

Brevard County Board of County Commissioners

*2725 Judge Fran Jamieson Way
Viera, FL 32940*



Minutes

Tuesday, August 3, 2021

5:00 PM

Regular

Commission Chambers

A. CALL TO ORDER 5:00 PM

Rollcall

Present: Commissioner District 1 Rita Pritchett, Commissioner District 2 Bryan Lober, Commissioner District 3 John Tobia, Commissioner District 4 Curt Smith, and Commissioner District 5 Kristine Zonka

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

Chair Pritchett led the assembly in the Pledge of Allegiance.

D. MINUTES FOR APPROVAL: May 6, 2021 Zoning

The Board approved the May 6, 2021, Zoning minutes.

Result: APPROVED

Mover: Bryan Lober

Second: Kristine Zonka

Ayes: Pritchett, Lober, Tobia, Smith, and Zonka

E.1. Resolution recognizing the achievements of the Astronaut High School Boys Bowling Team

Chair Pritchett read aloud, and the Board adopted Resolution No. 21-090, recognizing the achievements of the Astronaut High School Boys Bowling Team.

A representative of the Astronaut High School Boys Bowling Team expressed the team's appreciation for the Resolution.

Result: ADOPTED

Mover: Rita Pritchett

Second: Curt Smith

Ayes: Pritchett, Lober, Tobia, Smith, and Zonka

F.1. Final Plat and Contract Approval, Re: Lake Andrew Drive - Segment F (21FM00006) (District 4)

Developer: The Viera Company

The Board granted final plat approval; and authorized the Chair to sign the Final Plat and Contract for Lake Andrew Drive –Segment F - Developer: The Viera Company, subject to minor changes, if necessary, receipt of all documents required for recording, and developer responsible for obtaining all other necessary jurisdictional permits.

Result: APPROVED

Mover: Bryan Lober

Second: Curt Smith

Ayes: Pritchett, Lober, Tobia, Smith, and Zonka

F.2. Final Plat and Contract Approval, Re: Viera Village Center II (21FM00007) (District 4)

Developer: The Viera Company

The Board granted final plat approval; and authorized the Chair to sign the Final Plat and Contract for Viera Village Center II - Developer: The Viera Company, subject to minor

changes, if necessary, receipt of all documents required for recording, and developer responsible for obtaining all other necessary jurisdictional permits.

Result: APPROVED

Mover: Bryan Lober

Secunder: Curt Smith

Ayes: Pritchett, Lober, Tobia, Smith, and Zonka

F.3. Final Plat and Contract Approval, Re: Reeling Park South - Phase 3 (21FM00003) (District 4)

Developer: The Viera Company

The Board granted final plat approval and authorized the Chair to sign the Final Plat and Contract for Reeling Park South – Phase 3 – Developer: The Viera Company, subject to minor changes, if necessary, receipt of all documents required for recording, and developer responsible for obtaining all other necessary jurisdictional permits.

Result: APPROVED

Mover: Bryan Lober

Secunder: Curt Smith

Ayes: Pritchett, Lober, Tobia, Smith, and Zonka

F.4. Approval Re: Amendment to Interlocal Agreement Regarding St. Johns Heritage Parkway Intersection and Babcock Street - Districts 3 and 5

The Board approved and authorized the Chair to execute the Amendment to Interlocal Agreement regarding St. Johns Heritage Parkway Intersection and Babcock Street; and authorized the County Manager to grant two time extensions in accordance with the Amendment.

Result: APPROVED

Mover: Bryan Lober

Secunder: Curt Smith

Ayes: Pritchett, Lober, Tobia, Smith, and Zonka

F.5. Approval, Re: Permission to Advertise a Proposed Amendment to the Exchange Agreement between Brevard County and NASA Investment Partners, LLC (N.I.P.) -District 5.

The Board authorized the advertisement of a proposed Amendment to the Exchange Agreement between Brevard County and N.I.P.

Result: APPROVED

Mover: Bryan Lober

Secunder: Curt Smith

Ayes: Pritchett, Lober, Tobia, Smith, and Zonka

F.6. Approval to Re-Advertise a Request for Proposals (RFP) for South Beaches Wastewater Treatment Facility (SBWWTF) Injection Well Rerating and MW-3 Repair

The Board approved and authorized the re-advertisement RFP for SBWWTF Injection Well Rerating and MW-3 Repair; authorized the Chair to execute all resulting contracts, contracts

amendments, and contract extensions as needed, upon review and approval by the County Attorney's Office, Risk Management, and Purchasing Services; and authorized the County Manager to approve any necessary Budget Change Requests.

Result: APPROVED

Mover: Bryan Lober

Second: Curt Smith

Ayes: Pritchett, Lober, Tobia, Smith, and Zonka

F.7. Permission to accept FAA Grant Offer for lighting of Taxiway A at Valkaria Airport

The Board approved and accepted the Airport Improvement Program Project Grant for funding installation of Taxiway A lighting at Valkaria Airport; and authorized all necessary Budget Change Requests associated with this Project.

Result: APPROVED

Mover: Bryan Lober

Second: Curt Smith

Ayes: Pritchett, Lober, Tobia, Smith, and Zonka

F.8. Approval, Re: Submission of Revised Grant Application and Execution of Follow-Up Grant Agreement for FY2021/SFY2022 Space Coast Area Transit Section 5310 Formula Grant with Florida Department of Transportation

The Board approved the submission of the revised SCAT, Section 5310, Grant Application to FDOT for FY2021/SFY2022 in the amount of \$280,000; authorized the Chair to sign the revised Form 424: Application for Federal Assistance; authorized the use of FDOT Toll Revenue Credits; authorized you to sign the revised Grant Application; authorized the Chair to execute the follow-up Grant Agreement and if necessary, you to execute and submit the Grant Agreement electronically, contingent upon County Attorney and Risk Management approvals; authorized you to execute any additional follow-up documentation, resolution and amendments necessary to secure these funds; and authorized the County Manager to execute any necessary Budget Change Requests.

Result: APPROVED

Mover: Bryan Lober

Second: Curt Smith

Ayes: Pritchett, Lober, Tobia, Smith, and Zonka

F.10. Permission to Issue Annual Supply Bids, Proposals and Requests for Qualifications (FY 2021/2022) and/or Negotiate Competitive Agreements

The Board granted Purchasing Services approval to perform actions regarding the list of commodities and services for Fiscal Year 2021-2022; approved the solicitation of competitive bids, quotes, and/or negotiated competitive agreements and award to the lowest responsive, responsible and most qualified vendor(s); approved the solicitation of competitive proposals and requests for qualifications, establishing selection and negotiation committees approved by the County Manager, or designee, and award contracts and/or purchase orders with the highest ranked proposer(s); approved exercising renewal options upon evaluation of supplier performance and recommendation from user departments/offices, establishing continuance of the contract is favorable prior to the renewal of the agreement; and authorized the Chair to execute all contracts, contract renewals, contract amendments, and any necessary contract extensions exceeding \$100,000 in total aggregate value, upon review and approval by the

County Attorney, Risk Management, and Purchasing Services.

Result: APPROVED

Mover: Bryan Lober

Second: Curt Smith

Ayes: Pritchett, Lober, Tobia, Smith, and Zonka

F.11. Permission to Issue Purchase Orders (FY 2021/2022) to Approved Vendors of Record (VOR)

The Board granted Purchasing Services approval for use of the attached vendors, determined to be the sole source for the products and/or services as indicated; approved the issuance of purchasing orders; authorized the Chair to execute contracts, contract renewals, contract amendments, and any necessary contract extensions to those vendors exceeding \$100,000, subject to review and approval by the County Attorney's Office, Risk Management, and Purchasing Services; approved competitive action in the event of unforeseen changes to the approved vendors, and/or the cooperative purchasing programs; and approved the use of State contracts, cooperative contracts, and other agency contracts as VOR per the attached list, when market research dictates, utilizing one of these existing contracts is in the best interest of the County.

Result: APPROVED

Mover: Bryan Lober

Second: Curt Smith

Ayes: Pritchett, Lober, Tobia, Smith, and Zonka

F.14. Citizen Request for Approval of Temporary Use and Right of Entry Agreement for Falconry Activities at the South Beaches Wastewater Treatment Plant

The Board approved the citizen request for Temporary Use and Right of Entry Agreement for Falconry activities at the South Beaches Wastewater Treatment Plant.

Result: APPROVED

Mover: Bryan Lober

Second: Curt Smith

Ayes: Pritchett, Lober, Tobia, Smith, and Zonka

F.15. Appointment(s) / Reappointment(s)

The Board appointed/reappointed Jessica Curry to the Titusville-Cocoa Airport Authority, with said appointment to expire August 3, 2024.

Result: APPROVED

Mover: Bryan Lober

Second: Curt Smith

Ayes: Pritchett, Lober, Tobia, Smith, and Zonka

F.9. Approval, Re: Auto Aid Agreement with Patrick Space Force for Fire Protection and Emergency Services.

Matthew Wallace, Public Safety Director, stated this Item is the Auto-Aid Agreement with Patrick Space Force Base and Brevard County for emergency services for automatic aid to include all unincorporated areas of South Cocoa Beach; this auto aid will be a trade for services

in kind, there is no direct monetary obligation in this agreement; Patrick Space Force Base will automatically provide fire service to unincorporated areas of Cocoa Beach and Brevard County in return will provide training to Patrick Space force Base personnel for instant Commander which will save them from sending their people temporary duty to Texas for up to two weeks at a time and several dollars on their side; it is a great trade if someone were to analyze the dollars that the services in kind would be; the agreement is five year terms with auto renewals, not to exceed 20 years; and the driving force of this agreement is really the low call volume that this area has. He went on to say Patrick Space Force Base has agreed to this agreement because they average about 24 fire calls per year with less than one being an actual fire call; because of the low volume, Patrick was willing to get into this agreement; this agreement also solves a decade old problem; as they went back and looked at most homes in this area, they were built between 1953 and 1965, those homes were more than five miles away from their servicing fire department, and as such, the Insurance Service Organization (ISO) declared their ISO rating at a 10 which is the worst; if someone's residence is more than five miles away from a fire station they get an automatic rating of 10; with this agreement the Patrick Space Force Fire Station will be within five miles of every resident in unincorporated South Cocoa Beach; and that will improve the ISO rating automatically if the Board approves this. He continued by saying there is no serviceable difference between this auto-aid agreement with Patrick Space Force Base or any other fire service provider that staff had been in contact with, or in discussions with; the engine manning in fact, providing this agreement, would meet or exceed all those other service providers in the County that they have auto-aid agreements with; staff spent the last eight weeks going over every detail of this agreement; the County Attorney's Office, the County Risk Management Office, Patrick's Judge Advocate General all reviewed this in excruciating detail; and they all recommend it is legally sufficient, and he requested Board approval. He noted there is no change in emergency medical services for the area; the BCFR ambulances will continue to service this area just like they do today; and in closing he would like to push a big thank you to Patrick Space Force Base, their fire teams, their leadership, for stepping out and helping solve this big issue that the County has had for a long, long time. He mentioned this agreement will set a standard of great partnerships with federal partners; he looks forward to working with them; and they are excited about getting into this agreement with the County.

Commissioner Lober stated he wants to correct one thing Colonel Wallace stated and amend one other thing, then put out a couple of other items; the correction is this is not a decade long problem it is a multi-decade long problem; in fact this has been an issue since man first stepped foot on the moon; this is the only option that he has seen that has a high likelihood or almost a certainty of resolving that issue that Colonel Wallace mentioned as far as being a fire station that is obligated to respond within five miles of driving distance; in terms of serviceable differences between this and other auto-aid agreements throughout the County, it meets or exceeds every other one; the only other alternative that anyone has proposed to him on this as far as an auto-aid agreement with an adjacent municipality, he was just informed by one of the District Chiefs today that they have two-man engines whereas Patrick has three or four-man engines, so there would be a difference of personnel of 50 to 100 percent greater than the next nearest alternative, which in all candor is just financially prohibitive and he would go as far as to say financially responsible for the Board to consider, especially when there is something essentially free to the County that involves no real risk and no down side; and he does not claim that this is going to resolve every problem with respect to Snug Harbor. He went on to say if there is more to be done afterwards then it can certainly be evaluated in the future to determine if there are other changes that need to take place; the way that it is phrased, it is simply a no-brainer; he thanked the Chiefs and Colonel Wallace for this; he stated it was a tremendous effort that he did not expect to necessarily pan out at the end of day; and there were some hiccups along the road, but it looks like they are finally there.

Steve Horn stated he lives in Snug Harbor; he thanked Colonel Wallace and Commissioner Lober for making this happen; he commented he had his doubts about it; he did not think the Space Force Base would actually go out into the community and do stuff like that; he personally went out on the Space Force Base to see the distance and the furthest house in Snug Harbor is 4.9 miles; he knows this is just the first step with the ISO ratings, and 50 percent of the ISO rating is based on the fire department; there are other things like the water and water pressure; and he hopes that is something that can be explored in the future to get the ISO rating better.

Commissioner Lober stated since the water delivery was brought up, he has been in communications with Colonel Wallace about that specific issue; he knows the City or Cocoa maintains the water supply out there; one of the items they discussed was potentially looking at that area where there is a greater spacing between the houses and the hydrants than what would be potentially ideal, not to say it is the worst by any means, but it is an area that stands to need some improvement; they are looking at that and the important thing is taking this in a logical chronological order where they go through each of the steps, see what the impact is to ISO, and then take additional steps as necessary to address it until the County is in a better spot.

Mr. Horn commented that was what he was getting at, to explore those kinds of things in the future because there is supposed to be fire hydrants within 800 feet of each other; and there are areas where they are not 800 feet.

Commissioner Lober noted it is his understanding that 1,000 feet is the magical number; he believes that the report he received indicated there was one house that exceeded 1,000 feet; it was beyond it by like four or six feet, a trivial amount; and even those exceeding 1,000 feet, depending on the capacity, or the length and diameter of the hose in the responding engines, there were exemptions or exceptions that allowed them still to fall within a decent ISO rating; and he understands from staff that the responding trucks would meet those additional exemptions or exclusions, and he will defer to Chief Schollmeyer to explain it a little more eloquently. He stated they may not be in the worst possible shape, but that does not mean that he is satisfied leaving it as it is.

Chief Mark Schollmeyer, Brevard County Fire Rescue Director, explained there are a couple of things with the ISO; ISO and National Fire Protection Agency (NFPA) requirements have been confusing; the two are the same but different, if that makes sense; with ISO it is 1,000 feet or less from a hydrant or five miles or less from a fire station; ISO also mentions credible water sources; the definition of credible water source according to ISO is 250 gallons per minute for two hours; and that is the only requirement ISO has. He continued by saying in reference to 800 foot spacing on hydrants, that is an NFPA requirement for new neighborhoods; and when that neighborhood was built, it did not apply.

Mr. Horn responded affirmatively; he commented he thinks they have the water pressure there; and he thinks it is about 500-plus.

Chief Schollmeyer mentioned he thinks all those hydrants are orange-top hydrants; when looking at NFPA color coding of hydrants, there are red-top hydrants that 0 - 499 gallons per minute, and orange-top is 500 – 999; and then there is the green and the blue.

Commissioner Lober noted just in the interest of time, he thinks after this particular Item is resolved and put in place if Mr. Horn wants to get in touch with one of them, he can set up a sit-down with all three of them to evaluate where things are at and discuss the next steps

forward to see if that is something Mr. Horn will support or if he has other ideas to the contrary or condition.

Mr. Horn advised that would be greatly appreciated.

Commissioner Zonka asked if this was Colonel Wallace's idea, given his relationship with the base.

Colonel Wallace responded he cannot take all the credit; Chief Schollmeyer asked him if there was a fire department on Patrick and if Colonel Wallace was in charge of that at one time; when he responded yes to both, the Chief asked why they could not get into this agreement; and once the Chief put it in his head, it was spearheaded.

Commissioner Zonka noted this is one of those times the board really appreciates Colonel Wallace's relationship with the base; a lot of the public probably does not know that; and she thanked them both for their hard work. She went on to ask if the County typically has a ceremony, or if it was the base that requested a ceremony signing.

Colonel Wallace advised in military tradition, getting into partnerships with the local community is a big deal because the Wing Commander, part of his mission is to reach out to the community to make sure they are safe; when these things happen it is a big deal for them; and they want to celebrate the fact that they are reaching out and being a part of Brevard County.

Commissioner Zonka mentioned she was just curious because this is not something that the Board typically does; and if the Board is fine with it she does not have a problem with District 2 doing it, but typically it would be deferred to the Chair because she is the signer of all documents.

Colonel Wallace responded it is whatever the Board directs.

Chair Pritchett commented she is fine with it.

Commissioner Lober noted it is whatever the Board wants to do; the request involved himself, but if the Chair wants to go, by all means, it keeps him out of the heat.

Chair Pritchett noted she fine with it, it is Commissioner Lober's District.

The Board approved the Auto-Aid Agreement with Patrick Space Force Base for Fire Protection and Emergency Services to cover unincorporated areas of south Cocoa Beach; authorized the Chair to execute the Agreement; authorized the County Manager, or designee, the authority to execute any revision to the Agreement, execute contract amendments, renewals, or extensions as agreed to by both parties, and as outlined in the agreement, upon review and approval of the County Attorney's Office and Risk Management; and authorized District 2 Commissioner, Bryan Lober, be designated to represent the Board at an agreement signing ceremony, currently scheduled to be held on Wednesday, August 4, at Patrick Space Force Base.

Result: APPROVED

Mover: Bryan Lober

Secunder: Kristine Zonka

Ayes: Pritchett, Lober, Tobia, Smith, and Zonka

F.12. COVID-19 Administrative Leave Policy

Frank Abbate, County Manager, stated he believes this Item is self-explanatory; he will provide a brief introduction; this is an administrative leave policy and requires Board approval because it is a benefit that would be provided to those employees that have obtained vaccination for COVID-19; and it would entitle them up to 10 days of administrative leave is, as a vaccinated employee, they come down with COVID-19, are symptomatic, and therefore are required under the Center for Disease Control (CDC) guidelines to quarantine for a 10-day period; and this was provided as a way for the Board to consider providing an incentive through the end of the year, for employees to voluntarily obtain vaccination and recognize those that have done so, by providing that benefit. He continued on to say this does not cover anyone other than vaccinated employees; and he noted this is different than Federal legislation that was put into place last year, that legislation is no longer in effect today.

Chair Pritchett advised she is going to call on the public speakers; to clarify, as of right now, if someone is unavailable to come to work and they are ill, they are using their sick time right now; and she inquired if that is correct.

Mr. Abbate responded that is correct, they can use any of their available leave time, most likely it would be sick leave.

Nathan Slusher stated any time someone takes people's money from their paycheck and give it to a specific group of people just based on their beliefs is a massive principle problem; whether anyone agrees with them or not is irrelevant to the fact that the County cannot pass out money just based on how people believe; it is just not ethically correct to do that; and that is all he has to say.

Diana Haines stated she is appalled at the measure being put forth, and for her to say that is an understatement; the Board consists of elected public officials, the members are public servants and paid by the people who live in this County; how dare the Board incentivize one American worker against another, especially over a highly volatile and controversial vaccine; vaccines that have proven to be ineffective, cause irreparable damage, and permanent harm to one's body; companies producing these non-Federal Drug Administration (FDA) approved vaccines have countless lawsuits against them for irreparable damages and deaths that their products have caused to unsuspecting Americans; she can attest to this first hand because she is one of the victims whose life and body was irreparably damaged by one such vaccine company; and just so everyone knows if any of these COVID-19 vaccines damages someone, they will not be able to sue the manufacturer like she did, and they will never see compensation for damaged health. She went on to explain if cities, counties, and private employers demand people get these vaccines as a condition of their livelihood then maybe the people can sue the Board, the County, the City, or private employer; this is still the United States if America, the land of the free; for a reminder, it still hold true in the words written by far greater men that we hold these truths to be self-evident, that all men are created equal and are endowed by their creator with certain inalienable rights; among those rights are life, liberty, and the pursuit of happiness; to secure these rights, governments are instituted among men deriving their powers from the consent of the governed, that whenever any form of the government becomes destructive of these ends, the right of the people to alter or abolish it and to institute new government laying its foundation on such principles and organizing its power in such form as people seem to be most effective for their health, safety, and happiness; the Board is treading on dangerous grounds; and here is a little history lesson. She advised decades ago a star was placed on people who were different, people who were different were led to the gas chambers; and she asked the Board to think about the resolution, because if it passes this Consent Item, it may be time to abolish them.

Commissioner Lober stated for someone who was raised Jewish, has two parents who are Jewish, and has a grandfather who was a first generation American-Jew who fought in the U.S. Army against the Germans in Germany in World War II and was involved in liberating concentration camps, comparing this to the Holocaust, he finds tremendously offensive; the speaker has every right to do so, just as anyone has a right to make a stupid comment, with which he tremendously disagrees; to suggest that this is in any way akin to that just shows that there is a complete detachment in terms of the speaker's perception and reality; and he asked Mr. Abbate if the County is implementing this policy in any way based on anyone's belief as was suggested by the first speaker.

Mr. Abbate replied no.

Commissioner Lober asked if this is something that he is suggesting implementing based on steps taken to reduce risks and ensure that people remain healthy.

Mr. Abbate responded in the affirmative.

Commissioner Lober asked if it is purely a voluntary process.

Mr. Abbate responded absolutely.

Commissioner Lober asked if the County is forcing anyone to do anything whatsoever.

Mr. Abbate responded no.

Commissioner Lober noted this is simple to him; if one wants to come in his house and he says to remove the shoes, people remove their shoes, and if people do not want to do it, then they do not have to come in his house; and he made a motion to approve.

Chair Pritchett noted she would like to make a couple comments; she thinks what is going on is people are a little fearful of the unknown and she gets that; just a testimony of this week, there is a church facility with a large daycare and school, and they had eight people get COVID-19 within two days; those people are pretty sick; this is painful; they are on days eight and nine and none of them were vaccinated; she just wants to tell people, whether they believe it or not, but if someone is not comfortable with it, then do not do it; she will fight for people's rights to have that decision; however, she thinks the correct word here is to consider it, spend some time, think about it, talk to the doctor, and make the choice. She went on to say people can argue with data but they cannot argue her testimony; she has lived through it and she has seen results with it; it is one mean virus; she will leave that to the people though; it is everyone's own choice; she does not think that is what is necessarily being portrayed, but she has more concerns on trying to handle the financial side of this right now; she is not going to vote in support of it, but it is not that she does not think that if people would think through it and get the vaccine that it is not a good thing; she has seen the bad side of COVID-19 and if people have seen it enough, or have watched family members be sick enough to where people have almost lost a couple or have lost a couple, it kind of makes people rethink it a bit; and that is a little balance on this.

Commissioner Smith mentioned this is a tough one for him because he understands the purpose behind it and he does not necessarily disagree with the purpose; however, he has a problem or issue because he knows there are people that have beliefs that would not let them take this; he also knows there are people who are very, very strongly opposed to this; from his

perspective it is setting them up as a separate class of citizens; he will not support this, and he is not saying it does not have some value, but he just cannot; he has been looking at this whole COVID-19 for a year-and-one-half as have everyone else and self-preservation is probably the instinct that is the strongest amongst very single one of them, even insects have a sense of self-preservation; and if one does not believe that, they have never had a fly or an annoying mosquito in their house because if someone tries to kill one of them they will do everything they can to get away. He added self-preservation is extremely strong; if after a year-and-one-half, of being deluged with the fear of getting this disease and the fear being talked about ad nauseam about how bad this thing is, people either believe it or they do not; and if anyone has not grasped the fact that this is very important to them, then that person's self-preservation has not been tweaked; and offering someone 80 days, 20 days, or a couple hundred bucks, he does not think it is going to make a difference. He mentioned to the people who want it, they have gotten it or are going to get it, because now they see the light or they are not going to get it; he does not think that either of the things being proposed tonight would have much effect; the Board has already seen that it does not already; and he announced he and his wife got their shots, and he thinks it is up to the individual, it is as personal choice, and if someone wants to get it, get it, and if they do not then do not; however he is not big on incentives and he is not going to support this.

Commissioner Zonka commented her take is a little different even though she is in agreement with Commissioner Smith; she is not saying this is not salvageable because she thinks there is probably a way the Board could accommodate any employee who is unfortunate enough to get COVID-19; she knows people that cannot get the vaccine because they are immunocompromised; she knows people that are just waiting another approximately one to two months or FDA approval; she works with people who are genuinely scared; and should they be, maybe, maybe not. She advised she herself was vaccinated at the first instant that she was able to because she believes she has a responsibility to her community and her patients; she does not like any type of incentives; she thinks sick leave serves a purpose in any employment agreement and that is how she looked at this; she tried to peel the politics away from it, sick leave is sick leave whether one gets COVID-19, the flu, bronchitis, or otherwise; she thinks every employee should have to use their sick leave; it is unfortunate if someone gets COVID-19, but the responsibility is on them to make sure to do what they can to prevent it, not looking at it as though they would be covered if they get the vaccine; and the Board knows that does not necessarily determine protection. She added this is so narrow that she does not even know if it would be utilized, therefore an unnecessary move on the Board, and she will not be supporting it.

Commissioner Tobia stated he is tired of the social aspect of things; if people want the social aspect they should go to church and he will support them, whatever church they attend; the thing speakers are failing to understand and unfortunately the members on the Board this Board, having a government job is not a right, it is a privilege; if people do not like it then go somewhere else, there are other opportunities; he cannot tell people how many signs he sees that say help wanted; if people do not want to be team players and want to put constituents at risk, and maybe if someone does not like science, his guess would be they are not a doctor, a nurse, or do very well in Biology class, because when the CDC says 99.97 percent of people that are in the hospital right now are there without vaccinations; what people fail to understand is that the County is self-insured; and all these morons that do not get the shot and ends up in the hospital is costing about \$14,000 in tax payer money. He added stop the whining and complaining, just quit the government job, he does not want people here that are going to put taxpayers and members of the public at risk; people can read any document they want, but the Board is who has to come back and say there needs to be a tax increase; there were more than 70,000 hours of government employees that have been out on sick leave; that means time

and one-half or double-time, or God forbid, these dang unions, triple-time that the County is having to pick up; he is sorry to get impassioned on this stuff, but if the County stopped incentivizing, the Board should not have to do this, people should care about people that they serve, care about science; this is not a partisan issue this is a management issue; he is disappointed that it even has to come to the Board; he appreciates everyone's opinion but he cannot imagine an officer in the military gives an order and there are a bunch of enlisted folks who question that order; and this is an organization with an individual at the top who is trying to save tax payer money. He noted about half of those 70,000 came from fire fighters, the wonderful union that the County is currently involved with and by the way has vaccination rate of 27 percent; this is absolutely disgusting; this is abhorrent; he strongly supports this; in fact, he would go a step further and say if people do not want a vaccine then get out or the County is not going to provide them with insurance; unfortunately the Federal government has put laws in place that preclude that from happening; and he thinks incentivizing this type of behavior is very good and he will strongly be supporting it. He mentioned unfortunately it sounds like this will be going down.

Chair Pritchett stated she has a motion and she is thinking that is a second.

Commissioner Tobia respond in the affirmative.

Commissioner Lober mentioned he wants to point out that to him he agrees with some of what Commissioner Tobia stated but certainly not all of them, by any means; it is interesting because he feels like he falls between the two rocks in this case; he does not know what he is closer to quite honestly; to him, the big differentiator is it is voluntary; if it were not voluntary he would not support it; and even looking at the District 2 delegated allocation he and the Board were happy to permit a good a chunk of that money to be used to incentivize folks that are first responders, Brevard County Fire Rescue (BCFR) personnel, fire medics, lieutenants, captains, District Chiefs, the Chief, Ocean Rescue, lifeguards, and even those people who work in organizations that share Auto-Aid Agreements, which would now include Patrick Space Force base, or soon would include Patrick Space Force Base to incentivize them; and he is not going to stick a needle in anyone's arm but he does not see anything wrong with rewarding behavior that reduces risks and keeps people at the workplace. He noted if the people do not want to do it then fine, they do not have to do it; if someone is on the fence or ambivalent and this is something that would encourage that person to do it, then he does not see any issue with it; there is certainly nothing remotely illegal about it, he does not think there is anything immoral with it, and for the folks who say they do not want to get it, then okay, do not do it; and that is the real differentiator for him. He advised he is not going to say to people who have worked for the County for years, that may have a perfectly valid reason for not getting it, to get it; he knows his wife has a friend that has an autoimmune issue and cannot get the shot, it is unfortunate, but he will not ever give her a hard time because she did not get it because she cannot get it; her physicians told her not to get it, and the physicians being in a category where 96 or 97 percent of them have gotten vaccinated; any proposal that comes up here that looks like it is either a wash in cost or close to a wash in cost, may save the County money, or even cost the County a little bit, but keeps people in the workplace and keeps people being productive in doing their jobs, that is voluntary and involves an incentive, for something like this, he will support it; and it sounds like they are going down in flames but he is still where he is with it.

Commissioner Zonka noted while she does not agree with everything Commissioner Tobia said, she does agree in the sense that the employer sets the rules; her employer sets her rules and she is happy to abide by them or look for another job; she actually agrees with Commissioner Tobia on that; she thinks this is sort of muddied-up with Commissioner Tobia's

Item later dealing with the cash incentive; and she advised this is just the Administrative Leave Policy from the County Manager, so she does not want the two Items to get convoluted. She went on to say she does not like this; she wishes it was available to all people; she thinks COVID-19 is unfortunate and that the County should do what it can to help its employees; she will go with the will of the Board and if the majority is not agreeing with the Policy, she would support it if it included everybody in the Administrative Policy, vaccinated or unvaccinated; she does know people, even health professionals, that are just waiting that extra month or two because they are scared; justifiably maybe not; maybe these people are making a poor decision and they are taking bigger risks, but that is their own personal choice; as soon as she could get that vaccine she did; and she figured that was the best thing she could do to protect her family, patients, and community, and it was her choice. She continued by saying as soon as it is FDA approved this can be revisited, but she is not comfortable leaving out a group of people that may be just too scared to get it right now.

Chair Pritchett advised she agrees with that as well; to do this people would have to ask who has had it and who has not; she does not want people being ashamed on one side or the other; people are genuinely either afraid of getting it or afraid of the COVID-19; that is their own personal decision, no one has to be embarrassed about it, it is something that has to be decided on their own; it is scary both ways; she gets it, people have to do what they need to do to take care of themselves; and she agrees at this point people are either going to do it or they are not. She mentioned it is their own personal conviction; she is glad the FDA is going to be doing the reconsideration of approval; she thinks that will change a lot of people at that time or if well or maybe by then everyone will have had it and there will be herd immunity and move along; however, this is one mean virus. She explained if people have not seen this up close and personal it is not kind, it is really painful.

Commissioner Lober asked Mr. Abbate if he knows how Brevard County compares to some other counties throughout the State, if Brevard is better or worse off with COVID-19; and if he has any idea what the rates are specific to here.

Mr. Abbate commented he believes there is probably someone from the Department of Health there that could probably answer that question better than he could; he did meet with some of the leading hospital administrators who expressed their serious concern about Brevard County; in certain aspects, in terms of the doubling rate for the infection, Brevard is the highest in Florida at 39 days where most other jurisdictions in the area it is 50 to 60 days; and he was just given that information late this morning.

Chair Pritchett advised it is an eight-hour wait to get tested.

John Scott, Emergency Management Director, stated he has Helen Midland from the Department of Health who is an epidemiologist, and John Davis; and he will let them speak.

Ms. Midland inquired what specific information the Board wanted.

Commissioner Lober stated he is just worried; he asked how Brevard County compares with respect to what it is dealing with, with COVID-19, compared to any other counties in Florida. He noted he wonders if Brevard County is in a good spot, bad spot, whether it really is important for the Board to do something that is currently not being done; and whether it is unnecessary at this point.

Ms. Midland responded by saying that all of Florida is in a bad position; looking at statistics, she looks at cases every day and has done that for over a year and one-half, and she can say from

about June 21 they have doubled in numbers every week; the numbers the Board is looking at are the numbers that they know of; numbers can always be looked at and with epidemiology be aware that there is probably two to three times that number untested; and she only knows the tested amounts. She continued on looking at the data that the State of Florida had put out on Friday, that cases per 100,000, last week was 575 on average over the week; that is the highest they have ever been at any point in time during this pandemic; and high transmission from the CDC is considered a 100 per 100,000 so she does not know what 575 would be called, it is kind of off the scale.

Commissioner Lober stated he thought he heard Mr. Scott say that she was an epidemiologist.

Ms. Midland advised she is a registered nurse and works in epidemiology; and she has 10 years of experience in working with vaccines and then three to four in epidemiology.

Commissioner Lober asked if she works for Florida Department of Health (FDOH).

Ms. Midland responded she works for DOH in Brevard County and she is the program manager for epidemiology.

Commissioner Lober commented so it is not that she just stayed at the holiday inn express.

Ms. Midland noted she works with this every day; Brevard County is at 575 cases per every 100,000; some of the smaller counties seem to be doing much better; probably some of the lowest is Glades County which is at 67 cases per 100,000; Broward is at 462, Baker is at 789, so Brevard is in the top quarter of the counties as far as cases per 100,000.

Commissioner Lober clarified that when Ms. Midland says top, she means worst.

Ms. Midland responded affirmatively.

Chair Pritchett asked where Brevard compares as far as vaccination rates in this County compared to other counties.

Ms. Midland responded Brevard County's vaccine rate, counting those over 12 that can be vaccinated, is at 58 percent; Brevard is probably in the upper areas of those being vaccinated; that is concerning when there is that level of vaccination, but still receiving that higher level of cases; there is a little bit of disconnect there; but she cannot explain that. She reiterated Brevard County is not in a great position right now.

Chair Pritchett asked how long she thinks it will be until this runs its path this time.

Ms. Midland stated she wishes she had the answer to that; she thinks people could probably look toward India and how long it took them to go from their peak down to maybe what was something they could actually handle or live with; and she mentioned it took them maybe a month to a month and one-half depending on what statistics they were looking at.

Chair Pritchett asked if she could get Commissioner Zonka's opinion on what the County needs to do is to get this to where it is more manageable by the hospitals.

Commissioner Zonka responded what is going on in the hospitals right now is down-right scary; she has to be careful, obviously because she works for a hospital system and she does not want to speak out of turn; she is sure John Scott has a plethora of information he can provide;

and she has seen some updates and it is very scary.

Mr. Scott stated yes it is; all three of the hospital systems, Parrish, Health First, and Stewart, are at the highest levels they have seen during this event; all of them are beyond their licensed bed capacity; a compliment to the tremendous work that all the healthcare workers are doing; they continue to find extra space in hospitals, convert rooms to negative pressure so they can accommodate more and more COVID-19 patients; but it is absolutely at a high point; and what is important to talk about is it is not just COVID-19 patients, it affects the entire hospital system, people still fall down, people still get into car accidents, all that kind of stuff still happens. He went on to say the Commissioner eluded to the idea of the long wait times that are being seen in the emergency rooms; those also impact the urgent care centers, as those continue to get longer wait times; the EMS system, the ambulances are continuing to have to hold longer at the hospitals which takes more and more ambulances out of service; the hospital system right now in its general functionality is the big concern; and he knows that more and more people getting vaccinated is one of the ways to begin stabilizing this.

The motion was denied by 2:3 vote.

The Board denied approval of the COVID-19 Administrative Leave Policy that provided an option to utilize administrative leave for employees who are fully-vaccinated, in lieu of using their accrued leave.

Result: DENIED

Mover: Bryan Lober

Secunder: John Tobia

Ayes: Lober, and Tobia

Nay: Pritchett, Smith, and Zonka

COVID-19 Administrative Leave Policy

Commissioner Zonka stated she would at least propose or maybe toss around the idea of including all employees in that administrative leave Policy; and if the support is there for it, she would be happy to support that, vaccinated and unvaccinated individuals.

Commissioner Lober stated his initial take, and he will defer to Mr. Abbate if he thinks this is something that from a financial standpoint is wise, he will support it, but his initial take is to oppose it simply because the purpose, as he understands it, was to incentivize people to get vaccinated; if it is being available to everyone, it ceases to achieve that objective; that said he does not know the fiscal impact of approving this with a wider pool would be; the hope was to have more people at work which would offset the cost of making that other option available to them; and he just does not see how this would work out for the County's advantage and the tax payers advantage by approving it with a wider pool of people who would be covered; and he asked Mr. Abbate if that would help the County out in any way.

Mr. Abbate stated as Commissioner Tobia pointed out, the County had very significant utilization of COVID-19 related leave this past year; it was in the area of over 70,000 hours of administrative leave; the average County salary will show this would have a significant impact unless the Board provides a funding source; if a Board Member chose to provide a funding source with ARPA dollars, that would be a way to cover it; Commissioner Lober is correct, this policy was brought forward as a way to incentivize people for vaccinations because of the reasons that were shared this evening; however, staff will be happy to follow the Board's

direction on how to proceed at this point.

Commissioner Zonka commented she guesses that with that COVID-19 related costs, and she asked if they were COVID-19 people who were on their own quarantine, people who were taking care of sick or exposed COVID-19, or people confirmed with COVID-19 like the policy suggested.

Mr. Abbate advised it was a combination of all of those things.

Commissioner Zonka stated so those 70,000 hours were not people with confirmed COVID-19 cases.

Mr. Abbate stated it was for quarantine, there was Federal Legislation in place that said if someone were exposed and/or he or she was a health care worker, he or she would stay away from the work place for 10 days, it was the people who had a family member and were exposed, and it was people who had COVID-19 themselves.

Commissioner Zonka inquired if that happens now, if this policy had passed and was in place, they would not be covered with the same incentives they were given before.

Mr. Abbate noted not unless the Board changed the policy to do that.

Commissioner Zonka stated she does not even know how to compare that; to use the 70,000 hours lost or the 70,000 hours for the employees if that is not there with that policy; and she asked if that makes sense.

Commissioner Lober stated he understands where Commissioner Zonka is coming from.

Commissioner Zonka noted that is why the County has sick leave, that is what sick leave is for; that is just her opinion; if this policy was designed to incentivize people then just say this is the incentive, do not say if they have gotten the vaccine and someone happens to get sick because it encourages people to get it; say what is wanted; and if someone is the employer and they want there to be a vaccine policy in place, then put a vaccine policy in place period, and be done with it. She added it will either have support of the Board and the community or they will not, but she does not like this dancing around; she thinks it is game playing; and she knows that is not management's intention, their intention is to save money, she just does not like the way it is written.

Commissioner Lober responded he understands where Commissioner Zonka is coming from, but in terms of calling it game play, he calls it the difference between forcing a needle in someone's arm and allowing them to make a choice, providing a benefit that they are free to make use of, or not; and he hears her, but he really does disagree and draws issue with terming it game play.

Commissioner Zonka noted she just does not think this is the method in doing it.

Commissioner Lober responded that is fine.

Chair Pritchett stated she wants to say this is going on everywhere in the County right now; as someone who works in another business, the disaster funds are gone; right now if there are employees out there and they have used up their sick leave and the company cannot afford to give more sick leave, it is hitting the community really hard right now; restaurants are closing

because they do not have a choice, their employees have gotten sick and they cannot open up; this is something where the County needs to come together and be supportive of one another and try to find a way to get through it; it is going to be a tough couple of months; and she just wants to remind people that this is a very emotional, hard situation, so everybody should be on their best behavior, be kind, and help each other get through that.

F.13. Letter to the Florida Department of Transportation (FDOT) Concerning S.R. A1A Crossovers (Mid-Block Crossings)

Commissioner Smith stated this is something he thinks the County desperately needs; Florida Department of Transportation (FDOT) has proposed upgrading all 16 crosswalks on beachside; what is unique is they are going to put in ground flashing lights; when these lights flash it is not just the ones on the sign, there will be lights in the road bed itself; if someone is driving they will know something is going on when all those lights are flashing; he understands that currently the lights have to be yellow because it is federally mandated or something; however FDOT is seeking to change that to red; and when that happens the yellow lights will be replaced with red flashing lights. He commented he thinks this is terrific for FDOT to come to the Board and propose this; if it can save one life he thinks it is a big deal; he thinks it can save a lot of lives going forward when they turn to red; and he made the motion to pass it.

Chair Pritchett mentioned Barbara put in a comment card for the last item after public comment was closed so if she wants to put in for public comment on that she can.

Sandra Sullivan stated she lives beachside and these yellow flashing lights are very controversial because of the 12-year old's death; there have been a lot of comments on social media; number one is red means stop, and this does not address that; number two, the confusion that is created by there being so much signage, lights, and whatnot as there is; she has concerns that this will make things worse to put the lights in the road; there has not been a study to show that this is effective; and it does not address the fundamental issue or the fundamental objection by thousands of people pertaining to red means stop. She continued by saying a lot of these midway crosswalks do not even go anywhere, people cross the road and there is not even a park there; it would make sense with a D-level of service to move the crosswalks to the intersections that exist there or put in a few others because Transportation is moving to these intelligent systems to detect people in crosswalks; also with D-level service it would facilitate people making a left hand turn; the County is starting to return to pre-COVID-19 level traffic; the traffic is pretty bad on Highway A1A; and making a left turn gets much harder; and having intersections with red lights, the HAWK systems would facilitate people crossing. She went on to say taking out a few of these crosswalks would make much more sense than trying to retrofit them at what cost, at lights that she thinks are going to get a big pushback and a lot of nasty comments from people who live beachside; and that is just her opinion.

Commissioner Lober stated in Rockledge they have very similar if not the same lights on Barton Boulevard; would he rather they be red for crosswalks, yes absolutely, but he does not know if that is an option at this point or if it can be retrofitted later; he thinks they should look into doing that because he thinks red would be far more effective than yellow; yellow to him means proceed with caution, not stop; but with that said, given that it is either yellow or not putting them out at all, at this point, having seen them on Barton Boulevard and having driven on that road as recently as a day or two ago, he thinks the real risk with this, if there is one, is if they get installed in too many locations because people may then become a little less concerned about them; and as long as they remain few and far between he thinks they do have an impact. He added he says that having driven on a road that has them nearby, a number of times; he is going to support it today, but certainly if and when there is an ability to change them out for red lights he thinks it should absolutely be done; he thinks it would be far more

superior; it is unknowable if this will improve the situation, but he tends to think that it will; Ms. Sullivan may absolutely be right, and this may make it worse; this is one of those judgment calls where it is impossible to know right now; and he would like to give it a chance if that is what Commissioner Smith wants to do to see how it works.

Commissioner Smith pointed out the one thing he failed to mention was that in addition to the flashing lights that will be in the road itself, he has seen these in the Florida Keys and they are very effective; as a driver he was not impressed at all with the signs with the yellow lights; but when they are seen flashing in the road, it gets attention; and the other thing he failed to mention was the fact that in addition to upgrading these crosswalks, the upgrade will also include a button that the pedestrian will push that will activate the lights and it also has a verbal message to the pedestrian to be sure to look in both directions before crossing and make sure all traffic has stopped before entering the crosswalk. He commented a five-year old can figure that out; this is a terrific opportunity to make our roads a lot safer; and FDOT has committed to him that these lights will be changed out to red as soon as possible, whenever that becomes available.

The Board approved sending the Letter to FDOT on behalf of the Brevard County Board of County Commissioner.

Result: APPROVED

Mover: Curt Smith

Seconder: Bryan Lober

Ayes: Pritchett, Lober, Tobia, Smith, and Zonka

G. PUBLIC COMMENTS

Sandra Sullivan stated she is there to talk about evacuations; there is, as she mentioned in the last meeting, a critical deficiency for evacuation; she learned that it is not just Pineda Causeway, it is also on Eau Gallie, so there is not even an alternate route to take to get off of the barrier island since both are a critical deficiency; in 1999, both the County and the City of Satellite Beach entered into an agreement with the State, with Florida Communities Trust, to cap the density and to not move density, not to convert commercial buildings to residential buildings, etcetera; what she has learned is that a former Governor thought it best to do local rule essentially and allow the local government to take things out of a comprehensive plan; and why the County still has a comprehensive plan managed by the State, she does not know, if there is no oversight. She continued by saying as she understands it, this government is supposed to work in a basis of checks and balances so there should be State oversight; one thing that needs to be fixed at the State level is that these agreements for safety of residents; she would urge the Board to talk with the State; the second issue, as the County and the City were both involved in this Florida Communities Trust, under the Florida Administrative Code that governs that agreement, both were required to implement this; obviously, what the City does affects the residents of the unincorporated and it puts people's lives at risk; and as she understands it, they plan to put high density on the West side of A1A, putting much more density on the barrier island, starting with the view, which is a block of 85-foot buildings, when they are already a D-level service. She went on to say she also wanted to mention with the application that was done, there are concurrency issues with the schools; that will put the school over concurrency; the second concurrency is for the traffic; it seems to her the agreements entered into, in good faith by the County and the City, should be enforced; the County actually objected to the increase in density back in 2001, formally to the State; and then the City was rewarded, in kind, by the Air Force in annexing to the City so that changed from 3.14 to 5 units per acre was done. She continued by saying this property far exceeds the five

units per acre; there is no TDR in any document, no legal document; she has done records requests for any document that would give them the right to this additional density; and in addition, there are some other issues that she will address at a later time.

Barbara Gorn stated she is thankful the Board did not pass that motion for a double tier for the employees; she does not think that is supposed to be done in the County; she does not think it is supposed to be done at all in the State; that would create a double tier; people either get their vaccination or they do not; it should not be a reward system, everyone is supposed to be responsible for their own care; that is part of being an American and part of the Constitution, to take care of yourself; people do not need the government taking care of them and telling them what to do; and she is just thankful the Board did not let that go through. She added it is really important to know that people individually have their own feelings on this; she thinks there are a lot of people who do their own investigations, especially seniors who have a lot of time to investigate, look at different studies, and to listen to different opinions from people who are scientists and doctors above the local establishments; and she thinks it is important that it be recognized. She advised she has a list of notes that are facts that different doctors and scientists have put out there; this is not something that the County should be paying people to do if it goes against what people feel is right for themselves; and she reiterated she is glad that some of the Board Members agree with a lot of the citizens.

H.1. Resolutions RE: Adoption of Solid Waste Special Assessments, Fees and Charges and Ratification, Confirmation and Certification of the Solid Waste Special Assessment Rolls.

Chair Pritchett called for public hearing on a request to adopt resolutions for Solid Waste special assessments, fees and charges and ratification, confirmation, and certification of the Solid Waste special assessment Rolls.

Tom Mulligan, Solid Waste Management Interim Director, stated the Solid Waste Department is requesting the Board to adopt four rate resolutions and to confirm and certify the collection and disposal special assessment rolls to the Brevard County Tax Collector; there are no changes to the disposal fees, assessment, or the impact fee assessment resolutions; the residential and commercial collection assessment has a three percent increase in cost as per the contract between the County and Waste Management; the gate charge assessment resolution increases class III and construction demolition waste from \$23.66 per ton to \$31.16 per ton, and increases commercial vegetative waste and pallets from \$23.66 per ton to \$40 per ton; and the resolution ties all future gate fee increases to the consumer price index for garbage and trash on an annual basis.

Sandra Sullivan stated it seems she comes to many of these meetings and she is seeing dollar increases for the residents of Brevard County; in her community, there are a lot of elderly people and veterans on fixed incomes; seeing that police, garbage, fire, utilities, and Florida Power and Light (FPL) is going up as well, and now an increased cost for solid waste, she would like to remind the Board that there are many seniors and veterans who do not see corresponding increases in the amount of money that they bring in; she also wanted to mention the concern with the Federal spending and the inevitable inflationary period that she thinks so many people see coming, that everything is costing more; people go to Lowe's and the things that were \$15 now cost \$20 in a period of two months; this inflationary period is coming; and she would urge the Board to be very fiscally cognizant of the residents who are on fixed incomes.

Commissioner Lober pointed out that he thinks Ms. Sullivan hit the nail on the head in terms of talking about inflation and the cost of goods going up; the fact of the matter is the cost of goods

and services is going up; from his understanding, and he is not talking about having a reasonable reserve, that is separate, but this is not a for-profit enterprise; the County tries to pass along the cost without changing them to reduce or increase them, because if the County charges less than its cost to provide the service, it has to make up that shortfall somewhere and someone has to subsidize the folks that are getting the service at a discount; and this is one of those. He added it is never popular to increase anything, but absent another source of funds, he does not really know that there is any other choice; when it comes to sewer, solid waste collection, law enforcement, or fire rescue, both fire and EMS side, the fact is, these are necessary services and he thinks the vast majority of people would agree their core governmental obligations, whether public safety, infrastructure or even a basic service like trash collection, the problem is the cost has gone up dramatically; a lot of these things, especially the items that the County either cannot or does not do in-house, like waste collection, where it is put out to competitive bid process, and the bids come back higher than 10 or 20 percent, but the County went through the process it always has and that other counties and the states go through in how to advertise these RFPs or potential contracts, the County just does not have that level of control; he thinks to the extent that the County can bring certain services in-house that it plans on providing in perpetuity or for the foreseeable future, that may be something to look at; and he thinks solid waste is a great example of or an opportunity for that where the County can bring that in-house to limit that profit motive or to take out that profit motive. He went on to say when it comes to something like this where the County is basically held hostage to the companies that bid and by extension that will bid once the seven year contract is up, unless it is brought in-house, he really does not know what else can be done; if there is something else that he is missing, whether it is obvious or not, he would be happy to sit down with Ms. Sullivan or anyone else who has a suggestion as to how to save money and avoid any increases, he just does not know of any way; and this is one of those items that when he was doing a staff briefing on it, his comment at the end was that the Board does not have much of a choice. He noted he does not want to vote for it, but if the Board does not vote for it, the problem is the County cannot continue to provide the service; he wants people to understand that he respects the fact that there are people on fixed incomes and that not everyone has the same means, but he does not know of an alternative to this one.

There being no further comments or objections, the Board adopted Resolution Nos. 21-091, 21-092, 21-093, 21-094, 21-095, and 21-096, for the Annual Solid Waste Disposal Special Assessment Rate Resolution; Annual Solid Waste Collection and Recycling Special Assessment Rate Resolution and Special Rates and Charges for improved non-residential property; Schedule of Special Rates and Gate Charges; Solid Waste Impact Fee Rate Resolution; Ratifying, Confirming, and Certifying the Annual Disposal Special Assessment Rolls to the Brevard County Tax Collector; and Ratifying, Confirming and Certifying the Annual Collection and Recycling Special Assessment Rolls to the Brevard County Tax Collector.

Result: ADOPTED

Mover: Curt Smith

Secunder: Bryan Lober

Ayes: Pritchett, Lober, and Smith

Nay: Tobia, and Zonka

Resolutions, Re: Adoption of Solid Waste Special Assessments, Fees and Charges and Ratification, Confirmation and Certification of the Solid Waste Special Assessment Rolls

Commissioner Lober made a motion to reconsider.

Motion fails for lack of a second.

Commissioner Lober stated that is the thing, a Board Member can shoot something down if he or she knows it is going to pass, then can claim that he or she did not vote to raise something.

H.2. Public Interest Determination Re: US192 Roadway and Entrance Improvements for additional Board-approved construction on the US192 property.

Chair Pritchett called for a public hearing on Public Interest Determination for US 192 roadway and entrance improvements for additional Board approved construction on the US 192 property.

Tom Mulligan, Solid Waste Management Interim Director, stated the Solid Waste Management Department is requesting that the Board determine that the use of Brevard County Road and Bridge to perform roadway and entrance way construction at the US 192 property is in the public interest and has as overriding public benefit over bidding the work to private contractors; the use of Road and Bridge for this project will save both time and costs; and this project is necessary in order to perform any additional Board approved construction on the property.

Commissioner Lober advised he has no idea what the alternative to this is, but since there was no alternative to the last one, he will be voting against this; and since that is the politically convenient thing that folks are doing, he is going to give it a shot and see how it goes on this one.

Chair Pritchett noted she thinks they are two separate things.

Commissioner Lober commented but this is something he does not know if the County has a realistic reasonable alternative, but he will vote against this.

Commissioner Zonka commented part of what was in that gate charge was capital improvements for this project which she has made her position well known on, she could ask her staff on how she feels about the new landfill and she has never supported that; that is why she did not vote for it; it is not her responsibility to defend herself to Commissioner Lober, or anybody else; if he wants to not vote on things because he is going to throw a temper tantrum, that is fine; but it does not make sense to her.

Commissioner Lober responded it is just telling that she would not allow it to be reconsidered, because frankly, there is no alternative to it; if she had allowed it to be reconsidered and actually fail, she would be in a situation where someone would have to come back to the other side of the vote; and if anyone really wants to start parsing things, he thinks the full context needs to be out there.

Commissioner Zonka noted that makes completely no sense; she thanked Commissioner Lober for his input; and she asked to move this on as it is getting silly.

There being no further comments or objections, the Board determined that the US 192 roadway improvements and entranceway improvements, necessary for further construction on the US 192 Solid Waste Management Facility property, are in the public interest and have an over-riding public benefit in order to allow Brevard County Road and Bridge to perform the work.

Result: APPROVED

Mover: Curt Smith

Seconder: John Tobia

Ayes: Pritchett, Tobia, and Smith

Nay: Lober, and Zonka

I.1. American Rescue Plan Act funding for Septic-to-Sewer Conversion of 142 homes in the South Central - Zone C Project Area (D4)

Virginia Barker, Natural Resources Management Director, stated this is a request to authorize just short of \$3 million of American Rescue Plan Act (ARPA) funding out of the \$8 million allocated for District 4 water infrastructure for the south central zone C, septic to sewer project; it would also authorize the Chair to execute the construction contract upon review and approval of the County Attorney's Office, Risk Management, and purchasing; and authorize the County Manager, or his designee, to approve any necessary Budget Change Requests. She advised this request for ARPA funding is due to the lowest bid coming in millions of dollars over the approved budget and available grants for this project.

Commissioner Tobia stated he applauds Commissioner Smith on hitting the ground, running on this one; as the Board moves forward on this, he asked if all of these projects are to be brought to the Board for approval.

Commissioner Smith advised he thinks they have to; and he mentioned there is some background that the Board should know about.

Commissioner Tobia noted he supports it, just to be clear.

Commissioner Smith mentioned he just wants to clear the air; this was put out to bid and staff actually thought it was going to come in much lower; there was only one bidder; the key is that the County has a \$1 million grant from St. Johns River Water Management District (SJRWMD) and that will expire; he got a 90-day extension on that; however, the bidder has told staff he is taking his chips to go home unless the County honors this by a certain date, so he had to come to the rescue. He mentioned these are the funds that were available to his District.

Commissioner Tobia stated he greatly applauds that; he appreciates Commissioner Smith staying on top of all this and bringing this in because this does not only benefit his District, it will benefit the waterways; and he would still like to figure out whether or not, this may be an unusual circumstance or if it is status quo as the County moves forward with that.

Frank Abbate, County Manager, stated staff has prepared tiered listings for each of the five Districts; they will be scheduling meetings with each Board member in the near future, so each Board Member can determine which of the projects within the scope of what is available under ARPA, that each would like to have funded in the Districts consistent with what the Board had approved at a prior meeting; they are making sure they have good information to help each Board Member make the decisions; and then staff will package that as an Item to come back before the Board for consideration.

The Board authorized \$2,952,964.23 of ARPA funding out of the \$8,000,000 District 4 water infrastructure allocation for the South Central Zone C Septic to Sewer Project; authorized the Chair to execute the construction contract, contract amendments, and any necessary contract extensions with the responsive bidder, upon review and approval by the County Attorney's Office, Risk Management, and Purchasing Services; and authorized the County Manager, or his designee, to approve any necessary Budget Change Requests.

Result: APPROVED

Mover: Curt Smith

Second: Bryan Lober

Ayes: Pritchett, Lober, Tobia, Smith, and Zonka

J.1. Approval, Re: Purchase and Sale Agreement (three originals) and Escrow Agreement (three originals) for a Portion of County Owned Land to Florida Power and Light (FPL) for an FPL Substation at Viera- District 4.

Marc Bernath, Public Works Director, stated this is for a purchase and sale agreement and escrow agreement for a portion of County owned land to Florida Power and Light (FPL) for a substation in District 4; this is to sell 10.014 acres of a portion of County-owned land; it is south of Charlie Corbeil Way and it is located behind the south central wastewater treatment plant; as part of the agreement, it would connect an express feeder from the substation to and from to benefit the County's south central wastewater treatment plant; part of it would serve as a backup; they would build an express feeder cable to be installed at the expense of FPL valued at \$450,000 which would be placed in escrow until its anticipated completion date as of December 31, 2023; and at the sale price of \$651,000 which was determined by a fair market value appraisal.

The Board approved and authorized the Chair to execute the three Purchase and Sale Agreements, and the three Escrow Agreements; and authorized the Chair to sign any documents related to the transaction and final closing under the terms of the Purchase and Sale Agreement and Escrow Agreement.

Result: APPROVED

Mover: Curt Smith

Second: Bryan Lober

Ayes: Pritchett, Lober, Tobia, Smith, and Zonka

J.2. Tax Equity and Fiscal Responsibility Act of 1982 (TEFRA) hearing for Capital Trust Agency Educational Facilities Revenue Bonds (Pineapple Cove Classical Academy at Lockmar, Inc. Project), Series 2021 (the "Bonds")

Eden Bentley, County Attorney, stated this is a hearing for the purposes of Federal Tax Equity and Fiscal Responsibility Act, referred to as TEFRA; as required by Section 147(f) of the Internal Revenue Code of 1986, as amended, regarding the possible issuance by the Capital Trust Agency or one or more installments or series of its educational facilities revenue bonds (Pineapple Cove Classical Academy at Lockmar, Inc. project series 2021, the Bonds, an aggregate principle amount not to exceed \$24 million; and at this point the Board can move to the public hearing portion of this Item.

Chair Pritchett advised she has no cards for this Item.

Attorney Bentley asked if there is anybody in the audience who wishes to speak that has not provided a card to the Chair; she stated she is seeing nothing; and she asked the Chair if she has received any written communication from anyone on this Item.

Chair Pritchett responded no.

Attorney Bentley advised the Board can conclude this public hearing and the Board may move

to a motion.

The Board held a public hearing on proposed bonds; adopted Resolution No. 21-097, approving the Bonds for TEFRA purposes and the ability of the Capital Trust Agency to issue the Bonds in a principle amount not exceeding \$24,000,000 and to loan the proceeds thereof to Pineapple Cove Classical Academy at Lockmar, Inc., a Florida not-for-profit corporation (the Borrower), to finance the acquisition, renovation, construction, equipping, and furnishing of the charter school facilities herein described; and authorized the Chair to execute the Resolution.

Result: APPROVED

Mover: Curt Smith

Second: Bryan Lober

Ayes: Pritchett, Lober, Tobia, Smith, and Zonka

J.3. Legislative intent and permission to advertise an amendment to the Brevard County Code of Ordinances modifying Section 14-57, Brevard County Code, pertaining to the creation of a nuisance from animal noises.

Commissioner Smith stated the purpose of this is he spoke to animal services and there was an instance in his District where a gentleman was complaining about a nuisance regarding a dog; he read the current Ordinance and it kind of seemed silly to him if a dog was barking for 30 minutes could be considered a nuisance but if the dog stopped for 15 seconds then the clock started again; anyone can see the absurdity of that because if a person said their dog stopped barking for 15 seconds then it is going nowhere; and if anyone has ever suffered from a neighbor's dog that barks continuously for 10 or 15 minutes, then imagine what it is like if it is one-half hour or several hours. He added as he was talking to animal services he was thinking what about the dog, this poor dog is out there barking for a reason, maybe it is too hot, maybe it needs water; somebody needs to pay attention and bring attention to the fact that this dog has a problem; and after working with animal services, this is what they came up with.

Nathan Slusher thanked Commissioner Smith for advising he worked with Animal Services on this; he stated his only issue is if it was 30 minutes and the wording was a problem, why did the Board completely change it instead of just fixing the wording; he asked why it is being reduced to 15 minutes, it seems like a stretch; and if the Board is only writing and changing laws because of annoyances people should question that principle.

Chair Pritchett noted that Mr. Slusher should address questions towards her.

Mr. Slusher commented that is not a problem; he thanked Commissioner Smith for the explanation; and he reiterated 15 minutes and changing it completely seems like a push.

The Board authorized legislative intent and permission to advertise an ordinance amending Chapter 14, Article II of the Brevard County Code to modify the nuisance provisions in Section 14-57, Brevard County Code, to, among other things, shorten the duration in which animal noise(s) constitutes a nuisance.

Result: APPROVED

Mover: Curt Smith

Second: Bryan Lober

Ayes: Pritchett, Lober, Tobia, Smith, and Zonka

J.4. Legislative intent and permission to advertise an amendment to the Brevard

County Code of Ordinances modifying Section 14-36, Brevard County Code, to include a definition of the term sutures.

Commissioner Smith announced this is an outcropping of the last Item; there was another issue where somebody was bitten and they ended up with staples; the Ordinance was written only for sutures; anyone can see the absurdity of that because a bite is a bite; and he worked with the County Attorney and this is what they come up with.

The Board authorized legislative intent and permission to advertise an ordinance amending Chapter 14, Article II of the Brevard County Code to include a definition of the term sutures in Section 14-36, Brevard County Code.

Result: APPROVED

Mover: Curt Smith

Seconded: Bryan Lober

Ayes: Pritchett, Lober, Tobia, Smith, and Zonka

J.5. Board Discussion: Options Regarding Representations of Steven Powers, Lessee of Complex Cafe

Commissioner Tobia advised he has a 10 second clip he would like to play for the Board; he advised at the last meeting Mr. Powers, the lessee of Complex Café flat out lied to this Board; he asked him a simple question if he leased this to someone else and as he just showed on the screen, Mr. Powers said no; the following day he caught Mr. Powers in a lie; not only did he have a lease, it was signed and in fact notarized; Mr. powers, he believes, as of yesterday, has vacated the property; and he is going to tell everyone what a terrible human being Mr. Powers is. He continued on to say Mr. Powers claimed COVID-19 related concerns to get forgiveness from this Board for rent payments, meanwhile Mr. Powers was charging another woman \$2,000, \$1,200 plus another \$800 for equipment, to run that café; he did not spend one day in law school but he does not know how this does not get to the level of fraud; this is absolutely abhorrent; the only good thing Mr. Powers did was to not show up today, because there is not a darn thing that human could say to make up for lying to the Board and his actions, not only to taxpayers but to other individuals; and now that Mr. Powers has surrendered the property, the County can now decide what to do with this as it moves forward. He stated there are several options; some of these may align closer with the County Manager but he reached out and asked; first of all, he wants everyone to think about the Café and when this building was built; the layout of Viera has changed quite a bit since then; one of the Board Members has pointed out that there was not the amount of restaurants in the near vicinity back then; Chair Pritchett has commented several times that government should not be involved where there is private industry; there are now 29 different restaurants within a mile and one-half of this property; and he has highlighted number four, Blaze Pizza, because it is by far the best with unlimited parmesan cheese. He went on to say he is not sure it is a necessity to put another café in there with 29 other businesses out there, as well as Uber-eats and Doordash; he has reached out to the Constitutional Officers and asked, should this become available, would they have any use; if he heard back that no one could use it, that would be a viable option; he heard back from some of the constitutional offices, and he spoke with the County Manager first to find out if there was any County use for that and once he heard there was nothing directly, he then reached out to the others; he heard from the Property Appraiser and the Clerk of Court that they would have some use for that, especially with COVID-19 protocol and social distancing; and what he would like to do is make a motion to deal with the current situation. He noted he would like to go a lot further; he thinks the Board needs to take action against this individual for what he not only did to the Board, but what he did to taxpayers; he hopes this motion gives the leeway to the County Attorney; the motion is to direct the County Attorney's Office to send all

notices, if any are required, to address the termination by the tenant's surrender of the premises and terminate the lease based on all other violations of lease, including but not limited to, attempted assignment of sublease of the property without County approval and failure to operate the cafés as required by the lease agreement; further the County Office is directed to initiate all appropriate legal actions against the tenant to recover damages incurred by the County, taking into consideration the deterred effect of bringing action against those who are willing to make a misrepresentation to the County; and he advised before the Board reads that, he received it directly from the County Attorney's Office, these are not his words.

Commissioner Lober seconded the Motion.

Commissioner Tobia continued on by saying he appreciates Commissioner Lober for putting this forward, talking about maybe going out to bid; he thinks there is a second option the Board can look at and that is providing it to the Constitutional officers who serve the citizens, much better than a café where employees have other options to get food; and he would like to at least get that passed and see where to go secondly. He noted he was sorry for taking the lead, but he was really insulted that this man lied to the Board.

Commissioner Smith jokingly stated he is thinking that Commissioner Tobia needs to take some classes to become more forth-coming.

Chair Pritchett advised she has three comment cards for this Item.

Paul Novick stated he was unaware of any of this until yesterday; on top of the agreement with Steve Powers is a UCC Agreement on the equipment and the fixtures that is filed with Brevard County and the State of Florida; he is sure Commissioner Lober, as well as the County Attorney, knows what that is; all the equipment in these two café's he has a lien on; he does not know what direction this Board wants to go in, but if it decides to lease the property to the people who were swindled, he has no problem entering into the same agreement with them as far as the equipment; otherwise, he will be more than happy to pull the equipment out, whatever the Board wants him to do.

Chair Pritchett called Maria Jordan and asked if she was the person currently operating the café.

Maria Jordan responded she is; she stated she has been operating the café since April 1; she believes her customers like the food, and she has really great reviews; she took over the café at Building C since July 1; she has her licenses and she would be happy to take over the lease if she can; and she was not aware that Mr. Powers did not have the right to sell her the place and subleasing the café. She advised she is ready to operate again on Monday if it can be opened.

Chair Pritchett asked if Ms. Jordan paid Mr. Powers anything yet.

Ms. Jordan responded she had.

Chair Pritchett inquired how much she paid him.

Ms. Jordan advised she paid him rent for July, and since it was not approved, the reduction of the rent is already covered so she paid \$1,200 on July 1, and she paid him the first month.

Chair Pritchett asked if the Board gave the reduction in rent if Mr. Powers was going to pass

that along.

Ms. Jordan responded she would hope so.

Chair Pritchett asked is Ms. Jordan has put a financial investment into moving in over the last month.

Ms. Jordan responded she has; she noted her and her husband both quit their jobs, changed the entire menu, brought new equipment although not big equipment it helps with the smell, the food quality; and when they took over there was a lot of expired stuff so they had to replace all of that.

Chair Pritchett asked her for an idea of how much financial investment she put into this.

Ms. Jordan responded at least \$5,000, plus the monthly payment of \$2,000.

Chair Pritchett asked if any of the Board had any questions for Ms. Jordan.

Commissioner Tobia asked if Ms. Jordan retained counsel when she had the contract with Mr. Powers.

Ms. Jordan responded no.

Commissioner Tobia asked if Ms. Jordan is at least 18 years old.

Ms. Jordan responded affirmatively.

Commissioner Tobia asked if she had the ability to review the contract that was very clear that Mr. Powers did not have the ability to sign those rights to you.

Ms. Jordan responded again in the affirmative.

Commissioner Tobia commented he feels for Ms. Jordan; he stated he is sorry she was taken advantage of; as an adult woman, it is horrific that she had to go through this, but unfortunately that was a contract between her and Mr. Powers; and the County is not party to that contract in any way possible. He went on to say this is not a slight to her; he thinks the first thing she needs to do is go get an attorney; he thinks the best the Board can do, and he specifically asked the County Attorney what he can say as to not get himself or the Board in trouble, and he thinks the Board needs to do its best to take action against Mr. Powers so he is dealing with this and cannot pursue the contract that he has with Ms. Jordan; and in the future he advised Ms. Jordan to not sign a contract that in the upper right had corner says last name, comma number. He added there were more misspellings on that contract than there were correct spellings; and just because something is notarized, it is probably best to seek counsel.

Ms. Jordan stated she spoke with an attorney and he told her the contract is not valid because he does not own the equipment.

Commissioner Tobia stated he still wants to do what is best to protect her; he hopes the attorney is correct and he has no reason to believe one way or another; he is sorry that she is the victim of Mr. Powers; he was the one vote against that guy last time; and he asked her to understand that if the Board does not choose to go her way, that it is nothing against her as an individual. He apologized for what Mr. Powers did to her.

Commissioner Lober stated it sounds like Ms. Jordan has an attorney now; she may want to talk with him on the difference between the contract being void and the contract being void able; and he thinks she should add that to her bullet list of other things to discuss with him.

Ms. Jordan responded okay.

Chair Pritchett asked the County Attorney if there is a way to get a refund back from what the Board credited to Mr. Powers.

Eden Bentley, County Attorney, advised the County may be able to go after him for damages; she will have to go through all the notices and see how it all works out because there are a variety of options here; and the County Attorney's Office will look at that and see what can be done.

Commissioner Tobia asked if his motion gives her that authority.

Attorney Bentley responded it does.

Chair Pritchett mentioned she would like to see if there is a way to let Ms. Jordan remain in there through the end of the year because she has made an investment; and then have a conversation to see how it is going; she does not disagree with Commissioner Tobia on utilizing those spaces either; and she would like to spend a little more time finding the best fit.

Commissioner Smith commented Ms. Jordan is clearly a very trusting person; as she has learned, the hard way, she is trusting to her own detriment; she saw an opportunity and it was something she really wanted to do; unfortunately she was dealing with someone that has no worthwhile values; and clearly this Board owes her nothing. He noted he is very sympathetic and he would bet there is one or two others on the Board that are as well; his desire as the District 4 Commissioner who is located in this building, and he understands Commissioner Tobia's point of view that there is a lot of other competition, but competition is good and the market place should choose the winner; he knows the government could use that space for a lot of good purposes; the fact is Ms. Jordan has gone out of her way and spent a lot of money to try to make this a success; and from his perspective, the market place is the best way to determine who the winners and losers are. He went on to say she has a lot of competition; there are a lot of other restaurants in the area; when this café was originally put in, that did not exist; if the Board were to give her an opportunity to continue to do that for maybe six months, maybe the Board could provide a six month temporary lease and at the end of the six months the Board could determine if it wants to renew that lease; and she would have an opportunity to walk away or plead her case to the Board to extend it, and that would be his desire at this point. He commented that he knows his staff uses that café a lot even though there are a number of other places they could go; it is very convenient for them being in this building; there are a lot of other people in this building that use that café for the same reason; if people have more time then they take advantage of the time and they drive someplace else in Viera; however he would like to see the Board give Ms. Jordan an opportunity to succeed and he would hope the rest of the Board would agree.

Commissioner Lober mentioned he agrees in spirit but the problem is he does not think the Board can lawfully do what was suggested; he thinks the County has to go through a competitive process and put it out for bid; if Attorney Bentley tells him he is wrong then he would be happy to go with Commissioner Smith on that; his thought is to the extent that the Board can work with her, he would like to do so to make this process as easy as possible; he

thinks it has to go out in order to be leased to Ms. Jordan again; and he has no problem accelerating the competitive solicitation process or asking staff to do that to the extent that they can so Ms. Jordan is not in the lurch for longer than need be. He noted if the Board goes that way, it is going to be incumbent on Ms. Jordan to make sure she gets all the documents that she needs to get in, in; to the degree that there are questions that staff is comfortable fielding, he would suggest that she reach out to them and maybe even as soon as a couple days from now, even before it is advertised, just to get an idea of what it is going to involve with that bid process; he would like to see her there doing what she is doing because it seems like she is motivated for the right reasons and she comes across as a genuine decent person; he agrees to the extent that the Board can give her an opportunity then do it; however, he believes that will involve having it go through competitive solicitation. He added there is always going to be a need for any or all of the constitutional officers to have more space; it is never going to go away; if they really need more space he thinks there may be a little space left at the Merritt Island Service Annex that they are welcome to; that is his inclination and if there is a majority that is willing to do that he would suggest that; he asked if there was a vote on the initial motion determinate.

Chair Pritchett advised they have not voted on that yet.

Commissioner Lober stated he would suggest if the Board wants to go in that direction that the next motion be to authorize staff to develop, advertise and award a competitive solicitation for Brevard County food concession services for the Viera Government Center and the Harry T. and Harriette V. Moore Justice Center; authorize staff to take reasonable measures to accelerate the competitive solicitation process; authorize staff to negotiate a contract with a selected new vendor, which he is hoping is Ms. Jordan; and provide a recommendation of lease agreement to the Board at staff's earliest opportunity; and also authorize the Chair to execute any resulting contract, contract amendments, or extensions necessary upon review and approval by the County Attorney's Office, Risk Management, and Purchasing Services. He noted he thinks the Board needs to go through Commissioner Tobia's motion first and vote on that.

Chair Pritchett noted Commissioner Tobia's motion had two parts and she does not think they will jive; and she asked Commissioner Tobia what he wants to do.

Commissioner Tobia stated he would like to make a comment and then he will pull his motion because clearly it is not going to go in the direction he wants; he feels bad for Ms. Jordan and he cannot lecture her; literally this Commission got hosed two weeks ago; literally the Board stood here, with the exception being himself, and said how sorry it felt for Mr. Powers and that it is going to throw out this rent money; he was apologizing on behalf of Mr. Powers, who took advantage of somebody; he was in the minority of that, but this Board voted to give him a break; he does not want to do it again and this Board is just as bad, it says one thing but usually not two meetings back to back; and it is absolutely disgusting. He noted he will go with Commissioner Lober's motion if there is caveat; he is all about the marketplace, that is not the marketplace; he looked this up and it is 2,500 square feet that the County is going to lease out at approximately \$1,600, assuming it does the full amount because the Board gave breaks on this, and that is leasing this out for less than \$0.70 per square foot; if any of the businesses out there are anywhere near that \$0.70 per square foot then that is marketplace; he will guarantee what will be found, even dealing with traffic flow and all of that stuff, they are paying multiples, five, 10 or 15 times that; he does not want to talk about marketplace because it is not marketplace when the Board is literally charging 1/20th, it is subsidizing rent out there; he does not disagree with Commissioner Lober on that, he is 100 percent correct; there could be 50,000 square feet and that would not be enough for a Constitutional Officer; he does not want to pick

on the four female Constitutional Officers because he thinks the same would go for the Sheriff; clearly his idea to provide that space is not an attractive one; and he just wants to remind the Board that it is about ready to do the exact same thing that it did two weeks ago for this individual. He noted he does not want to say he told them so in another couple weeks.

Commissioner Smith commented if the Board goes this route, it is doing the same thing any landlord would do, the Board would be going by signed documents that bind them to an agreement.

Commissioner Tobia stated to let him pull his motion and to make one suggestion, the lease there is a joke; it is not legal's department, this is just something this Board perpetuated, and he did not vote for the extension to give that not nice person the four months, he was the one who was the bad guy and did not vote for that; he asked if the Board goes down that road and he does not support it, but there needs to be some sort of liquidated damages should the County end up with this type of situation again; and maybe Ms. Jordan would have had an easier time had she had a lease that was not parceled together 15 times over. He noted for the Board to do whatever it wants; he has said what he has to say; he really hopes things work out for Ms. Jordan, however, he is entrusted with the taxpayers and not with handing out free stuff; and he would ask that at least it is done with a document that is fair and understandable. He reiterated that the Board can do whatever it wants with Mr. Powers; he has made it very clear he would rather the space go to the Constitutional Officers that serve the constituents better; and he apologized for his rant.

Commissioner Zonka noted she does not know what to say that was not already said,. Including a whole lot of bad words; maybe the answer is not, aside from what was suggested and maybe she will lose too, and she feels terrible for Ms. Jordan, but she would probably be a little more cautious before entering into something that is so binding and so risky, especially her quitting her job; she really does feel for her; and it is disgusting that he asked for money and lied to the Board.

Chair Pritchett noted the Board is not used to people lying and committing fraud to it.

Commissioner Zonka mentioned it is not that the Board is above that but at the same time he is lying to his community and asking for help; a suggestion could be to see what people's proposals are instead of putting out criteria, see what people would want to do with the place because that may drive up the rent that could be collected; she knows the other courthouse, and Mr. Powers pitched a fit when they had food trucks go out there, he lost his mind because in his lease it said that he was the sole exclusive food provider, but yet employees of the court house were enjoying food trucks because they wanted options because they did not like what he was providing; she would be interested in seeing what would be proposed for that area because this is an up and coming area; if not, an option could always be a break area or sit area where there could be vending machines so employees could have vending machine options because that seems to be the thing when people do not have the time to run to a nice restaurant, they just want a quick snack; and she would just hesitate to leave it to staff to say, see what people propose and sort of put out there and compete with the marketplace by saying the rent here is only \$1,600 or whatever. She went on to say because it is such a booming area, the Board may be surprised on who may opt to come with a proposal for those two spaces.

Commissioner Smith stated the Board could put it out for bid, as Commissioner Lober suggested.

Commissioner Zonka mentioned putting it out for bid, the County would have the criteria, she would rather see what ideas people have for the place; if the Board does not like it, then it can go to vending; and she would hesitate to give up that space.

Frank Abbate, County Manager, stated depending on what the Board can do, he already spoke to staff, knowing what the County Attorney's thoughts were going to be relative to lease, if it happened, and staff was ready to put out a competitive solicitation as early as Thursday, August 12, with a due date of August 27, and then do the checks and review the responses between August 30 and September 3 so staff could bring something back to the Board by September 14; that would be if it was a competitive solicitation; staff could try to put that in the form of a Request for Proposal (RFP) to see in terms of proposals as well; and he asked Purchasing Services Director if that is correct.

Steven Darling, Purchasing Services Director, responded affirmatively.

Mr. Abbate continued by saying it could be done in the same time frame which would provide the Board with the option of someone coming in with what is there already or someone could have an alternative proposal, but it will be given that same 14-day period; it is shorter than normal, but if the Board is concerned about leaving the space open, it could be done as quickly as he mentioned; and he reiterated if the Board made that direction to follow, both could be done, the competitive bid and or RFP that would be an alternative to what was put out by staff.

Chair Pritchett asked Ms. Bentley if the Board does this process, how long would Ms. Jordan have to remain in there.

Attorney Bentley responded she does not have any time; the County has re-entered the premises; the County needs to clean up the lease situation, send the necessary notices because he abandoned it, and she also needs to send notices because the Board wants to terminate for other breaches; and for that there are two prongs.

Chair Pritchett asked if Attorney Bentley wants to terminate the lease right now; she stated then the Board can talk about the other option; she feels so bad with this situation that Ms. Jordan has gotten into; if someone gets a sublease, they are trusting the person who is subleasing, that they are telling the truth as well; she hopes Ms. Jordan has a remedy to get some financial help with it; she mentioned this center is mainly to serve the employees here; and she thinks Commissioner Zonka has a very creative idea, but she reiterated this is mainly to serve staff so they have a quick place to go eat lunch. She asked Commissioner Lober to frame a motion to terminate lease.

Commissioner Lober stated he wants to add for Commissioner Tobia's benefit, the motion he laid out earlier which contemplated the termination being a motion that would pass before this would pick up did give staff the ability to negotiate a contract and with that staff would certainly be expected and anticipated to clean up the deficiencies that were in the original contract; and he will restate it for everyone's benefit since it has been a little bit. He went on to say the motion will be first to terminate the existing lease agreement with Mr. Powers on the basis that Commissioner Tobia laid out at the onset of this Item; will authorize staff to develop, advertise, and award a competitive solicitation for Brevard County food concession services for the Viera Government Center and the Harry T. and Harriette V. Moore Justice Center; will authorize staff to take reasonable measures to accelerate the competitive solicitation process as laid out by the County Manager; will authorize staff to negotiate a contract including cleaning up the language with the selected new vendor; and provide a recommendation of the lease agreement to the Board which is anticipated to come back to the Board September 14.

Chair Pritchett interrupted and asked Commissioner Lober to do the termination one first because there may be a little bit of a conflict with what was just discussed a second ago.

Commissioner Lober responded okay. He advised he will pull any motion that he made up to this point; and he will move to terminate the lease with Mr. Powers on the basis of the statements made by Commissioner Tobia earlier; and will authorize staff to take any and all necessary action, including sending out notices as appropriate to effectuate that goal.

The Board discussed and authorized the termination of the lease with Steven Powers, lessee of the Complex Cafe; and authorized staff to take any and all necessary action, including sending out notices as appropriate.

Result: APPROVED

Mover: Bryan Lober

Second: Kristine Zonka

Ayes: Pritchett, Lober, Tobia, Smith, and Zonka

Board Discussion: Options Regarding Representations of Steven Powers, Lessee of Complex Cafe

Chair Pritchett advised the Board needs to frame a motion to where it is getting more of a creative idea of what is going in and not just doing the standard on; and she asked how the Board wants this framed; and if it wants help from Mr. Abbate.

Commissioner Zonka replied she would suggest an RFP to see what kind of interest the Board gets to put in that place; she would rather see that than just putting it out for bid, because she does not want the same problems that the Board is going through; maybe staff can come back with a report quickly on what kind of proposals are received; and she mentioned it is important to her only because it is important to the County employees and the people who visit the government center and the courthouse.

Commissioner Lober stated there are two locations being discussed; on the courthouse side it makes a lot of sense to keep it as a café; it does not make sense to make it a book store or many other things; he can say whether it is the Public Defenders or the Assistant Public Defenders, assistant State Attorneys or State Attorneys, Regional Counsel, Judicial Assistants, Judges, deputies, probation staff, or whomever, they do not have a lot of time to get out; he knows because he has been there himself a number of times; if someone has a short break or recess in trial and are told to be back at a certain time, people are back, it is not really an option to not be back; and going out, even 10 minutes, to another location in Viera and having a sit down just is not an option; and from his perspective just with the Justice Center, there is a huge incentive and value to the personnel there, the litigants, and the people who have proceedings there, to maintain that as either a restaurant, concession type of food service location, as opposed to just having to go out and eat anything possible. He mentioned the location at the government complex is different; he thinks there is a value with respect to having availability for the County employees there and maintaining it as a food service establishment; he thinks that outweighs whatever miniscule profit the County might be able to gain over and above what it profits from having it set out as a food service establishment; and he is still comfortable having it go out as a solicitation for food concession services.

Chair Pritchett stated she thinks staff should come back at the next meeting with some options of what could be available for both places.

Commissioner Zonka noted she thinks it should be kept as a food establishment but what she wants to make sure is that if someone has a unique idea or something they want to do differently than what is there, if they want to take everything out of there, or if they want to redesign the place, or it could be a small chain like Subway; and maybe that is wishful thinking, but if we could provide the best selection for employees.

Commissioner Smith stated he thinks that is a good idea.

Commissioner Lober stated he just wants to clarify and if the Board is good with it, it is good with it, but if the Board does that now that it has terminated the lease, Ms. Jordan has no right to be there at this point, and the longer this is delayed, and he is not saying this should or should not be a driving factor, but it is leaving her in a very awkward spot; and that is just something to be aware of.

Chair Pritchett asked for clarification that Ms. Jordan is not in there right now.

Commissioner Lober stated oh she is not in there right now, he did not realize that; and he is good with it in that case.

Chair Pritchett asked if a motion is needed on that.

Commissioner Tobia stated he just handed this out so the Board has a copy of it; he just wants to read what the Clerk of Court said and he is pretty sure the courts are important; he read, "Our Jury rooms do not have enough room to accommodate the amount of jurors our judiciary asks us to order, this lack of space existed pre-COVID-19 and has become more prevalent since COVID-19. With COVID-19 we do not have enough area to accommodate social distancing."; he commented really does this Board want to talk about salads when there is talk about COVID-19 cases being five times the amount and there is a Constitutional Officer who is saying she is hearing from the judges that there is not enough space to accommodate jurors even prior to COVID-19; and if hoagies are more important, more power to the Board, but his deference is core function. He continued by saying when looking for options please put in an option as to running the court system efficiently and effectively based on not only what the Clerk said but what judges are saying.

Chair Pritchett commented she gets it. She mentioned she has a café where she works at the other place and there is not time to run out, it saves hours on the staff; and she thinks there is accost benefit there as well to serve the employees.

Commissioner Lober stated on the front with the jury assembly room, he has been there more often than he cares to admit, it is a large space; ideally they would want to keep all of the potential jurors in one spot so that as they are needed they can be called up to the particular divisions; separating them, certainly as the location here within the government center, does not make any sense to use for jury assembly purposes; if the Board absolutely had to it could make use of a second jury assembly room at the Moore Justice Center; but the long term solution to that is not fragmenting and splitting the jury assembly, it is making sure they have the adequate single room to accomplish that with social distancing if that continues to be a necessity. He added whether that means the County needs to acquire more property or bang out some walls, it may have to; he does not know what is structural there and what is not; they are pinched in that particular location, but he thinks that is something that the Board cannot rectify simply by giving them even a perpetual access and lease to this particular location; and that is far from an ideal solution.

Commissioner Zonka stated Commissioner Tobia specifically sent out a solicitation to the Constitutional Officers talking about this Item and asking if they would have any use for these properties; of course anybody would be irresponsible not to give a possible use for those properties; she does not fault them at all for suggesting how they could potentially use those properties; she thinks there is a productivity issue, like Chair Pritchett said; and she thinks it serves more than just the employees it also serves the people who go to those offices. She commented she wants to see what is out there and if the Board decides it does not want to do it, if something does not look good, or if it is not a good fit, then the Board can revisit what to do with it; she does not think the Board should make a rash decision and just give up the office space, especially when there is empty space at Commissioner Lober's location.

Chair Pritchett inquired if staff needs a vote or if they have the direction they need.

Mr. Abbate noted he thinks staff needs some direction because they are trying to figure out what period of time to come back, is it an RFP, is staff not shortening the time frame.

Commissioner Zonka asked if Mr. Abbate thinks two weeks is enough.

Chair Pritchett stated staff could come back with some ideas for what is out there and the Board can make a decision, RFP, or if someone approaches him saying they would like to do something; it is a lot of work; and Mr. Darling is looking at her.

Mr. Abbate advised staff was ready to put out an RFP as he discussed earlier; he thinks that is what he is hearing the Board say; and he asked if the Board wants a shortened time frame for it.

Chair Pritchett asked Commissioner Zonka if she can frame something.

Commissioner Zonka stated she does not want to; and she asked if Mr. Abbate thinks there is a risk by shortening the time frame.

Mr. Abbate responded of course there is going to be a risk if there is a shortened time frame, and if the Board is looking for creative ideas, then it needs to give people some time to do it.

Commissioner Zonka responded she knew the answer to the question, she basically wanted to verify it; and as much as she wants to get somebody in there, she wants to make sure it is the right decision.

Mr. Abbate stated he wants to make sure and that is why he is asking the Board for the direction.

Commissioner Zonka asked from experience what would Mr. Abbate recommend for the time frame.

Mr. Abbate commented he thinks the normal time frame is minimum 30 days.

Mr. Darling corrected him stating 21 days.

Commissioner Zonka asked if he thought that was enough time to get enough interest.

Mr. Darling responded yes.

Mr. Abbate asked if that is for an RFP.

Mr. Darling responded affirmatively.

Chair Pritchett asked if Mr. Abbate is good now.

Mr. Abbate advised it will not be on September 14, but staff will bring it back at the first available meeting after that.

Commissioner Zonka stated this is a motion to direct the County Manager to execute or come up with RFP criteria to lease the space for food services at both locations.

The Board discussed and directed the County Manager determine Request for Proposal (RFP) criteria to lease space for food services in the Government Center and the Moore Justice Center and to bring it back to the Board at the earliest Commission meeting possible.

Result: APPROVED

Mover: Kristine Zonka

Second: Curt Smith

Ayes: Pritchett, Lober, Smith, and Zonka

Nay: Tobia

The Board recessed at 7:14 p.m. and reconvened at 7:23 p.m.

J.6. District 3 American Rescue Plan Act (ARPA) Allocation

Commissioner Tobia stated he believes the County employees who worked during the COVID-19 emergency and received a vaccination deserve a premium pay under the American Rescue Plan Act (ARPA), whether they were inspectors making sure permits were still moving smoothly, librarians who were sanitizing books for the children who no longer had access to school libraries and books to read, parks workers ensuring there were clean places for the citizens to exercise, natural resources employees ensuring Lagoon clean up continued despite what was going on, or utility workers making sure the sewer lines did not back up; these are essential workers who continue to do their jobs and serve the public; of course to avoid any appearances of impropriety, he is excluding Commissioners from eligibility in this voluntary program; Commissioner Lober laughs but up north there were some Commissioners that voted themselves \$10,000 hazard pay on this; and yes there is some good YouTube video and the only reason he added that; and as the Board did with the CARES funds, he is prepared to vote for other Commissioners' discretionary projects moving forward as long as they are legal and practical to administer. He commented while this may not be the project that other Commissioners would choose to fund, hopefully the Board is willing to give the same discretion to him as he will to each of them; this is the program that he discussed previously with the caveat of the vaccination; this would give the County Manager the ability to put together the program and administer the funds with the administration cost coming out of the \$2 million; and it would be a one-time expense and he will not come back to the Board with projects in the future. He went on to say he would be more than willing to discuss any of the specifics, but he wanted to keep it generally broad and give discretion to the County Manager as well as Human Resources to bring back an equitable and fair program.

Chair Pritchett advised Commissioner Tobia has her support; and she asked if that is a motion.

Commissioner Tobia stated the motion directs staff to draft and implement a voluntary premium pay program for Board employees, other than Commissioners, who did not receive pay under the Coronavirus Aid, Relief, and Economic Security (CARES) Act, who were designated essential employees under the Board Resolution 2021-053, and who are fully vaccinated within 30 days of the program becoming available, using the ARPA funds allocated to District 3; staff is authorized to construct the program in such a way as to maximize flexibility with these funds; and that is the motion.

Commissioner Lober advised he will happily second that motion.

Commissioner Zonka asked if this will exclude the Constitutional Offices, she thinks it said it in the Agenda Report.

Commissioner Tobia advised it will exclude the Constitutional Offices.

Commissioner Zonka commented that would be the only issue that she has, only because they are still County employees and she knows that the cost would be astronomical; she does not think Commissioner Tobia will change it as far as details go and she appreciates that; however if he were to reduce the amount he may be able to cover the Constitutional Offices as well. She went on to say whether she fundamentally disagrees with the whole vaccination issue, the Board did give discretion to the Districts to spend the money, and she respects how he chooses to spend his because it is a legal method; she does not say she agrees with it; however, she would be more comfortable if all County employees, minus the Board Members, would be eligible.

Commissioner Tobia pointed out that Fire Rescue has received hazard pay and the Brevard County Sheriff's Office has received hazard pay as well, that coming from the governor, part of these and previous funds as well so this is meant to keep in parity; the point is well taken but this would not extend to various other Constitutional Offices; and those individuals certainly have the ability to do that and come back to the Board with Budget Change Requests.

Commissioner Zonka stated she is not saying Commissioner Tobia did or that she expected him to because he probably was not expecting this kind of question, but she asked him if he looked at what, excluding the Sheriff's Department and Fire Rescue, the cost would be for the other Constitutional Offices, because they received the \$1,000 from the Governor.

Commissioner Tobia asked if Commissioner Zonka is asking if he added in the Clerk of Court and all those others.

Commissioner Zonka responded yes.

Commissioner Tobia replied he did not. He stated he looked at all County employees; and those Constitutional Offices have the ability to control the wages and come back with Budget Change Requests. He mentioned he would certainly welcome and support Commissioner Zonka if she were to use her resources to fund those; he thinks she would find out it is far less than an equal amount given; and there are approximately 1,700 employees who would receive this.

Commissioner Zonka stated she gets it; she would like to see it spread fairly if it were her, because incentivizing someone with the weeks long or two weeks salary to get the vaccine, if people have not gotten it yet they probably are not going to get it; and she asked Frank Abbate, County manager, what those numbers look like as far as the vaccination rates of the Fire

Department, and she thinks he brought it up already, it was like 27.9 percent, so even when they were offered money and incentive to do it, only a quarter of those on the front lines have been vaccinated which kind of surprises her; at least that is all that has applied for the incentive; and she does not like it and she does not agree with it, but it is legal and it is his expenditure, so she is a little torn.

Commissioner Lober stated he hopes the same standard is held on a motion that he plans to make in Board Reports, about is it legal and he asked what the other standard was.

Commissioner Tobia advised the second one dealt with the ability to administer the funds in a fair manner; and that there is not too much pressure being put on staff.

Commissioner Lober stated he has one point to clarify because he seconded Commissioner Tobia's motion as it was stated; he thinks he may have seen an earlier draft on the Agenda that may have been a bit broader; the motion stated he is excluding only those employees who received hazard pay from the CARES Act, he is not excluding folks who might have received vaccine incentives out of the CARES Act; what he is thinking is there may be someone who works in utilities or in District 2, as one of his staff members does, who is a volunteer fire fighter, and he does not know if he went forward with the vaccine incentive which was somewhere between \$75 and \$150, but it certainly was not a four digit sum that he ended up bringing in on account of the CARES Act; and he just would hate to see someone like that being kept out because of a \$75 check.

Chair Pritchett stated her guess is the Board is trying to figure out the \$2 million; the Board is going to help each other out because that is what this Board does; she stated to Commissioner Tobia this is your choice; and she knows the Board Members are all giving him decisions, but she is going to respect what it is he brings forward today.

Commissioner Lober mentioned he just wants clarity, that is all.

Commissioner Tobia stated he thinks this would take care of that loophole, but that is why he is punting it to the County Manager; Commissioner Lober is more than welcome to get with him; and he certainly does not want anyone caught in that loophole as this moves forward.

Commissioner Lober commented that is fair.

The Board discussed and directed the County Manager and Human Resources to construct an equitable and fair voluntary premium pay program for County employees who did not receive hazardous pay from the Coronavirus Aid, Relief, and Economic Security Act (CARES Act), who were designated essential employees under Board Resolution No. 21-053, and who were fully vaccinated within 30 days of the program becoming available, excluding Commissioners and Constitutional Offices; authorized you to administer the program using the American Rescue Plan Act funds allocated to District 3, with administration costs coming out of the \$2,000,000 allocation; and authorized staff to construct the program in such a way as to maximize flexibility of these funds.

Result: APPROVED

Mover: John Tobia

Seconded: Bryan Lober

Ayes: Pritchett, Lober, Tobia, Smith, and Zonka

L.4. Bryan Lober, Commissioner District 2

Commissioner Lober advised he has a couple Items; he sent out a memo earlier today which will be included in the meeting minutes; he is only going to provide a very abbreviated version of the motion; and there is going to be a change to the number in part of the first motion.

Chair Pritchett asked if Commissioner Lober brought copies of the motions with him.

Commissioner Lober apologized and advised if she wants to call on someone else he can grab them and go print them.

Chair Pritchett asked the rest of the Board if it wants see them first.

Commissioner Zonka advised she thinks it was emailed to everyone.

Chair Pritchett stated she needs to see if she can find it.

Commissioner Lober forwarded the Chair an extra copy from the County Attorney.

Chair Pritchett mentioned she has a small phone; and she asked if Commissioner Tobia had a copy.

Commissioner Lober advised if the Board wants, he can go through the whole thing instead of the abbreviated version if the applicant prefers.

Commissioner Lober asked if the Board wants the abbreviated version.

Chair Pritchett said she did not care and it would be whatever he wants to do to get his motion passed.

Commissioner Lober stated the hours are getting long and unless someone wants to hear the longer version, he will provide the abbreviated version; he wanted to expand the category of staff tangible goods to make it from staff tangible goods to rephrase it as staff, and/or government and/or non-profit tangible goods and/or services; he also wants to include in the motion to increase the maximum expenditure for that pool of funds to \$60,000; it is not increasing the overall budget, it is simply allowing for redistribution among the funds that are remaining through the original \$5 million; he also wants to create a new category, and this is a change from the memo, he just got more information from the budget office today on final cost for some of the programs that were put in place; the new category will allow District 2 CARES Act funds to be used for infrastructure, so sewer, water, road, bridge, bus shelters, internet, or anything in that category, for projects within District 2; and the change is instead of having a maximum permissible allocation of \$200,000, there is actually substantially more, as he found out from the Budget Office today, based on one program coming in substantially less than he thought, so he would like to change that to \$500,000; and that means maximum permissible allocation of \$500,000. He continued by saying he is not looking at raising the aggregate total from the \$5 million, just allowing it to be allocated in this fashion; also with the motion is the authorization for staff to execute Budget Change Requests and/or any other administrative actions necessary to effectuate the allocations; and if the Board wants anymore information he can provide it.

Chair Pritchett stated she knows what the Board did with those funds before; and she asked if he is just wanting to expand the categories that he is able to place them into.

Commissioner Lober stated he is not looking to have more money allocated for purposes of

District 2 having the delegation to choose what happens with it, he is just simply looking at what is left based on the allocations that did not go quite as high as he thought, and in some cases substantially lower than he thought, as the County ended certain programs; and he has over \$500,000 out of the \$5 million, so he is trying to find other useful ways of making use of the funds that are there.

Chair Pritchett advised she will agree with what he wants because that is what the Board did; and she asked that he come back and let the Board know what he has done.

Commissioner Lober stated he is totally fine with that.

The Board approved the following allocations from the CARES Act funding received by District 2:

- expanding the category of staff tangible goods to rephrase it as staff/government/non-profit tangible goods and/or services to allow for use of the funds to purchase items not only for staff but for governmental entities and nonprofits;
- increasing the maximum expenditure from that pool of funds to \$60,000;
- creating a new category to allow District 2 CARES Act funds to be used for infrastructure (sewer/water/road and bridge/bus shelters/internet) for projects within District 2 and a maximum permissible allocation of \$500,000; and
- authorizing staff to execute Budget Change Requests and/or any other administrative actions deemed necessary to effectuate the allocation.

Result: APPROVED

Mover: Bryan Lober

Second: Curt Smith

Ayes: Pritchett, Lober, Tobia, Smith, and Zonka

L.6. Curt Smith, Commissioner District 4

Commissioner Smith asked for a video to be played of himself jet skiing; he announced most people do not know he is big on jet skiing; most people know he has a problem with skin cancer, despite every inch of him being covered up; his dermatologist says it is because of all the time he spent not covered all up; a lot of people do not know what he does when he jet skis; and he advised these are the tracks that he followed when he was jet skiing two weeks ago. He went on to say that was 116 miles that day; and it was an adrenaline rush the entire time; and that is what he does for fun.

L.5. John Tobia, Commissioner District 3

Commissioner Tobia apologized for his passion today and stated in penance he will be missing the Zoning meeting on Thursday; and he noted he appreciates Chair Pritchett keeping her calm as always.

Commissioner Smith stated he was not offended by Commissioner Tobia, he was entertained; if he remembers, he said probably four years ago or more that if Commissioner Tobia is nothing more, he is entertaining; and he thinks Commissioner Tobia is entertaining.

L.3. Rita Pritchett, Commissioner District 1, Chair

Chair Pritchett stated she wants to catch everyone up on the surveys that she sent out to Mims; in two days they are supposed to have them in to her; she has not had hardly any response of having them mailed back to her; she has only had a 32 percent return; there are more saying yes than no; and if she ran it she only has 22 percent of people saying they want it back in the

water.

Commissioner Lober inquired if the yes is those that want it kept out or they want to add it back in.

Chair Pritchett advised they want to add it back in; how she worded the survey is two-thirds supermajority must vote yes and send it back to her for it to go back in; she talked to a couple people and they just assumed if it is a no, they would not have to mail it back in; she does not know but she would like to extend the time for another four weeks in all fairness to give people the opportunity to mail it back to see if they want it in; and she knows no matter what she does she is not going to win with people being okay with it. She added she figures if they do not mail it back in, it is either no or they really do not want it in their water, or care about it; she wants to provide every opportunity she can for the votes to come in; she is surprised because the Fluoride Association has spent tens of thousands of dollars out there; there are huge campaign billboards, they have been sending text out to everybody, some get calls because people think she gave out their cell numbers, but she did not, and they are getting mailings; there has been a big campaign for such little response so she is going to extend it for a little longer and see if more people will send it in so she can get some type of clear definition; however, as of right now, she does not see a lot of people really excited about getting Fluoride back in; but she will keep everyone posted.

ADJOURN

Upon the consensus of the Board, the meeting adjourned at 7:41 p.m.

ATTEST:

RACHEL M. SADOFF, CLERK

RITA PRITCHETT, CHAIR
BOARD OF COUNTY COMMISSIONERS
BREVARD COUNTY, FLORIDA