverend Dennis advised it is the one on Pluckebaum in the new \$300,000 homes; where he lives at there are \$200,000 homes; they are cleaning the fish pond out; the fish pond does not overflow; and he has been living out there for 16 years.

Commissioner Goodson asked if that would be a Rockledge pond.

Reverend Dennis noted it is.

Commissioner Goodson pointed out that is not the County, it would be Rockledge.

Reverend Dennis noted that is right; when he called the County, streets and bridges, they say they only have one Grade haul; and they have got to be kidding.

Commissioner Goodson commented that has been resolved, there are three and there is a walking mucker, or whatever it is called.

Mr. Bernath noted there are several Kaisers, but they are assigned to different Districts.

Commissioner Goodson asked if Mr. Bernath is going to get back to the Board on Reverend Dennis' problem and let it know when it is scheduled or something like that, or when it was done last.

Mr. Bernath replied he just received a text and he apologizes, there are 12 Grade hauls and five Kaisers; on average outfalls are cleaned once to twice a year; collectors are three to five years; but he will look into this specific issue.

Commissioner Goodson stated he would also like Mr. Bernath to tell the Board how many miles per day they get when cleaning a ditch; he does not know if it is two or 10; but he would like to know that.

Mr. Bernath replied, okay.

Reverend Dennis stated he has one more thing, when the Grade haul comes out to clean those three problem ditches out in his community in West Cocoa, it takes about four days.

Commissioner Goodson asked if they do a good job.

Reverend Dennis replied in the affirmative; and he stated if they clean it once a year, there is no flooding.

Commissioner Goodson asked again, if they do a good job.

Reverend Dennis noted yes they do when they show up.

Jesse Wright stated he is the developer and sponsor for the Titusville Resort and Destination at 3550 South Washington Avenue; he wants to thank the Board for the grant that it approved for \$2.4 million; he thinks they are going to go for the first trench of \$800,000 so they can move on to getting the infrastructure done; what the Board is looking at is a packet that he has created; he has gone to the City of Titusville as far as getting to the environmental commission there that unanimously agreed and approved that the City of Titusville should be involved in the leak that has been coming from Cumberland Farms since 1983; and he has not been able to get

anyone to listen to the issue that he has that is the contamination that is existing in the portion of the property nearly about almost half of it, almost five acres. He explained as the Board can see on the second page, the groundwater tab is around 3.5; this means that the contamination has been moving towards the Lagoon; Florida Department of Environmental Protection (FDEP) of course is the responsible party and one can see the communication between himself and them, which is not really that nice or polite; that is the only way he can get their attention; nevertheless, he is pleading to this Board to see if the County can be involved; this contamination right now is hurting the businesses there as well; they still have about 23 tenants in the existing mall that is about 112,000 square feet; there are kids that go to Jazz and Ballet, and that business has been there for about 20 years; some of the Board may know the mall, prior to him demolishing about 168,000 square feet of it; and this has been a battle between him and FDEP for a very long time. He went on to say he had purchased the property in February 2018, and all he has done so far is just keep giving them access for monitoring; this has been nothing but just watching the paint dry; this is the second phase fortunately, but nevertheless, they are still going to be developing this property, 22 acres, and 10 acres of it is not usable; he has tenants there and they have not done any sort of Organic Vapor Analyzers (OVA) of the gas coming out of the ground; they have not done anything about the residents possible contamination; when the residents do not see what is going on below the ground, obviously they are not being notified; and that is the reason he is there tonight.

Commissioner Goodson inquired if Mr. Wright has contact FDEP about the gas leaks.

Mr. Wright replied he has, and they have been nonresponsive.

Commissioner Goodson asked if he has contacted the local State Representative for help.

Mr. Wright answered yes, the Commissioner can see the emails going back and forth between everyone.

Commissioner Goodson asked what the State Representative did for Mr. Wright.

Mr. Wright informed him the State Representative did nothing; the copy of his email, basically he has looked at this and it still needs monitoring; and they have been the worst referee that he has ever seen.

Commissioner Goodson asked if Titusville has helped.

Mr. Wright advised he just spoke with the Mayor and as one can see, he was going to go to the City of Titusville council meeting and was told not to come there just come to this Board.

Commissioner Goodson asked if that is in the Board's jurisdiction.

Jim Liesenfelt, Interim County Manager, stated this is the fuel tank monitoring program and the County handles that for the City of Titusville; and Amanda Elmore, Natural Resources Management Deputy Director is there and Tad Calkins, Assistant County Manager, knows a little bit as well.

Commissioner Goodson commented then the County is aware of this.

Mr. Liesenfelt responded in the affirmative, and stated one can see part of his edited email in the response.

Mr. Wright asked the Board to please look at the last two or three pages, he has highlighted the areas that this has been approved unanimously by the Titusville Environmental Commission (TEC); he understands the City is not going to be respecting their unanimous approval; and he is literally begging that the County be involved.

Commissioner Delaney stated she has a question for staff; and she asked what exactly is the Board's Power and responsibility in this situation.

Amanda Elmore, Natural Resources Management Deputy Director, stated this is part of the County's delegated program from the State; local program manager, Tina Swanson, has been working on this site for years; there have been many meetings between DEP, Mr. Wright, Cumberland Farms, and all of the attorney's involved; the path that was chosen years ago is natural attenuation and watching to see when those remediation levels are achieved; the County waits for the data to come in from the Cumberland Farms consultant, review it, which they just received another quarterly monitoring data, and Ms. Swanson coordinates with DEP on whether or not that meets those target levels and whether or not the County can release the site with a "no further action"; to date they have not been able to do that, but she was having conversations as recently as today, with DEP to see whether or not this site reaches those levels; but that is the County's role, the go-between with DEP.

Mr. Wright stated with all due respect, they keep coming closer and closer to the phase one, closer to the tenants that he has there, and this is the issue, it has been going on seven years; this leak is coming in from 1983 and the fact is if FDEP says that it is since 2004, that is not true, it is a total lie; he has asked for documentations that Cumberland Farms should have been given to them, and they lost the records, they do not have any of the records except for maybe two or three pages; and that is in 2010.

Mr. Liesenfelt advised Mr. Wright sent him an email last month; he sat down with Ms. Swanson, Ms. Elmore, and Mr. Calkins; part of the attachment that Mr. Wright sent him was he went to Representative Mike Haridopolos' office and the letter he actually attached to it was sent on to the Federal Environmental Protection Agency (EPA) and the EPA agreed with what DEP and the process the County is following right now; and that is not in the attachment that was provided by Mr. Wright. He noted therefore, other outside people have looked at what the County is doing and agree with the monitoring and providing what is in the reports is appropriate and proper.

Mr. Wright commented monitoring since 1983.

Commissioner Delaney asked if this monitoring is prohibiting further development of this site.

Ms. Elmore replied no; and she explained from what she understands, he can proceed with phase development right now.

Commissioner Delaney commented she would guess the City of Titusville would be permitting this; and she asked if they were to permit for phase two that there would be nothing holding this project back.

Ms. Elmore reiterated it is her understanding that there is not.

Mr. Wright interjected by saying that is not quite true because he had to go around the contaminated area and actually put water lines all around it; and that went against the site plan they had approved.

Mr. Calkins advised the Board there are two options that Mr. Wright has, or Cumberland Farms, that could be involved in this; one of them is the monitoring aspect that they have been following; the other is they could actively mitigate the plume, remove it, and fill it in, and that has not happened; and he just wants the Board to understand that there are two different resolutions.

Chairman Feltner stated just for his own clarification, an old gas tank that can be filled in with sand.

Morris Richardson, County Attorney, commented plume from an old tank.

Mr. Wright stated if this was in California it would have been taken out within days.

Commissioner Delaney asked who would be responsible for taking out and filling in this land.

Ms. Elmore stated on Mr. Wright's side it would be Mr. Wright and Cumberland Farms, if Cumberland Farms was doing something additional, it would be Cumberland Farms; those mitigation options were discussed years ago and she believes with Mr. Wright, even before the purchase of the property; she was not involved in those conversations, but he is right, there has been quite an extensive history on this site; the Agreement, she believes with Mr. Wright's attorneys and with Cumberland Farms was this monitoring path; it is a longer path than actively mitigating the plume; but that was the path that was chosen. She noted that does not mean they cannot choose a different path now or at any point from when those discussions commenced prior to the purchase of the property.

Commissioner Delaney asked if the polluters are not liable for the damages to Mr. Wright's property.

Ms. Elmore stated she cannot speak to who has liability and those civil matters, she can only speak to how it can be cleaned up or monitored, the different paths that can be taken as the delegated programmer or the local program.

Mr. Wright stated this is not just about his site, there are people who live around the property and they have rights as well; he is not asking the Board to just help him, but to certainly bring this to their attention; and the next thing he will do is a petition of all the neighbors because he does not think they know what is going on.

Commissioner Delaney inquired, with the County being in charge of the monitors, does it have any responsibility to alert the neighbors.

Ms. Elmore advised it is a known contaminated site...

Mr. Wright interjected by saying not for the neighbors.

Ms. Elmore continued by saying the County's responsibility is to review the data and issue a "no further action" if it can; so far they do not have the data to do that; there is no data support to issue that letter; and she knows that is what Mr. Wright would like.

Chairman Feltner stated he sees a meeting in Mr. Wright's future with Commissioner Delaney.

Gerhard Claasser stated this morning he received a letter from the County saying, "Dear

business owner, Brevard County is in the process of developing an industrial pre-treatment program in accordance with Rule 62-65-500 Florida Administrative Code. The goal of this program is to help protect the environment, public safety, and the safety of our wastewater treatment employees by identifying and working with non-residential users to that discharge to the Brevard County Utility Service System.”; and he asked why the County sent him this letter, now. He continued by saying he understands it says this is for public safety, environmental help, but that is a very broad group; and he asked what prompted the County to send him this letter.

Eddie Fontanin, Utility Services Director, explained going through an industrial pretreatment program to establish one, they go through an analysis of commercial industrial sites; and if his site was one of them, it is just a protocol, nothing more.

Mr. Claasser stated maybe he is not making himself clear; he is trying to understand why did this happen now; and he asked if there was something that prompted the County to this.

Mr. Fontanin advised there was one sent out for South Central and one for Sykes Creek; they do not currently have an industrial pretreatment program; for staff to go through and establish one, which is a State requirement in order for them to do so now, they have to go through the steps in order to establish it; and Mr. Claasser receiving that survey is one of probably 300 that were sent out per the service area that meets the criteria of warranting them to receive one.

Mr. Claasser stated he understands he is not the only person; and what he is trying to understand is this the first step in this process.

Mr. Fontanin advised it is one of the first steps.

Mr. Claasser commented if the County is going to look for contaminants in the wastewater would it not be a better idea to start at the wastewater plant and see what is in the water and work back from there, instead of burdening him with an 18 page...he makes tea and puts water down the drain; he has to spend a whole day to do this; and he is not done yet.

Mr. Fontanin explained staff goes through, there are five steps currently underway in establishing an industrial pre-treatment and looking at the threshold of the treatment plan is currently one of them.

Mr. Claassen commented he understands the County is looking at what is actually in the pre-treatment plant; and he asked if that is correct. He went on to inquire if it would be logical to start at the end to see what stuff is in the water that they do not want there, and see who could possibly provide that; he reiterated he makes tea; he does not place anything solid down the drain; and everything that goes down his drain is smaller than one micron.

Chairman Feltner asked if this is a survey.

Mr. Fontanin noted it is a survey; the process to go through industrial pretreatment is dictated by Florida Statute; it is very specific on what steps have to be taken and what time frame; staff is following it and coordinating with Florida Department of Environmental Protection (FDEP) throughout; and this is not a process where staff is just creating its own process in establishing this.

Chairman Feltner noted staff is following State statute today; he understands from staff that it is just a survey at this point; and they are just collecting data.

Mr. Claassen stated he understands; but it is an 18-page survey which includes him testing his effluent.

Chairman Feltner asked Mr. Claassen to leave his information and the Board will find out if there is less or more that he needs to do.

Mr. Claassen commented he is not done; to test his effluent he needs to find a lab that can do it; then find a way to get into his wastewater; he is just one single unit in a big building; then he must find a way to get into the wastewater and then get somebody to come and do that testing; then he has to wait for the results; and the County wants this back on September 10, 28 days from now.

Commissioner Delaney asked if this is required for the business owners, and is this businesses being asked.

Mr. Fontanin responded affirmatively.

Commissioner Delaney inquired if it is required for them to do this survey.

Mr. Fontanin advised it is part of the data collection; staff sends it out; it demonstrates to the State that they are doing this; in addition, there was a cover letter that came with it; they have been receiving a lot of good questions where they have staff walking people through it; staff tries to help them through with regards to survey because it has to be approved by FDEP before it gets released; and whatever the number of pages are is what FDEP is saying is necessary.

Mr. Liesenfelt advised he has Mr. Claassen's contact information so he will get somebody to help him work through this survey and whether or not he needs to fill out the whole amount.

Chairman Feltner noted that is the best the Board is able to do tonight.

Mr. Claassen commented not only did he waste his whole day, he is going to have more time wasted by talking to somebody with the County on top of that; he says wasted in the sense that he is a small business and he literally does everything; and if he does this, he cannot do his work.

Chairman Feltner explained staff is going to do their very best to help him with that; but it sounds like he needs to do this survey.

Mr. Claassen asked if the survey went out to every business in Brevard County, or did staff decide some businesses and some not.

Mr. Fontanin stated staff went through and looked at business tax receipts in order to establish which businesses would meet that criteria; they share this information with FDEP; they go through their analysis; and then FDEP approves the County on the list that is sent out.

Mr. Claassen commented he is assuming the more extensive the list, the less likely they will miss somebody.

He mentioned he makes tea, nothing else.

Chairman Feltner noted to make sure staff has his contact information.

**H.1. Petition to Vacate, Re: A portion of a public utility and drainage easement - Plat of “Shady Villas Unit No. 2”, Plat Book 21, Page 85 - Mims - Timothy and Christine Meister - District 1**

Chairman Feltner called for a public hearing on request by Timothy and Christine Meister for a petition to vacate a portion of a public utility and drainage easement, plat of “Shady Villas Unit No. 2”, plat book 21, page 85, located in Mims, Florida.

Marc Bernath, Public Works Director, stated this Item is a petition to vacate a portion of a public utility and drainage easement in Shady Villas; it is located in District 1; the petitioner is requesting the vacating of a portion of a public utility and drainage easement to allow an existing garage to remain; and he has received no objections.

There being no comments or objections, the Board adopted Resolution No. 25-076, vacating a portion of a public utility and drainage easement in Shady Villas, located in district 1, as petitioned by Timothy and Christine Meister.

**Result:** ADOPTED

**Mover:** Katie Delaney

**Seconders:** Kim Adkinson

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

**H.2. Petition to Vacate, Re: A portion of a public utility and drainage easement - Plat of “Brandywine North”, Plat Book 37, Page 65 - Titusville - Wayne Herring Family Trust - District 1**

Chairman Feltner called for a public hearing on request by Wayne Herring Family Trust for a petition to vacate a portion of a public utility and drainage easement, plat of “Brandywine North”, plat book 37, page 65, located in Titusville, Florida.

Marc Bernath, Public Works Director, stated this is a petition to vacate a portion of a public utility and drainage easement; it is located in Brandywine North; it is located in District 1; the petitioner is requesting to vacate a portion of the public utility and drainage easement to allow for the screened pool to remain; and there are no issues and no objections.

There being no comments or objections, the Board adopted Resolution No. 25-077, vacating a portion of a public utility and drainage easement, in Brandywine North, located in District 1, as petitioned by the Wayne Herring Family Trust.

**Result:** ADOPTED

**Mover:** Katie Delaney

**Seconders:** Thad Altman

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

**H.3. Brevard County Code of Ordinances Chapter 94 - Solid Waste**

Chairman Feltner called for a public hearing to consider adopting the amendments to Brevard County Code of Ordinances, Chapter 94, Solid Waste.

Tom Mulligan, Solid Waste Management Director, stated staff is requesting the Board adopt amendments to the Brevard County Code of Ordinances, Chapter 94, Solid Waste; in July

2024, the Board adopted some amendments to the ordinance and in doing so, inadvertently had omitted certain portions of certain Sections; and tonight's proposed amendments are to replace those omitted portions.

Rick Heffelfinger stated he is probably a little late for this but he just recently had conversations with Waste Management; garbage is kind of his thing; his cans that he uses for yard debris are garbage cans and they are pretty beat up; he just learned that the Waste Management can pick those up with a machine if it is one of those bar type carts; the problem is the carts that they say they will approve is only 40 gallons; he had some conversations about if he could get the bigger one and it was like, well Waste Management says 40; and he would like to see that increased in size because 40-gallon, he is not going to buy three of them, and the economy of scale when buying a bigger one. He noted it is leaves and branches, not heavy stuff; he talked to the garbage guys and said he had no idea they had a hook on the back and could pick that up, because he has to replace these because the bottoms are falling out; he does not know if it is too late for a revision, they would probably have to talk to Waste Management to negotiate that into the Contract; but he does not think anybody sees a problem but he is not going to buy big cans and have somebody tell him they are too big for the contract, because that is what people do. He reiterated he would like to see that increased in size at least to the size of cans that are used for the garbage and recyclables. He added for \$100 one can get a good size one and for \$90 one could get the 40-gallon, so double the size for pennies on the dollar.

Chairman Feltner asked if there has been any talk of containerizing yard waste any time soon.

Mr. Mulligan advised he has a meeting with Waste Management on Monday and he can bring that into the discussion.

Chairman Feltner noted he knows that is something they would like to do.

Mr. Mulligan stated in terms of Mr. Heffelfinger and his 40 gallons, that is also part of the Ordinance and could not be changed in a quick amendment this evening, but he can look into making that happen.

Commissioner Delaney stated for the future she would be interested in that coming back to the Board.

There being no further comments or objections, the Board held a public hearing and adopted Ordinance No.

25 14, amending Chapter 94 of the Code of Ordinances of Brevard County, Florida, specifically amending Chapter 94, Section 94-1, Definitions, to replace omitted definitions; amending Section 94-4, Enforcement, Penalties, to replace omitted paragraphs 3, 4, and 5; amending Section 94-47, Residential Solid Waste Receptacles, Improper Receptacles, Collection Point to replace omitted paragraph (C); amending Section 94-76, Construction, Demolition, Landclearing Debris to replace omitted paragraphs (C) and (D); providing for conflicts; providing for severability; providing for inclusion into the Code of Ordinances; and providing for an effective date.

**Result:** ADOPTED

**Mover:** Kim Adkinson

**Second:** Katie Delaney

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

#### **H.4. Adoption, Re: Solid Waste Special Assessments, Fees and Charges and**



## **Ratification, Confirmation and Certification of the Solid Waste Special Assessment Rolls.**

Chairman Feltner called for a public hearing to adopt Solid Waste special assessments, fees and charges, and ratification, confirmation, and certification of the Solid Waste Special Assessment Rolls.

Tom Mulligan, Solid Waste Management Director, stated staff is requesting the Board adopt three rate resolutions; the first is the annual Solid Waste Disposal Special Assessment Rate Resolution that reflects a 4.16 percent increase according to the Consumer Price Index (CPI) for garbage and trash; adopting the Solid Waste collection recycling special assessment Rate Resolution that reflects a three percent increase which is both, according to the Contract and Board approved; and the special rates and gate charges resolution that is being modified to reflect the definitions to match Ordinance 94 and it also has a 4.16 percent increase according to the CPI for garbage and trash; and staff is also requesting the Board ratify, confirm, and certify the annual disposal collection and recycling special assessment rolls to the Brevard County Tax Collector.

Chairman Feltner advised he needs four motions.

Mr. Mulligan explained it can actually be done in one motion.

There being no further comments or objections, the Board adopted Resolution No. 25-078, the Annual Solid Waste Disposal Special Assessment Rate, reflecting an incremental increase to the annual billing unit for residential properties of \$2.90 and for commercial properties of \$8.38 for FY 2025-2026; adopted Resolution No. 25-079, the Solid Waste Collection and Recycling Special Assessment Rate and Special Rates and Charges for Improved Non-Residential Property and Compensation Rates which reflect a three percent increase; adopted Resolution No. 25-080, the Schedule of Special Rates and Gate Charges modified to reflect updates to the definitions; and adopted Resolution No. 25-081, ratifying, confirming, and certifying the Annual Disposal, Collection, and Recycling Special Assessment Rolls to the Brevard County Tax Collector.

**Result:** ADOPTED

**Mover:** Tom Goodson

**Seconder:** Kim Adkinson

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

### **H.5. Approval, Re: An Ordinance of the Board of County Commissioners of Brevard County, Florida; amending Chapter 62, Article VII, Division 2, Section 62-2844, entitled "Performance Security".**

Chairman Feltner called for public hearing to adopt an ordinance amending Chapter 62, Article VII, Division 2, Section 62-2844, entitled "Performance Security."

Marc Bernath, Public Works Director, stated staff is seeking approval for an ordinance for the Board to amend Chapter 62, Article VII, Division 2, Section 62-2844, entitled "Performance Security"; this was brought to the Board for legislative intent back in April; it went to the Building and Construction Advisory Committee (BCAC) where it received unanimous approval, then the Local Planning Agency (LPA) where it received an 11:1 vote; this is to allow the County Manager, or his designee, to release performance bonds; County staff already accepts the work; and this is seen as an improvement or an efficiency measure.

There being no comments or objections, the Board adopted Ordinance No. 25 15, amending Chapter 62, Article VII, Division 2, Section 62 2844, entitled Performance Security; specifically amending the process for the release or reduction of performance security of improvements already accepted by public works staff to delegate certain authority to the County Manager, or designee; providing for conflicting provisions; providing for severability; providing for an area encompassed; providing for an effective date; and providing for inclusion in the Brevard County Code of Ordinances.

**Result:** ADOPTED

**Mover:** Katie Delaney

**Second:** Kim Adkinson

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

**J.1. Approval, Re: Tourist Development Council (TDC) FY 2025-2026 Marketing Support Program recommendations**

Peter Cranis, Tourism Development Office Director, stated this is the Tourist Development Council (TDC) recommendations for the marketing support program; there are 18 cultural and 24 sports grants for a total amount of \$572,665; and he is happy to answer any questions.

Commissioner Adkinson stated her issue with this one is it reads each district office must grant up to two organizations; she still does not like this; she thinks there is a group of people whose job is to make the decision where this money goes; as she did last time, she would like the opportunity to give it back to them to let them do what they need to do with it; she does not like the idea of giving money to organizations that did not meet the criteria; therefore, the word 'must' for her, if it could be changed to 'may' it would not obligate her to dole that money out.

Chairman Feltner advised his amenable to that; he will accept that as a friendly amendment; and he asked if the rest of the Board is amenable to that.

The Board approved the TDC recommendations for FY 2025-2026 Marketing Support Program, Attachment A; further, based on the facts specified by approving this Agenda Item, the Board makes legislative finding that Tourist Development Tax (TDT) funds are authorized for sporting grants pursuant to Section 125.0104(5)(a)3, Florida Statutes, and Section 102-119(3)a, (5)a, and (6)a of the Brevard County Code of Ordinances, each of the tourist-oriented sporting and special events has as one of its main purposes the attraction of tourists, and the entity and Space Coast Office of Tourism both intend to ensure marketing and promotion of these events to tourists; authorized the Tourism Development Office Director to negotiate and sign all necessary agreements and related documents upon County Attorney's Office, Risk Management, and Central Services approval; authorized the County Manager to execute necessary Budget Change Requests; and authorized each Commission District office to receive \$20,000 in funds to allocate as they choose, to organizations that applied to the program, but did not meet the minimum attendance, with awards not to exceed the minimum award amounts in Section 6.0 and each District office 'may' grant up to two organizations to be approved by the Board at the October 14, 2025, Board of County Commissioners meeting.

**Result:** APPROVED

**Mover:** Katie Delaney

**Second:** Kim Adkinson

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

**J.2. Election of Value Adjustment Board Chairperson**

Morris Richardson, County Attorney, stated the Value Adjustment Board (VAB) is kicking off its annual cycle of meetings with an Organizational Meeting on Friday, August 15, 2025; they have asked that this Board elect two members of the Board to the Value Adjustment Board and elect one of those members to serve as the Chairperson; and currently, Commissioners Adkinson and Altman serve on the Value Adjustment Board, with Commissioner Altman serving as the Chair.

Chairman Feltner asked if the Organizational meeting is on Friday.

Nicole Summers, Clerk to the Value Adjustment Board, responded in the affirmative.

Chairman Feltner advised he is taking this up now to get the calendar on sync with the VAB versus the change in the Board, et cetera.

Commissioner Altman advised he is willing to serve again in the same capacity.

Chairman Feltner commented that would probably be easy for the VAB.

Commissioner Adkinson stated she is also willing to serve; and she will make a motion that Commissioner Altman take the Chairperson seat.

Chairman Feltner advised he thinks Commissioner Altman stated he is willing to serve in the same capacity; Commissioner Altman for the Chair of the VAB; and he asked if there is a motion.

The Board appointed Commissioner Altman to the VAB as the Chairperson.

**Result:** APPROVED

**Mover:** Katie Delaney

**Second:** Kim Adkinson

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

Chairman Feltner asked if there is a motion to appoint Commissioner Adkinson to the Value Adjustment Board.

The Board appointed Commissioner Adkinson to the VAB.

**Result:** APPROVED

**Mover:** Katie Delaney

**Second:** Rob Feltner

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

**J.3. Legislative intent and permission to advertise an ordinance amending Chapter 58 - Historical Preservation, Article II. - Historical Commission, Section 58-37 of the Brevard County Code relating to the membership requirements for the Historical Commission**

Meeting went into Recess

Meeting Reconvened

Commissioner Adkinson explained the Historical Commission is a commission that is

Countywide; currently, each Board member can appoint three people from his or her District, which is important to her to do; she has advertised on the County Facebook, press releases, newsletters, and websites, but she is not getting anybody; she did have a gentleman come to her who was is a published author; his name is Dan Ryder and he has an expertise in surf history; she had her staff looking, and they had found that previously in 1996, the Board actually approved the change so that Commissioners could appoint outside of his or her District, but it never got signed by the Chairman; and she wanted to bring it back so each Commissioner can appoint from anywhere within Brevard County.

Morris Richardson, County Attorney, advised all of that is exactly correct, he was being asked who the Chair was at that time but he does not recall.

Chairman Feltner commented he was trying to remember but does not recall either, but he is sure it is on the wall; he noted he thinks this makes sense; it is certainly a lot easier when one has at large versus in the district; and he asked for a motion.

Commissioner Adkinson asked the County Attorney to state the motion.

Attorney Richardson stated the motion would be that the Board of County Commissioners approve legislative intent and direct he staff to prepare an ordinance implementing that intent; and to grant permission to advertise the ordinance for public hearing with the proposed ordinance amending the Historical Commission's membership requirements to provide for appointment of members at large rather than by District residency.

The Board approved legislative intent and permission to advertise an ordinance to be prepared by staff, amending the Historical Commission's membership requirements found in Section 58-37(a) to provide for appointment of members at-large, rather than by district residency, as the amendment will allow a Commissioner to appoint a resident who is knowledgeable in history, cultural lore, and development of Brevard County, regardless of the Commission District in which they reside.

**Result:** APPROVED

**Mover:** Kim Adkinson

**Second:** Katie Delaney

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

The Board recessed at 6:00 p.m. and reconvened at 6:05 p.m.

### **I.1. Appointment of County Manager Position**

Commissioner Goodson stated he is not a fall guy, he saw that today; to the gentleman that did the podcast, next time please refer to the eight years that he spent at Port Canaveral that he must have missed with his investigation; he would like to stick with a leader that is known instead of taking chances with someone else; the Department heads are supporting Jim Liesenfelt, the County Attorney, and other elected officials; he believes the Board as well will support him; and he would like to make a motion to appoint Jim Liesenfelt to be the County Manager and include in the motion that the Board appoint Chairman Feltner and the County Attorney to work out the details and bring it back to the Board.

Commissioner Delaney called for point of order.

Chairman Feltner asked for questions and announced that there are cards.

Commissioner Altman pointed out that Commissioner Delaney called for point of order; and he asked if that should receive precedent.

Chairman Feltner advised he was going to go through the normal process; and he inquired if that was what Commissioner Delaney's point of order was about.

Commissioner Delaney responded in the affirmative.

Chairman Feltner advised he is going to go through the normal process like he always does, he was not ignoring her.

Commissioner Delaney expressed her appreciation.

Wendy Ellis stated she had the opportunity to work professionally with Jim Liesenfelt for over two decades, when he was a Director of Space Coast Area Transit and her firm provided marketing support services; she was excited to read about a motion Commissioner Goodson was making tonight, and wanted to share her support for removing the word acting from Mr. Liesenfelt's title; there are many observations that she could share from the 20-plus years that she worked with Mr. Liesenfelt; but at the heart of it all, is his honesty. She continued by saying through his honesty he builds trust; she watched as Mr. Liesenfelt earned the trust of his team, his peers, and his superiors; trust is a foundation of strong working relationships and effective team work; without it collaboration breaks down and moral suffers; he encourages open communication; when managers are honest it sets a tone for transparency; and everyone feels safer sharing ideas, giving feedback, and reporting issues leading to better problem solving and innovation. She commented Mr. Liesenfelt promotes accountability; honesty holds stakeholders, managers, and employees accountable; when leaders give clear feedback, it creates a culture where taking responsibility is the norm and not the exception; he supports ethical decision making; honest managers make ethical choices and avoid deceitful practices that could damage an organization's reputation; he improves morale and engagement; employees and community members become more engaged and motivated when they know their leaders are honest, straightforward, and fair; it builds confidence in leadership and reduces cynicism; his management style led to better decision making; with honesty, information flows more freely; management and elected officials can make better decisions when they have accurate, unfiltered, data; he enhances the organizational culture and his honest management style contributed to a culture of integrity that not only attracted talent and retained employees, but filtered outward to stakeholders who also value fairness and transparency; and in summary, honesty and management is not just a moral choice, it is a strategic advantage that fosters trust, accountability, and long term success for an organization. She added trust, open communication, accountability, ethical decision making, improve morale and engagement, better decision making, and enhancing the organizational culture, and in hiring Mr. Liesenfelt as County Manager, she is confident that Brevard County would be the benefactor of the greatest strategic advantage of all, the many benefits of Mr. Liesenfelt's honesty.

Sarah Hodge stated it sounds like Mr. Liesenfelt is a wonderful person; she and her husband would like to see the process completed; if Mr. Liesenfelt is on that list and he is top, they would be very thankful; there are a lot of people who are concerned that the process is not being completed and the County spent a lot of money for this selection and it has not been finished; it would just be more assuring to everyone else out there if the Board were to complete the study; people will welcome Mr. Liesenfelt with open arms; she does not really know him personally, but he seems wonderful and she has heard wonderful things about him; and she asked the Board to please finish the process then everyone will be happy.

Marcus Herman, Merritt Island Redevelopment Agency (MIRA) Chairman, expressed his appreciation to Commissioner Goodson for recognizing the value that Mr. Liesenfelt brings to this County, in setting forth this vote for the Board to consider today; he stated he is in favor of removing the interim status in front of Mr. Liesenfelt's name and making him the designated County Manager for Brevard County; in his dealings with Mr. Liesenfelt while on the MIRA board, he has proven to be very competent and a very effective manager in all the different positions he has held through the years; he can also say that as business owner, he sees great value from hiring within; and by doing so, one plants the seed in the minds of other employees that here in Brevard County he or she too, can excel to the top of the their field, which in turn can be very good for morale and the over fulfillment of one's current job. He continued by saying additionally, he thinks that by hiring Mr. Liesenfelt, he can hit the ground running; he has a tremendous array of institutional knowledge about this County and the unique issues it confronts; this is a huge asset that no other Candidate outside of the County will ever have; finally, because Brevard County already has a competent leader in this position and the County continues to struggle with funding, this will be a great way to save taxpayer money, by not spending the money trying to find someone else; and will all that said he does believe it is reasonable to question Mr. Liesenfelt's sanity to consider the job.

Rick Heffelfinger stated he is a little confused because he thought this Board had a vote to spend \$35,000 on an outfit to do a search; everybody voted for that; he thinks the County already owes them the \$35,000 because they got 53 candidates; and he asked if anyone can confirm the candidates that are lined up.

Commissioner Delaney advised there are 60.

Mr. Heffelfinger continued by saying he does not know why Commissioner Goodson did not say something earlier; he does not know why the Board is talking about this now; he does not know if Mr. Liesenfelt wants the job; he does not know where this is coming from, but there is a process, and they have 60 people; if the Board wants to avoid spending more money, then tell the agency to cease and desist and that it will evaluate the 60; if Mr. Liesenfelt wants it, let him put his name in; he would like to see resumes and then to have a selection; and if Mr. Liesenfelt is the number one guy then he is going to be the number one guy. He commented he also does not understand the request to say that the Board is going to pick Mr. Liesenfelt and he is going to go sit down with Mr. Richardson and talk about the salary; he asked if the guys doing the selection, negotiate salary, or do they not do that; he mentioned whoever it is, is going to cut a deal with Mr. Richardson, as the negotiation; he asked who is on the selection committee that picks that candidate, if the Board were to follow the process with the 60 applicants that are ranked and filed, is it everybody on the Board; and he asked if there is anybody outside of the Board that ranks the applicants. He questioned if everybody on the Board gets to rank and stack and then move forward; he commented he would like to see the guys that did the selection, but they provide the Board all that and each Board Member has to read it over real good and do the ranking; that will stop them from bringing in other candidates, spending additional money; he has no idea how much was spent on these 60 people to fly them in because of the per-diem and the hotels; it is bigger than \$35,000; the Board did not say how big it was, and he does not know how big it could get, but that sounds like they are trying to get a little extra money to get some more candidates; that is just how business is; but the Board can shut them off right now, tell him the Board wants Mr. Liesenfelt in there, as long as he wants to be in there, but he has not heard that from him; he does not understand why the Board is going to short-sheet this, it could have done that earlier; but if Mr. Liesenfelt gets it, since he did not raise his hand earlier, he thinks he should pay the \$35,000 because the County went through a selection process, and if he wanted it, it should have been said, and the

Board should have said it wanted that; and he does not know why the Board is back-tracking. He added he thinks that is the right thing to do. He noted he does not know Mr. Liesenfelt; he worked with former County Manager, Frank Abbate, and he has a history here; and that is great, but there are 60 people to look at.

Kevin Jeffrey stated Thomas Payne said, "No country can be called free which is governed by absolute power; and it matters not whether it be an absolute royal power or absolute legislative power, as the consequences for the people are the same." He continued by saying as County Commissioners, this Board is engaging in representative government, it is not the government, the people are the government; the American Constitution bestows all of the power on the people; this Board is supposed to be representing the people; as representatives for the people, it is committed to having an open search to replace the County Manager; it has spent \$36,000 on a search firm with 60 applicants and still have an open window to receive more; if the Board freezes this process and appoint the Interim County Manager, this will be an affront to the people of Brevard County; they deserve better; and this Board will be circumventing the process. He went on to say there appears to be no valid reason for doing this; it actually has all the earmarks of cronyism; maintaining the public trust is important; a vote to suspend the County's process will do serious damage to the public trust; when he was a boy he went to the store and over the counter there was a sign, "since man to man is so unjust, we know not men we ought to trust. We've trusted many to our sorrow, pay cash today, we'll trust tomorrow"; and he would like to reverse that a little bit and say, "Politician to politician is so unjust. We know not politician we ought to trust. We've trusted many to our sorrow, let's continue the process, we will trust tomorrow."

Sheriff Wayne Ivey, Brevard County Sheriff's Office (BCSO), stated he has with him, Doug Waller and the Clerk of Courts; they stand before this Board and thank it for taking up this matter and hearing from them; they have all collectively had an opportunity to work with Mr. Liesenfelt, not just in this last budget process, but over the past 12 years as he has had the blessing of serving as the Brevard County Sheriff; he has always been an open door for him, and understanding of this community, the challenges that it faces, and the needs that it has; when there is someone at the helm that has demonstrated, the old saying 'past performance predicts performance' and Mr. Liesenfelt's performance has been stellar for this community; he is dedicated and loves this place; and he agrees with Mr. Herman that there ought to be some type of exam on him to understand why he would be willing to do this. He continued by saying if this Board does not select him in this capacity then the Board Members should have their heads examined; he thinks he is right there ready to do the job and he knows the challenges; and he is proud to stand with him.

Rachel Sadoff, Clerk of the Court and Comptroller, stated she has heard the people and what they are saying about looking for someone outside, but it says something about the community when it looks inside and grows its own leaders to then reach the point of being a County Manager; she thinks that is something that is said about how the County promotes within its community and for the people of Brevard; that provides hope to have jobs here that are secure and brings people to a level that they have hoped to achieve; and she hopes people will think about it that way. She noted she has worked with Mr. Liesenfelt; they get along and do well; they may not always agree and that is okay, that is still friendly disagreements; she does hope this Board votes for Mr. Liesenfelt to be the County Manager; she thinks he will represent all of his team well in this community and that he will work with all of the constitutional officers very well; and she thinks he will bring a breath of fresh air to what is needed today.

Doug Waller, Deputy Sheriff BSCO, stated his parents taught him a long time ago to never miss an opportunity to brag on good people; he can honestly say the Sheriff has trusted him to

work with the County Commission; he has worked with some incredible Commissions that gave him the opportunity to work with the County staff; he has worked with some outstanding staff; he has also worked with some incredible County Managers; he views Mr. Liesenfelt already as the County Manager; he apologizes for taking the vote ahead of the Board; he works with Mr. Liesenfelt on a daily basis; and this man treats his people well and his constituents fantastic. He went on to say they trust each other; when they have conversations they do not always agree, even good Sheriffs do not always agree with him, but the opportunity is always given to say what he needs to say; he trusts this man; and he has put himself in a position of value and he trusts that value. He expressed his appreciation for being allowed to speak.

Jim Liesenfelt, Interim County Manager, stated to forgive him as he stumbles, he is not good in talking about himself; he was asked why he was not interested before; he has had a couple of health issues; he will be straight out and honest, he does suffer from migraines; he thought they would be an issue, but he has not had one in several months, which makes him happier; Tad Calkins, Assistant County Manager, is newer in the position and he has brought Jill Hayes up; he loves working with both of them and they work way better than he could have ever hoped; they are in and out of each other's offices all day long; that went way better than he thought; they have a wonderful set of Department heads; they have great staff here; and in two months they did not think they would get the firefighters Contract in front of the Board as quickly as they did. He noted that all came together, a good working group along with the firefighters; they did the budgets; he is proud of the budget that has been balanced; they met with each Commissioner individually even after the workshops; he wishes it was not everything that was presented, but it got done; and in those couple months they have discovered they can get the job done and that they will do a good job for the County. He mentioned he was a summer intern in 1990; he graduated from Indiana University with a degree in Public Affairs, which is one of the top public administration programs in the country; he came back in 1991 to work in the Transit Services Department; they could not figure out how to get rid of him and he became Transit Services Director in 1997; he hopes somebody is listening, at the age of 29, he became the youngest Director; under his leadership, their ridership on a fixed-route went from 250,000 passenger trips per year to 2.2 million passenger trips per year; that would not have happened without the crew; that is not leadership, that is a bunch of hard working people; they had implemented beach trolley Saturday service, expanded the volunteers emotion program, did a bunch of that stuff, they won national and State marketing awards, too numerous to count, and the most prestigious award was being named the best small transit system in the nation in 2003; they have had three employees that he has worked with in the Transit Department who have become Department directors; they work very hard to promote within and support the County; and most importantly, they have had six different bus drivers to be named bus driver of the year in the State of Florida. He mentioned he works hard to promote people; as the Assistant County Manager, one of the biggest projects they did was to get the golf courses off of the tax rolls; Savannah's went back to the community; Golf Brevard manages the other two; he would put those contractors up against anybody, but they are no longer subsidizing the golf courses; in the last few years he has had to staff the Redistricting Committee, as staff of staff, which was chaired by Speaker Steve Crisafulli; he staffed the Charter Review Committee which was chaired by now Congressman Mike Haridopolis; they have focused a lot on infrastructure, library, parks, and transit; in 30 years he has worked with 30 Commissioners, and if counting former Commissioners Voltz and Altman, it would be 32 because they were both on the Board twice; and he has had many excellent bosses because one picks up mentors, but does not know they are mentors, which include Perry Maull, Jim Brown, Don Lusk, Stockton Whitten, and Frank Abbate; and people who inspired him to do better, Sharon Luba, Kathy Schweinsberg, Kathy Wall, Wendy Ellis, Cathy Lively, Mary Ellen Donner, and those are just some of those he will not forget; staff works together, and as a leader, he has always looked at it as his responsibility to provide the resources that staff needs,



and then step aside and allow them to get the job done; and that is how he works.

Commissioner Delaney stated this is not personal to Mr. Liesenfelt at all; he has done a great job as the interim; she just really feels that this Board made a decision together to do a search, do its due diligence, and make sure that they have the best candidate; she just does not believe that it should deny him nor the public the opportunity to prove that he is the best candidate; it feels like the Board is just giving something away; and this is probably the most important decision that this Board is going to make together. She noted she wants to be able to look at herself in the mirror and say that she knew without a shadow of a doubt that this Board made the best decision for the County Manager moving forward; she cannot do that right now because she has not had the opportunity to play out the process; she is not saying that good work has not been done with the budget and the firefighters Contract; a lot of people were involved in that; there has to be a balanced budget every year; she is not saying that is not hard work; there are 60 applicants who have put in the work to put together an application and put their neck on the line; and some of them are probably even currently employed and are putting their employment at risk just applying for this job. She commented when she spoke to the consultant today, there are 10 strong candidates and solid representation from Florida; there are some from outside from what she was told, she does not know the specifics; she was told there are a solid group of candidates; she would be happy to see Mr. Liesenfelt's name among those candidates; she feels as though this is doing a disservice to him and to the public by not following through with this process; and she is asking for the Board to discuss this a little bit because she has not heard any explanation or thoughts other than what was placed in the Agenda. She commented Chairman Feltner mentioned on Thursday last week that the Board would have robust discussion around this; and she would really appreciate that.

Chairman Feltner stated he thinks he said the Board would take the time it needs in response to that being brought up during Planning and Zoning.

Commissioner Altman stated he can appreciate what everybody is saying on both sides of the issues; he would like to explain why he thinks the Board should make Mr. Liesenfelt the County Administrator and why the Board did the search; he does not think that was wasted money or wasted time to do a search; the Board needed to have that search as soon as possible because it is a very important position and it needs to be filled; what the Board did not know when it made that decision to have a search was how Mr. Liesenfelt would react to the role as being the Interim County Manager; and he thinks he has done an exemplary job. He went on to say yes, there was a search and there are 60 candidates; there still needs to be a negotiation with Mr. Liesenfelt and if that does not work out, then there is a backup; it was not money wasted, it was a process the Board needed to go through; this is a process that the Board needs to go through; he thinks the Board needs to appoint him; it is not a great County Manager that makes the County great or any government, it is a team and how that team works together; and when Mr. Liesenfelt took this job from the very first day, he noticed something very special with Brevard County, it has a remarkably talented team. He went on to say he saw how they responded to Mr. Liesenfelt; he saw the way they worked and the way they responded to a new administrator; and he has experienced that twice in his political career; he realized that Brevard County has something very special; and he thinks the County has something very special amongst this Commission, it does not always agree, but this has been probably one of the most trying times that this County has ever faced with the firefighters and revenue shortfalls, and this Board has really risen to the occasion. He commented he thinks Mr. Liesenfelt relationship with the Board, as well, not only with his staff, has proven to be something exemplary; there are probably some really talented people on that list of 60 candidates that could be considered; one thing the Board does not know, and could never know, is how that person would fit within the team, how he or she would respond to a

management team that he feels is performing at a very top level; he does not know that and is not willing to take that risk, to lose a known commodity to go with an unknown; and he fully supports the Interim Administrator and he hopes staff can work out an agreement. He added he sees Mr. Liesenfelt's commitment to Brevard County and the organization and he will whole-heartedly support this appointment. He reiterated he does not think this was a waste of time; the Board is in the midst of a process that it needed to go through; this is a part of that process; and it needs to put this issue to rest, to make a decision, because there is a lot of work to do. He stated he was trying to think of a sports analogy, when a quarterback gets hurt or retires and one puts its back up in and he or she starts performing at this amazing level and the team rallies around them, and they are winning, that guy is not going to be placed on the bench or traded and bring in an unknown, it is going to go with that guy; he did receive a big endorsement with the prior administrator, who appointed him in the number two position as well; Brevard County has a winning team; and he wants to keep it that way.

Commissioner Adkinson stated the Board has heard from not enough staff; she received an email from a previous Director of Brevard County staff, Steven Darling, and she would like to read a few excerpts from the email she received from him; he said he worked with Mr. Liesenfelt for several years and found him to be an exceptional leader; his ability to listen and process all available information prior to making decisions is second to none; he would often seek his counsel to get another perspective because he knew going to him he would get informed and unbiased opinions; he said he is confident that there is no better candidate qualified to be placed into this position and he knows that Mr. Liesenfelt is an exceptional candidate who understands the needs and priorities of Brevard County better than anyone else; and he and his family support the Commission confirming him as the next County Manager. She commented she can say from her own perspective, she was nervous being a new Commissioner, having a new County Manager, but the transition has been seamless; when she talked to him in several conversations, his ability to notice staff's ability and aptitude is just amazing because he is aware of their capabilities and their strengths; and like he had stated a couple minutes ago, it is to pull that out and then get out of the way and let them do their job; and that is something a new County Manager would have to take quite a bit of time to understand and recognize the value in all of the County staff. She could go on and on but she is just going to say she would definitely support Mr. Liesenfelt as the next County Manager.

Commissioner Goodson stated the way he read the Contract with the people doing the search, at any time the Board could say stop and that would stop it; it is not going to spend \$30,000 or \$35,000, it can be stopped at any point because it was set up in increments; and he asked if that is correct.

Mr. Liesenfelt advised there is a termination clause of 14 days; they finished two parts of their Contract; therefore, the County would not owe them the entire amount.

Commissioner Goodson asked what two parts of the contract was, \$16,000.

Mr. Liesenfelt answered \$4,000 and \$16,000.

Chairman Feltner stated he appreciates the historical perspective of all of the County staff; he has the great privilege of being the Commissioner in this complex; maybe some of the staff thinks that it is a curse; but he shows up in staff's offices a lot and everyone here has been incredibly gracious to him; he thinks he is a smart guy and he comes in, when it was Frank, and he would tell him his great ideas and Frank would say you know Commissioner they tried that 20 years ago and the Board at that time decided whatever; it was a good process because he would go home and think about that and come back the next day with something better; he

values that and he has it with Mr. Liesenfelt; he has 34 years in the County, not including the internship; and he thinks that says a lot that he is willing to undertake this. He added Mr. Liesenfelt can move forward with his support; and if the Board votes for Mr. Liesenfelt tonight, tomorrow morning will just be another day at work in Brevard County.

Commissioner Delaney stated she appreciates all of the Boards thoughts and sharing that; she has had many people reach out to her with concerns about hiring somebody that has been with the County for so long; there are a lot of people out there suffering and they are worried that it is just going to continue; there were people that were very hopeful when this Board talked about and voted on going out for a national search, finding somebody that could bring a new perspective, that could bring fresh ideas; she is not saying that Mr. Liesenfelt cannot do that as well; she has had some great experiences and she has had some not so great experiences in her time here; she feels like there is a little bit of 'I've been here or so long and I know what is going on without so much follow through of let's get to the nitty gritty of saying no to a Commissioner, like is it a big enough deal'; and she will provide an example. She explained she had a constituent come to her office and they were talking about one of the issues that they were having and they had asked her how many people work in that Department; she responded she was not sure but she would check it out; she went to the organizational chart and it did not have Full Time Employees (FTE's) on it; then she found out she would have to go through the budget book, which is hundreds of pages, read through the narrative, and figure out how many people are working in the Department; she called the County Manger and said there are some other counties that place the FTEs on their organizational chart, and she thought that would be a really cool thing to do and it would give people one-stop shop to find a quick answer to that question; she was told no because he likes it the way it is and that she would have to get Board approval to put an FTE on an organizational chart; and she knows it seems like a small thing, but she is saying what if it was a big thing, this Board is supposed to be here to serve the public, to make it easier for them, so people can just click on the organizational chart and find their answers. She went on to say the organizational chart is a pretty good one with the phone numbers and all that; this could have just given it a little extra something, and not have mattered to pretty much anyone; she feels like this Board is shorting itself if it is not going to give itself the opportunity to see if there is anybody out there who would like to come to the Space Coast and make this place their home, and that has fresh ideas, new perspectives, and new horizons to where they could help this County work itself out of the situation that it has gotten itself into, after decades of doing whatever it has been doing; like she said, it is not that she does not think Mr. Liesenfelt should have put in an application and show the Board that he is up for it and wants to do it, because there was multiple times she was told he does not want to do it; and only after elected officials came and asked, but this is a decision that this Board is supposed to make. She stated the Board told its constituents that this was a decision that the Board Members were going to make; it agreed upon a pathway forward; and if this is the way this is going to go tonight, she would have loved for this to happen behind closed doors in an interview process, but she is going to need to ask some questions so that she can say to her constituents that she did everything she could to make sure the Board has the best person in place; and she has a couple of questions for Mr. Liesenfelt. She asked what his vision is for Brevard County tomorrow.

Mr. Liesenfelt replied, he is not a visionary on it, but there are a number of things on the immediate that needs to be addressed; the budget is not finalized, it will depend on implementing Board direction; the Board voted on different millages and it has to finalize that; staff has to work on maintaining its quality workforce with employee development; there are landfills, water plants to build; they have to maintain the roads; the Board heard today about the canals and ditches, and he has been out with some of the crew understanding some of the processes that are there; Save Our Indian River Lagoon (SOIRL) is coming to an end and

everyone will have to decide from the Board if it wants to continue funding SOIRL; there is a lot of infrastructure to deal with; there are referendum projects from parks that are 25 years old, libraries 20 to 30 years old, and a bunch of other buildings; and there is the detention center that they have to keep on top of that. He continued by saying there is increased tourism to deal with; Public Safety remains a priority, the proposed budget that was sent to the Board that is a number one priority listening to the Board; that is the main vision; they will continue on; and there will always be hurricanes and other natural disasters to face so staff has to be up and ready for that.

Commissioner Delaney stated as far as the Fire Department goes, the 24/72 schedule is something that is becoming a standard around the State; and she asked if Mr. Liesenfelt is willing, with Board direction, to get to a place where Brevard County firefighters can be offered Kelly Days.

Mr. Liesenfelt stated he will not really answer that directly because that would be part of negotiation and a bit of overstepping today; he has had conversations with several; and staff knows where the market is going to compete for firefighters, so the Board knows what the future looks like.

Commissioner Delaney commented she will not go into detail but some of the employee issues that she and Mr. Liesenfelt have talked about, is he willing to look into these things and not just in a Director level, and do his due diligence in making sure that he has the whole story from all parties before a decision is made.

Mr. Liesenfelt stated he if could go backwards, he also forgot to add not only where the market is going for firefighters, they know where the market is going for deputies and law enforcement so they have to face that issue as well; personnel, there is a process; he can say one Director they had they called him on the carpet for a situation; the Director went through a number of things; but there is a process and as he explained on the one, they had the County Attorney's Office involved, Human Resources involved, himself and Mr. Calkins involved, and nothing would happen until all their eyes are on it; one cannot jump all the way down or overrule and tell a Supervisor what to do when they have been through the process, but one can oversee and provide direction that way; there is a process for employees; and looking into those two situations, he was satisfied the way it was handled and he said that, but he also followed up with those Departments explaining where he saw some issues.

Commissioner Delaney asked as far as North Brevard goes, she will call it a flooding crisis to say the least; she had a townhall meeting where over 200 people showed up a week and one-half ago; and Mr. Liesenfelt does not have to go in depth to what the plan is, but does she have his commitment to help North Brevard find a way through this, giving the direction and leadership to help solve this problem in North Brevard.

Mr. Liesenfelt replied he explained to her on the phone that there is water movement all throughout the County; there is North Merritt Island they have to keep an eye on; West Cocoa and unincorporated Rockledge area, in the old days Lamp Lighter Village, so yes, staff is always going to have to focus on what it has to do to help with the flooding; it all depends on resources, Bach McClure, Stormwater Program Manager for Natural Resources Management, was up there, and he comes back with solutions; and one has to try to give him and his team, and Public Works, the resources and then get out of their way to get the job done.

Commissioner Delaney commented that she hopes Mr. Liesenfelt understands where she is coming from and that she understands where this is going tonight; she appreciates him

stepping into the hot seat and putting himself out there for the public; and with that she will let Commissioner Goodson make the motion, but she would like to second it.

Commissioner Goodson moved to appoint Mr. Liesenfelt to be the County Manager; appoint Chairman Feltner and County Attorney, Morris Richardson, to work out the details of a contract; and to bring the contract back to the Board at a future meeting.

The Board appointed Interim County Manager, Jim Liesenfelt, as County Manager; and appointed the Board Chairman and County Attorney to work out the details of the contract to be brought back to the Board at a future meeting.

**Result:** APPROVED

**Mover:** Tom Goodson

**Second:** Katie Delaney

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

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

Ronald Thompson stated he came tonight to talk about an Agreement that was approved by the previous Commission on December 3, 2021; this project was also talked about last year when Commissioners Goodson and Feltner were on the Commission, when the Commission was to approve a project that was joint this and changing zoning from residential to B1; this project was discussed in detail; the project was an Agreement with D.R. Horton for a traffic impact credit and it exchanged for improvements on Minton and Hill Road; normal routine business to do so forever; but for whatever reason, they gave this developer three years to complete this project, two years to start it then an additional year to complete it. He noted that is very abnormal; he does not know of another case in the County that has done that; it has been three years and the project is at a standstill; just to bring the Board up to date, this project was completed by the developer in March 2023 per the Tax Assessors photograph; then it was sold to another Canadian Company for \$79 million, so he does not think economics is the reason; but for himself and other residents, they have made many calls and emails to Commissioner Altman's office seeking information and advice about this project, and the last call he received and email was dated August 8, just last Thursday or Friday. He went on to say the quote from the email, his Chief of Staff, read, "I spoke with Commissioner Altman and went over all the details with him. He completely agrees that delays have been frustrating and he hopes that we can wrap this project up soon, however, with that said, I have explained in the email that there is nothing he can do to accelerate this project. He is at the mercy of the contractor and for these reasons he felt a meeting would not be productive and therefore, not needed at this time." He went on to say in paragraph 10, Section D, which he has a copy of that specifically states, "The City and County shall review this project agreement, not less than once every 12 months and in good faith compliance with the agreement. If the developer fails to comply with the terms of this Agreement, the Agreement can be revoked or modified"; the Commissioners are not at the mercy of the contractor; and he regrets that Commissioner Altman would not take his call and said it was not needed. He commented that he is here tonight because of Commissioner Altman failing to take his call, as well as others; yes, this is wasting his time, the Board's time, and everybody else's time to hear him complain about this; this project is done and has passed the three-year commitment; it has been 40 days since one shovel of dirt has been moved on that project; and he would like to know his three questions: why has this project been neglected...

Commissioner Altman stated he has had lengthy conversations with his staff; his staff has bent

over backwards to work with the residents there on these issues...

Mr. Thompson stated he totally agrees with Commissioner Altman's staff, Danielle Stern, with answering emails, the problem is there have been no results.

Commissioner Altman stated he does not think there is anyone who has fought for the quality of life on Hill Road more than he has as an elected official; he is committed to that; it is not like his office has not done anything, they are working; he would not say it is not necessary they do something, it is probably premature; he asked if Marc Bernath, Public Works Director, could maybe address the issue in a little more detail from the County's perspective because staff has also been working on the issue; and he appreciates Mr. Thompson being there. He commented it is not like they have done nothing; they are fully aware of it; and he would like for Mr. Bernath to address it.

Mr. Thompson asked why this has not been done before.

Mr. Bernath stated as the Commissioner knows, he and his staff have talked extensively with Ms. Stern; this is a development project, it is not a capital improvement project where staff can hold them accountable to a certain time; staff cannot exert LDs or anything like that; he does not have it in front of him, but it is a multi-party Agreement with the City where it is actually a project, he believes it is townhouses or apartments, and the County's ability is very limited; that does not mean staff is not engaged; and they are frequently talking to the developer and trying to get this project to fruition.

Morris Richardson, County Attorney, advised Mr. Bernath is correct; this a project within the jurisdictional limits of the City of West Melbourne; there were some intersection improvements that are required on Minton Road, which is the County facility; the Agreement Mr. Thompson is referring to is just an Impact Fee Credit Reimbursement Agreement; if the developer constructs the improvements as required, they are eligible for impact fee reimbursement; that is the County's involvement in it; as far as the requirements, that is sort of a carrot; the stick is with the City of West Melbourne who permitted the development, they have the development approvals and things like that; this is an Impact Fee Agreement; and as Mr. Bernath said, this is not something the County contracted for work to be performed, but rather it was okayed by the developer because some of the improvements being required to be done or capacity improvements, to some extent, are eligible for impact fee reimbursement. He added he is sure staff will review those and make sure if they have not complied with terms of the Agreement, then they are not eligible for impact fee reimbursement; and he will work with the Commission Office and with staff; he was actually with the City of West Melbourne back when that Agreement was entered so he is very familiar with it from that perspective; however, he does not know the status of the project out there these days.

Mr. Thompson stated he heard what was said but what is going to be done about it.

Commissioner Altman advised he thinks the only thing that can be done because it is the City of West Melbourne that had this development agreement, that would enforce it; he did mention the impact fee credits could be affected as a result; that is significant; but right now that is all this Board can do, and he thinks his staff has communicated that a lot; he thinks eventually it will be worked out; he thinks those impact fee credits mean a lot; but he is optimistic and will continue to work with Mr. Thompson and monitor the situation.

Mr. Thompson pointed out it said the City and the County shall agree yearly; and he asked if that has been done. He commented one can build a 300-unit apartment in a year and one-half,

but it cannot build a road in over three years; they have not done anything in the last 40 days; it looks like a junkyard the way those things are out there now; it is a safety hazard, the cones are down, the flags are flying the air, and the barricades are down; and he just cannot understand why somebody cannot have action.

Commissioner Altman inquired if Mr. Thompson has talked to the City of West Melbourne.

Mr. Thompson informed he has not.

Commissioner Altman advised he thinks that is where Mr. Thompson needs to go next because they are the ones that gave the development order and they are the ones that gave the permits; and he asked if that is correct.

Mr. Thompson commented if Commissioner Altman read this contract, the County is very much involved, he could be all wrong, but he does not think so.

Attorney Richardson pointed out the County had to approve permits because it is a County facility, Minton Road, where the improvements were being made; it is a city permitting issue; he was not aware of this, but he would be happy to look at it and talk to the City of West Melbourne's staff to figure out what is going on; and he will get back to Commissioner Altman on that.

Mr. Thompson stated if the Board Members would take five minutes to return a citizen's call, it will save time, more than what it takes to make that phone call, all he got was excuses; M. Stern had done a tremendous job of answering questions, not just his, but many other residents; he regrets that she had not been able to give him more detailed information; and if Commissioner Altman thinks West Melbourne is holding this up, one can bet there will be a lot of phone calls tomorrow.

L.1. Jim Liesenfelt, Interim County Manager

Jim Liesenfelt, County Manager, stated he came across a quote from St. Augustine, he reads a lot about humility, "Those who work with their hands know that to carry a weight safely, it is best not to lift it too far from the ground."; with all the County employees, the Directors, the County Manager's Office, everyone will support each other and ensure that the weight is carried safely and together, and not have to carry it too far to provide the best for the residence and the County; he is humbled; and he expressed his appreciation for the Board's vote today.

L.5. Kim Adkinson, Commissioner District 3

Commissioner Adkinson stated she just wanted to acknowledge that yesterday Governor Ron DeSantis came to congratulate Brevard County on the newly completed weir at the Crane Creek Project; there was a lot of County staff there, Commissioners there, and it just shows that what this County does for improvement of the Lagoon is not going unnoticed; and he promised to continue to support the County in that endeavor.

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

Chairman Feltner congratulated Jim Liesenfelt on his position to County Manager. He mentioned that today they have the second installment of the Space Coast Government Television and Human Resources recruitment and employee Spotlight Campaign; as Communications Director, Don Walker had said in a previous Board meeting, these videos were put together through a summer internship program over the past three months and they will be used in a variety of ways throughout the year to help recruit new employees to Brevard County Government; and today's video features Jamaine McWhite from Mosquito Control Department. He noted he met Mr. McWhite and spent part of the day with him; they removed

some tires with the Waterway Warriors from the river; they were at Cocoa Beach utility services area where they have a ramp; he does not go out in boats so they were on the receiving end of all the tires being dropped off; if anyone happens to see that video, Jamaine was there and they had spent several hours together unloading tires from a boat and placing them on a forklift; and he actually is very enthusiastic, he kind of downplayed it in the video a little bit, but he enjoyed the day with him.

Adjourn

Upon consensus of the Board, the meeting adjourned at 7:11 p.m.

ATTEST:

\_\_\_\_\_  
RACHEL M. SADOFF, CLERK

\_\_\_\_\_  
ROB FELTNER, CHAIRMAN

BOARD OF COUNTY COMMISSIONERS  
BREVARD COUNTY, FLORIDA