

Brevard County Board of County Commissioners

*2725 Judge Fran Jamieson Way
Viera, FL 32940*



Minutes

Tuesday, September 14, 2021

9:00 AM

Regular

Commission Chambers

A. CALL TO ORDER 9:00 a.m.

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 Bryan A. Lober, District 2

Commissioner Lober led the assembly in the Pledge of Allegiance.

Commissioner Lober Motion

Commissioner Lober requested that the Board allow Commissioner Tobia to participate by phone.

The Board granted Commissioner Tobia to participate by Phone.

Result: APPROVED

Mover: Bryan Lober

Second: Kristine Zonka

Ayes: Pritchett, Lober, Smith, and Zonka

Abstain: Tobia

D. MINUTES FOR APPROVAL: July 6, 2021 Regular

The Board approved the July 6, 2021, Regular meeting minutes.

Result: APPROVED

Mover: Bryan Lober

Second: Kristine Zonka

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

E.1. Resolution acknowledging Hunger Action Month , District 4

Commissioner Smith read aloud, and the Board adopted Resolution No. 21-112, acknowledging September as World Hunger Action Month.

A representative of Second Harvest Food Bank of Central Florida expressed his appreciation for the Resolution and for bringing awareness to the issue of hunger; he stated the hunger data for Brevard County has a hunger insecurity at around 16 percent; about one out of six individuals are unsure where their next meal is going to come from should hardships fall on them; then to throw a pandemic on top of that, for 2020, the food distribution doubled for the year to about 50 million meals; for 2021, they are still doing about 30 percent more food distribution, pre-pandemic. He mentioned if and when this pandemic ever ends there is still the issue of cost of living out-pacing wages, so they have some tasks ahead of them; when finances are tight, one of the first things families forego is food and particularly nutritional food; he noted they will continue to bring in as much as they can; and they will continue to work on their network of great partners and pantries to meet the need throughout Brevard County.

Commissioner Smith asked that the representative call his office because he would love to speak with him one on one.

Result: ADOPTED

Mover: Curt Smith

Second: Bryan Lober

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

E.2. The Space Coast Health Foundation's Campaign, "Get Vaccinated Brevard"

Commissioner Isnardi read aloud, and the Board Adopted Resolution No. 21-113, acknowledging the Space Coast Health Foundation's Campaign, "Get Vaccinated Brevard."

A representative of Space Coast Health stated their mission is to improve the health and wellness of Brevard County; they truly feel that by encouraging vaccinations and encouraging everyone to speak with their medical professional and make an informed decision; they realize the vaccination is not perfect for everyone, but they do believe that a large percentage of the community should be and can be vaccinated and that it will help curb the spread of this pandemic; and she thanked the Board for supporting these efforts.

Commissioner Smith asked if the representative knows how close Brevard County is to reaching herd immunity between the people who have gotten the vaccine and those that have been infected.

The representative stated she does not know exactly from a data standpoint, but Brevard County is a ways away; the last time she looked at the data the County was only 66 percent vaccinated.

Commissioner Smith inquired if the number is 80 percent for herd immunity.

The representative replied, at least if not higher.

Chair Pritchett stated at her real life job, in December a lot of the staff members got COVID-19, and it convinced her that when this came around she was going to get it because they had a lot of pain and she is kind of old; then recently it went through the younger staff and every one of them said they wished they would have received the vaccination; they now have herd immunity at their church because everyone has either had a shot or had COVID-19; and she noted her church is probably a good place to hang out. She commented she really does believe in it and she has seen people suffer with the pain and so many people she loves have gone.

Result: ADOPTED

Mover: Kristine Zonka

Second: Curt Smith

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

F.1. General Stormwater Pollution Prevention Outreach Professional Services Agreement, Service A Renewal 3.

The Board authorized the Chair to sign Renewal 3; and delegated authority to the County Manager to sign the remaining contract renewals for the General Stormwater Pollution Prevention Outreach Contract for Service A with the Marine Resources Council (MRC).

Result: APPROVED

Mover: Curt Smith

Second: Bryan Lober

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

F.2. St Johns River Water Management District Intergovernmental Agreement for the Crane Creek M-1 Canal Restoration Project - D5

The Board authorized the Chair to execute the Crane Creek M-1 Canal Restoration Project Intergovernmental Agreement with SJRWMD; authorized the County Manager or designee, to sign amendments; and authorized the Chair to execute related easements and property transfer documents once approved by Land Acquisition, Legal, and Risk Management.

Result: APPROVED

Mover: Curt Smith

Second: Bryan Lober

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

F.3. Three Florida Department of Environmental Protection Grants (LPA0144, LPA0145, and LPA0146) for Save Our Indian River Lagoon Projects

The Board authorized the Chair to execute the grant contracts pending County Attorney, Risk Management, and Purchasing Service approval; authorized the County Manager to execute any future amendments and change orders, to these contracts; authorized Natural Resources Management Director to sign all homeowner agreements for septic upgrades or quick connects to sewer; authorized advertisement of the Eau Gallie Northeast Muck Removal Project; authorized confirmation of the Review and Qualification Committee members as John Denninghoff, Assistant County Manager, to Development and Environmental Services Group, Edward Fontanin, Utility Services Director, and Natural Resources Management Director; authorized the Commission Chair to execute all associated construction contracts, amendments, and change orders in excess of the County Manager's authority; authorized the County Manager to execute task orders up to \$250,000 for engineering services necessary to complete the Muck Removal Project; and authorized Budget Change Requests associated with the Grant Projects.

Result: APPROVED

Mover: Curt Smith

Second: Bryan Lober

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

**F.4. Final Plat Approval, Re: Viera Car Wash (District 4)
Developer: TECW Brevard I, LLC**

The Board granted final plat approval; approved and authorized the Chair to sign the final plat for Viera Car Wash – Developer: TECW Brevard LLC, 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: Curt Smith

Second: Bryan Lober

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

**F.5. Final Plat Approval, Re: Anglers Subdivision
Developer: JM Brothers Realty, LLC. District 1**

The Board granted final plat approval; and approved and authorized the Chair to sign the final plat for Anglers Subdivision -Developer: JM Brothers Realty, LLC, 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: Curt Smith

Second: Bryan Lober

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

F.6. Final Plat Approval, Re: Meadow Lakes Estates Phase One (District 1)

Developer: JM Brothers Realty, LLC.

The Board granted final plat approval; and approved and authorized the Chair to sign the final plat for Meadow Lakes Estates Phase One - Developer: JM Brothers Realty, LLC, 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: Curt Smith

Second: Bryan Lober

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

F.7. Acceptance, Re: Binding Development Plan with North Pad, LLC (f.k.a. Cooltural Land, LLC) (District 2)

The Board executed Binding Development Plan with North Pad, LLC. Said Plan was recorded in OR/BK 9258/568.

Result: APPROVED

Mover: Curt Smith

Second: Bryan Lober

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

F.10. Approval, Re: Donation of Warranty Deed from First Baptist Church, Inc. for the First Baptist Church of Melbourne Project - District 3.

The Board approved and accepted Warranty Deed from First Baptist Church, Inc. for the First Baptist Church of Melbourne Project.

Result: APPROVED

Mover: Curt Smith

Second: Bryan Lober

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

F.11. Approval, Re: Dedication of Sanitary Sewer Easement for Costco Wholesale Melbourne from Costco Wholesale Corporation - District 4.

The Board approved and accepted Sanitary Sewer Easement from Costco Wholesale Corporation for Dedication of Sanitary Sewer Easement for Costco Wholesale, Melbourne.

Result: APPROVED

Mover: Curt Smith

Seconded: Bryan Lober

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

F.12. Approval, Re: Resolution and County Deed for the Transfer of that Portion of Brandywine Lane and Associated Roadway Drainage Facilities from South of U.S. 192 to a Terminus of Twenty Feet South of the North Melbourne Tillman Canal 84 Right of Way Line- District 5.

The Board executed and adopted Resolution No. 21-114, authorizing Conveyance of County Property; and executed and approved the County Deed for the transfer of that portion of Brandywine Lane and Associated Roadway Drainage Facilities from South of U.S.192 to a Terminus of Twenty Feet South of North Melbourne Tillman Canal 84 Right-of-Way Line.

Result: ADOPTED

Mover: Curt Smith

Seconded: Bryan Lober

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

F.13. Approval, Re: Donation of Sanitary Sewer Easement for Island Chase Subdivision from Donovan Homes, LLC - District 2.

The Board approved and accepted the Sanitary Sewer Easement from Donovan Homes, LLC, for Island Chase Subdivision.

Result: APPROVED

Mover: Curt Smith

Seconded: Bryan Lober

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

F.14. Approval, Re: Brevard County Board of County Commissioners Written Consent to Easement in Connection with the City of Titusville's Application for the Use of State-Owned Uplands for a Force Main Easement Required for the Development of Brooks Landing Subdivision - District 1.

The Board approved and authorized the Chair to execute the Brevard County Board of County Commissioners Written Consent to Easement in connection with the City of Titusville's application for the use of State-owned uplands for a Force Main Easement required for the development of Brooks Landing Subdivision.

Result: APPROVED

Mover: Curt Smith

Seconded: Bryan Lober

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

F.15. Adopt Resolution and Release Performance Bond: Bridgewater North at Viera Subdivision - District 4

Developer: Lennar Homes, LLC

The Board adopted Resolution No. 21-115; and authorized the Chair to sign the Resolution releasing the Contract and Surety Performance Bond dated May 22, 2018, for Bridgewater North at Viera Subdivision – Developer: Lennar Homes, LLC.

Result: ADOPTED

Mover: Curt Smith

Second: Bryan Lober

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

**F.16. Adopt Resolution and Release Performance Bond: Stonecrest at Addison Village, Phase 4 Subdivision - District 4
Developer: The Viera Company**

The Board adopted Resolution No. 21-116; and authorized the Chair to sign the Resolution releasing the Contract and Surety Performance Bond dated December 22, 2020, for Stonecrest at Addison Village, Phase 4 Subdivision – Developer: The Viera Company.

Result: ADOPTED

Mover: Curt Smith

Second: Bryan Lober

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

**F.17. Adopt Resolution and Release Performance Bond: Bridgewater South at Viera, Section 1 Subdivision - District 4
Developer: WCI Communities, LLC**

The Board adopted Resolution No. 21-117; and authorized the Chair to sign the Resolution releasing the Contract and Surety Performance Bond dated December 8, 2020, for Bridgewater South at Viera, Section 1 Subdivision – Developer: WCI Communities, LLC.

Result: ADOPTED

Mover: Curt Smith

Second: Bryan Lober

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

**F.18. Contract and Surety Performance Bond: Bridgewater South at Viera, Section 1 Subdivision - District 4
Developer: WCI Communities, LLC**

The Board approved and authorized the Chair to sign the Subdivision Infrastructure Contract for Bridgewater South at Viera, Section 1 Subdivision – Developer: WCI Communities, LLC.

Result: APPROVED

Mover: Curt Smith

Second: Bryan Lober

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

F.20. Approval, Re: United States Department of Housing and Urban Development (HUD) Urban County Agreements and Re-Qualification for Fiscal Years 2022, 2023, and 2024

The Board approved and authorized the Urban County re-qualification with HUD to receive Community Development Block Grant (CDBG) and Home Investment Partnerships Program (HOME) fund; authorized the automatic renewal of Cooperative Agreements with seven municipalities for Fiscal Years 2022, 2023, and 2024; authorized the County Attorney to send a

mandatory opinion letter to HUD; and authorized Housing and Human Services Director to transmit the renewed Agreements and any supporting documents to HUD.

Result: APPROVED

Mover: Curt Smith

Second: Bryan Lober

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

F.22. Approval, Re: Amendment and Renewal of Contracted Workers and Background Investigation Check Services Agreement with AUE Staffing, Inc. (All Districts)

The Board approved and authorized the Chair to execute the Amendment and Renewal of Contracted Workers and Background Investigation Check Services Agreement with AUE Staffing, Inc.; and authorized the County Manager to execute the future renewal upon County Attorney and Risk Management approval.

Result: APPROVED

Mover: Curt Smith

Second: Bryan Lober

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

F.23. Approval, Re: FY 2021-2022 New Sports Event Development Grant Program, Application and Committee Score Sheet.

The Board approved the Tourist Development Council FY 2021-2022 New Sports Event Development Grant Program Guidelines, Application, and Committee Score Sheet, as well as made the necessary legislative findings; by approving this action, the Board is making the legislative finding that Tourist Development Tax funds are authorized for this grant program under Section 125.0104(5)(a)(3), Florida Statutes and Section 102-119(3)(a), and (5)(a) of the Brevard County Code; and granted the Tourism Development Office authority to negotiate and sign all necessary grant agreements and related documents, upon County Attorney and Risk Management approval, to support grants for applications that receive future approval as the grant cycle commences for FY 2021-2022.

Result: APPROVED

Mover: Curt Smith

Second: Bryan Lober

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

F.26. Board Approval for Modification of Grant Agreement for FY 2020 with the Florida Division of Emergency Management for sitework/construction on the new Brevard County Emergency Operations Center

The Board approved and authorized the Chair to execute the Modification of Grant Agreement with the Florida Division of Emergency Management for sitework/construction on the new Brevard County (EOC); authorized the County Manager to submit and execute any additional changes, documents or budget actions, as well as any amendments to the modification grant agreement, subject to approval by the County Attorney's Office and Risk Management.

Result: APPROVED

Mover: Curt Smith

Second: Bryan Lober

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

F.27. Board Approval for Modification of Grant Agreement for FY 2021 with the Florida Division of Emergency Management for sitework/construction on the new Brevard County Emergency Operations Center

The Board approved and authorized the Chair to execute the Modification of Grant Agreement with the Florida Division of Emergency Management for sitework/construction on the new Brevard County EOC; and authorized the County Manager to submit and execute any additional changes, documents, or budget actions, as well as any amendments to the Modification Grant Agreement, subject to approval by the County Attorney's Office and Risk Management.

Result: APPROVED

Mover: Curt Smith

Second: Bryan Lober

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

F.28. Approve Emergency Management to submit for the Rebuild Florida General Infrastructure Grant Program with the School Board as a co-applicant and beneficiary.

The Board approved Emergency Management to submit for the Rebuild Florida GIP with the School Board as a co-applicant; authorized the County Manager to execute a Memorandum of Understanding (MOU) with the School Board, if the project is selected for funding; authorized the County Manager, or designee, to submit and execute any additional changes, documents, or budget actions, as well as any amendments to the MOU, subject to approval by the County Attorney's Office and Risk Management.

Result: APPROVED

Mover: Curt Smith

Second: Bryan Lober

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

F.29. Request Approval to Accept the High Bid for Public Sale of Surplus Property 2021-2407634 and Authorization for Chair to Execute All Necessary Documents. (District 2)

The Board approved the sale of a surplus parcel of property pursuant to Florida Statute 125.35(1)(a) by accepting the high bid received in the amount of \$91,650 received from Aye Buy Used Cars Inc., W Jenkins, President; and authorized the Chair to execute all contracts and contract related documents upon review and approval by the County Attorney's Office.

Result: APPROVED

Mover: Curt Smith

Second: Bryan Lober

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

F.30. Wetland Outfall Weirs and Valves Recommendation to Reject Single Bid Received

The Board rejected the single bid received in response to Invitation to Bid 7-21-70, Wetland

Outfall Weirs and Valves Project; authorized Purchasing Services to re-advertise a new Invitation to Bid with a revised scope of services; authorized the County Manager, or designee, to execute any resulting contract, contract amendments, or necessary contract extensions upon review and approval from 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: Curt Smith

Seconders: Bryan Lober

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

F.31. Permission to Advertise Competitive Solicitation for the James Jay Clark Pedestrian Crossover Bridge Recoating Project (District 1)

The Board approved the advertisement and award of a competitive solicitation for contractors to complete the James Jay Clark Pedestrian Crossover Bridge Recoating Project; authorized the County Manager, or designee, to execute all contracts, contract amendments and any necessary contract extensions upon review and approval from 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: Curt Smith

Seconders: Bryan Lober

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

F.32. Approval of Liability, Workers' Compensation, and Aviation Insurance Programs for FY2021-22

The Board approved placement of the County's Auto, General, Professional, and Aircraft and Aviation Liability and Workers' Compensation insurance coverage at a cost not to exceed \$1,717,631; and authorized the Risk Manager to bind coverage per the enclosed Agenda Report.

Result: APPROVED

Mover: Curt Smith

Seconders: Bryan Lober

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

F.19. Assignment of Agreement Between the Board of County Commissioners, Bussen-Mayer Engineering, Inc. and D.R.M.P., Inc.

Commissioner Lober stated as seen in the explanation and background, D.R.M.P. acquired Bussen-Mayer Engineering, Inc. on September 1; in order to avoid any lapse in the services and to ensure a smooth transition from Bussen-Mayer to D.R.M.P. he would like to move to approve the Item; and beyond that he would like to authorize the Chair to execute assignments or any and all engineering and consulting services contracts with Bussen-Mayer to D.R.M.P. pending review from Purchasing Services, Risk Management and the County Attorney's Office.

Commissioner Smith advised he will second it but he would like to ask the County Manager or Assistant County Manager their thoughts on it.

Frank Abbate, County Manager, stated they would have been coming back on the Consent Agenda so doing this just avoids this having to come back.

The Board approved and authorized the Chair to execute the Assignment of Agreement; and authorized the Chair to execute assignments of any and all engineering and consulting services contracts with Bussen-Mayer Engineering, Inc. to D.R.M.P., Inc. pending approval by Purchasing Services, Risk Management, and the County Attorney's Office.

Result: APPROVED

Mover: Bryan Lober

Second: Curt Smith

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

F.21. Approval, Re: Donation of land to the EEL Program from Adolph Blaser (District 3)

Commissioner Lober mentioned he would be happy to approve this he just wanted to ask if the Board would mind if he wrote a letter to thank the gentleman, Mr. Blaser, for donating the land, on behalf of the Board.

Commissioner Smith advised he thinks it is a great idea.

Chair Pritchett asked if Commissioner Tobia is good with this.

Commissioner Tobia responded affirmatively.

The Board approved acceptance of a donation of property from Adolph Blaser, in Grant/Valkaria; approved waiving the requirement for Phase 1 Environmental Site Assessment; authorized the Chair to execute the Agreement to Donate Land, upon County Attorney's Office and Risk Management approval, with the County paying title and closing costs; and authorized Commissioner Lober to write a letter on behalf of the Commission, thanking Mr. Blaser for his donation.

Result: APPROVED

Mover: Bryan Lober

Second: Kristine Zonka

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

F.24. Approval, re: 10-month extension (Amendment #9) to Lease Agreement with Brevard Cultural Alliance (BCA), and approval of one-year service contract with BCA for Fiscal Year 2021-2022.

Commissioner Tobia stated when he first initially saw this he thought he would be voting no with comment as he has done in the past, however, times have changed a little bit; later in the Agenda there is an Item, also out of the Tourism Office requesting the Board to authorize new office space and a visitor center for the Department, which would cost more than \$1.25 million in five years in rent; he requested some data from staff and learned the calculation for space needed by the Tourist Development Office (TDO) is approximately 2,900 square feet; the space being requested for use by the Brevard Cultural Alliance (BCA) is 2,847 square feet; as the Board can see the match is pretty close; should the Board choose to allocate this space to the TDO rather than a private entity, that is over \$1 million that could be used to advertise the local tourism industry, or money that could be held for a rainy day, particularly in the case of

tourism revenue, if it begins dipping again due to the potentially on-going pandemic; and should the BCA still wish to provide services to Brevard County regarding the arts, that could be negotiated separately. He made the motion not to approve the lease extension, as he believes there is a better fit for this space than that of the BCA.

Peter Cranis, Tourist Development Office Director, stated he was going to wait to address this at the later Item but he will go ahead and address it now; he advised his office is currently in 5,700 square feet of space; they have 15 full-time staff and two part time; they did analyze the BCA space; they have approximately five people in 3,000 square feet; he does not believe that space would meet his needs; furthermore, the analysis that they did put this new potential office space in the tourism corridor, it is located in Cocoa Beach, and it places the visitor center a block from A1A which is right in the heart of the tourism industry; and he thinks it will help increase the volume significantly in terms of assistance to visitors. He explained the space they are looking at is 5,500 square feet, but 1,000 of that has a large meeting space that could be utilized for about 25 to 30 committee meetings; he thinks that will be a significant savings to the County in terms of staff time and staff's gas mileage; he thinks that is of value; therefore he is really talking about 4,500 square feet for 15 people, which he thinks is sufficient; and Commissioner Lober can attest that the space that the BCA is in is probably not going to be tenable for his office.

Commissioner Lober stated he has a couple thoughts on this; first, he does not disagree with anything that Mr. Cranis has mentioned with respect to his arguments; this interestingly enough goes to the Item that was put on later on the Agenda with respect to Commission Office costs, where there was a cost allocation attributed to Commissioner Smith and his use of County facilities; the fact is, this is not a hot commodity property by any means; this is an old building, there is asbestos in the walls, the carpet in his office has been there at least since Commissioner O'Brien was in office, it may be as old as he is, it is emerald green and good for St. Patty's day but apart from that there really is nothing good with respect to it; the reason he is there is because it is essentially free for the County and he does not have to pay a lease fee for it; and for that reason, from a taxpayer's perspective, it makes sense. He continued by saying in terms of the County's ability to rent that out, he thinks it would be an inordinate difficult time convincing anyone to come there; now in terms of the TDO making use of the space, he is familiar with the space, he is in there almost every day; he does not think it is going to work without putting big money into fixing it up; it would not be remotely comparable even to what he has; he noted the space is not at all in the tourism corridor and certainly not where there would be any amount of foot traffic whatsoever; and he thinks with that building it makes sense why the Board is extending nominal leases to certain organizations because it is not primo real estate. He went on to say he does not think it is anything that can be monetized; he thinks there could be a degradation in service rather than a maintenance status-quo were they to move the tourism Office there; he does not think the facilities with conference rooms are up-to-par with what the County currently has that are being sought by moving closer to the beach side, which is less convenient for him; but that makes sense in terms of a direction to take the Tourism Office; and he is not saying that just as someone who is in that office building every day at the Merritt Island Service Annex, but also as the Board's representative on the Tourist Development Commission (TDC). He noted he understands where Commissioner Tobia is coming from and he respects his appreciation for the taxpayers, but he does not agree with it because he thinks the circumstances simply will not fit.

Commissioner Tobia asked Mr. Cranis if he is aware of the calculated space per employee, that a consultant provided the County with.

Mr. Cranis responded he is.

Commissioner Tobia inquired if Mr. Cranis is aware that he is more than 50 percent over that recommendation, even with the decreased amount of space he would get with the new lease.

Mr. Cranis asked the Chair if he could speak freely.

Chair Pritchett responded affirmatively.

Mr. Cranis went on to say there is a 1989 study that looks at the specific office size of individuals, but it does not take into consideration meeting space or hallway space; if someone were to literally line up offices in a row, they may be able to get to 3,000 square feet; he stated think about 15 full-time people and two part-time people, in a 3,000 square foot house; and he stated that would not be a conducive work environment.

Commissioner Tobia asked Mr. Cranis how many new tourists he thinks the County will get for the \$1.25 million should the Board approve his proposal.

Mr. Cranis stated he did not hear the first part of the question.

Commissioner Tobia advised there is a lease later in the Agenda and it is a little over \$1.25 million; and he asked how many extra tourists Mr. Cranis thinks the County will get, if the Board were to approve that lease.

Mr. Cranis stated the lease they are proposing is a five year with a five year renewal that is about \$100,000 per year; it is about what they are paying now; they are currently in about 5,700 square feet and they are paying just under \$100,000; this is \$102,000 for year one; and he believes in the difference of rent they will make up in staff time and savings in gas mileage because they will actually be able to hold committee meetings at the location, which they currently are unable to do.

Commissioner Tobia commented he did not hear a number; and he reiterated the question was for the amount of rent does Mr. Cranis expect to receive any extra tourists coming to Brevard County because the question would be if the Board were to provide this space and that money would be used for advertising for items like Facebook, billboards, print ads, or dinosaur museums, does he think that would potentially draw more tourists.

Mr. Cranis stated he thinks what Commissioner Tobia is asking is if there is a correlation between the rent they pay and the number of tourists that they generate; he thinks there should be a good office environment for staff, after having the worst year in the history of tourism last year, and having brought tourism back to have the best spring and the best summer that this County has ever had; he thinks staff is doing an excellent job; and he thinks the leadership of the TDC has shown that having a good work environment is important.

Commissioner Tobia thanked Mr. Cranis; he stated his work responsibility, however, is to the taxpayers; while he is sensitive to staff, he thinks the Board's responsibility ultimately should be to the taxpayers on this one; as Commissioner Lober stated, he works in that environment, it is not the greatest, but he certainly survives it; and he appreciates Mr. Cranis fighting strongly to get a very, very nice office for his employees, however, he does not think it is in the best interest of the taxpayers.

Commissioner Lober stated he would restate the arguments, or at least incorporate by reference the arguments he made earlier as well as the statements by Mr. Cranis, but not only

would he suggest the County defer to very capable staff, as Mr. Cranis just articulated they have done an excellent job in terms of their role and their part in bringing tourism back following an absolutely atrocious unprecedented year, but the fact is the people on the TDC, not just himself, but those who own hotels, and those whose livelihood is very directly related not just to, but dependent upon, the tourism industry, would not have made the recommendation that they made to push forward the lease item that is coming forward in the Agenda, were that not something that was clearly beneficial to the tourism industry; one of the Items the Board has to look at, with respect to expenditures that are coming out of the Tourist Development Tax (TDT), is that there is a tourism related purpose that the actual approval or the Item would further; the fact of the matter is there are people who, if they had the opportunity to spend it on something that would likely generate a greater Return on Investment (ROI), he has found people act in their own self-interest, even assuming the self-interest motive is the predominant motive, they would not push to spend this kind of money on a lease if they could spend it in another way and get a better bang for their buck; and he noted the fact that these people stand to benefit, based on the driving of the tourism industry, and they have also made the determination unanimously that this is the way to go and that this money would have the greatest ROI out of all the options available to them in how to spend it.

Commissioner Smith stated he has heard the arguments, statements, and reasons; he greatly appreciates Commissioner Tobia's thoughts, insights, and numbers; he was real close to supporting him; however, the statements made by Commissioner Lober and Mr. Cranis have convinced him otherwise and he will make the motion to approve this.

Chair Pritchett inquired if Commissioner Tobia wanted to maintain a motion that he started.

Commissioner Tobia advised he honestly does not believe there is a second for that motion so he will pull it back.

The Board approved and authorized the Chair to execute Amendment #9 to the Lease Agreement between the BCA and Brevard County for office space located at the Merritt Island Service Complex, 2575 North Courtenay Parkway, Merritt Island, subject to County Attorney, Central Services, and Risk Management approval; and approved and authorized Chair to execute a one-year service contract with BCA. The term of the contract shall start on October 1, 2021 and end on September 30, 2021. Furthermore, by approving this action, the Board is making the legislative finding that Tourist Development Tax funds are authorized to be expended for the BCA's services because it has as one of its main purposes, the attraction of tourists as evidenced by the promotion of cultural events and activities to tourists, as authorized by Section 125.0104(5)(a)(3), Florida Statutes, and Section 102-119(3)(d) of the Brevard County Code.

Result: APPROVED

Mover: Curt Smith

Second: Bryan Lober

Ayes: Pritchett, Lober, Smith, and Zonka

Nay: Tobia

F.25. Approval, Re: Tourist Development Council FY 2021-2022 Capital Facilities Grant recommendation for Lori Wilson Park.

Commissioner Tobia stated the County has already spent \$3 million of Tourist Development Tax (TDT) revenue at this park; this is an additional \$1 million that can be used at any of the

County's other beach parks, as well as for a myriad of other purposes; he looked at the Item and he was pretty distraught seeing where this money would be going; on page two it states, "add fauna/flora along with a water feature" and he is pretty concerned that the Board would be spending TDT dollars on a fountain or something of that nature after it has already spent \$3 million of TDT resources on this park; and he would make a motion to reject funding request for an additional \$1 million on this grant.

Commissioner Lober stated he knows people refer to this park as the crown jewel; it is where the air show center-lined and it is massive in terms of its scale, it is not little like Riverside Park in Rockledge; a bigger park is going to have bigger expenses; the fact is this is one of those few Items that comes up where, not only is it clear that there is a benefit to the tourism industry in this case largely based on where it is located, sandwiched between large hotels, but also there is a huge benefit to locals; this is a park that needs a lot of upkeep in order to keep it at the level of many other parks that the County has; and the fact of the matter is he does not think there is a luxurious request that is forthcoming, and the Board is not talking about putting in anything made out of bronze or brass, not anything about putting marble or granite out there, this is maintaining it and keeping it up in a similar fashion to how the County maintains other parks. He continued by saying it is under the Tourism Office's responsibility; whether that should be the case or not, he does not think is the point to be discussed today; he is happy to revisit that in the future if someone wants to put in an Agenda Item; however, the County has to maintain it to a certain standard; the invasives have become bad there; he is happy to go to Lori Wilson Park with Commissioner Tobia or anyone else, but it really does need the kind of input that the County is putting in there; and he really tried to be a team player, earlier in office, with respect to a very large allocation that was temporarily pulled back. He noted for the Board to understand it is not his thought to simply spend, spend, spend if something is in his District, it is simply one of those things that, if anyone were to look at the status of it right now it is not the way it needs to be; the boardwalk money was absolutely necessary before; to say the Board is putting in additional money over and above other money implies that the first money may have been ill-advised; he thinks there was a woman who put her foot through one of the boardwalks before the County actually upgraded it; and when he says the County is spending money for a profound or genuine need, he thinks that would illustrate that fact that it is not luxury that he is looking for, it is to maintain some level of normalcy or adequacy in standard.

Chair Pritchett advised that her family goes to Lori Wilson Park and they are from District one; it is a place where she is sure many people go to visit; back a few years ago it really needed some love; and she mentioned she is going to agree to this, but she wants to send out a word to the Tourist Development Commission (TDC) to make sure that it does distribution, starting next year, on other areas through the Districts.

Commissioner Tobia stated he understands the boardwalk is very important but he is a little concerned with how many extra tourists are expected for a flora and fauna and a water feature; he asked if Mr. Cranis thinks this will draw tourists because it is such a great water feature; he commented he is not sure what a water feature is; he googled it but he does not know how that will draw any extra tourists; it does not sound like maintenance; he does not mean to disparage the \$3 million that went in there previously, it sounds like it was used very wisely; however he is very concerned about this additional \$1 million. He asked Mr. Cranis what exactly is the water feature that is envisioned; and how many extra tourists can the County expect because of it. Peter Cranis, Tourist Development Office Director, stated most of the \$1 million will go to finishing the boardwalk that runs parallel to the beach, that are the connectors between the crosswalks; the water feature that is mentioned in there, is a small pond, but it is way over-grown right now in the hammock area, but it is a heavy birding area; and they are replacing the boardwalk in the hammock area, which he thinks will make it much more

appealing to the birders who have come in the past, but have not been able to access that hammock due to the boardwalk not being accessible. He mentioned now they are replacing that; the water feature is a pond that will allow for wading birds; and he believes that will then attract tourists in the form of birders.

Commissioner Smith stated he thinks Commissioner Lober has expressed himself very well, as he always does; he thinks it is a difficult call when talking about advertising; one of the biggest mistakes that small businesses make is they do not understand advertising, that there is no direct correlation and when there is it is very hard to measure how much money one spends on advertising versus how many customers one gets; the County is in the same predicament when it comes to dollars spent on something like Lori Wilson Park and how many actual tourists come, that can be measured; and he does not think that is possible. He believes one can measure the fact that if you present something that is as centralized and as visible as Lori Wilson Park, it is easy to understand that when it looks good it is going to benefit the entire community, not just Cocoa Beach or Lori Wilson Park, but Brevard County in general because it is a magnet; when that magnet is attractive it attracts more, just like when one throws out bird feed, there will be more birds; he thinks this is an extremely important expense and I think that the County will get every penny, and then some, back; and he is going to support this.

Commissioner Zonka stated it is all part of the puzzle as far as tourism dollars go in investing to ensure that the County is continuing to have tourists that want to come here; she does not know which member of the Board will be on the Tourism board but when talking about the Weston she knows they contribute through the tax, but the Board could look at having some of these hotels give directly to help maintain these facilities, seeing as it will be a draw for them as well; that is just something to consider in the future; and she noted she is going to support this.

Commissioner Lober stated he knows Commissioner Tobia has asked Mr. Cranis a couple of times how many people a particular expenditure will draw, that is not simply calling for speculation, it is unknowable, other than the almighty, he does not think anyone could potentially begin to answer that question; he knows that a lot of people who come to Brevard County, come back and that is what he wants to see; he wants to see people come here, spend their money, pay as much into the Tourism tax and sales tax as possible, and then come back in one, two, or three years; there are a few things that will do an excellent job in keeping tourists away, the Lagoon looking terrible is something he thinks that will keep tourists away, having needles in a park will keep tourists away, one putting their foot through a boardwalk or seeing someone else put their foot through a boardwalk would probably discourage someone from coming back in the future, Brazilian Peppers all over the place where they were clearly not intended to be will keep people from coming back; and he believes it is difficult to quantify exactly how many more visitors or tourists will come to Brevard County for the first time or return based on these expenditures, but he thinks common sense would dictate if the condition of the park is as it is now, it discourages people from coming back, but if it was cleaned up to an extent that was at least standard or acceptable, he thinks there is less of a disincentive for people to come back. He mentioned he supports the Item.

Chair Pritchett asked Commissioner Tobia if he wants to continue with the motion.

Commissioner Tobia responded he does not, it is clear there is not a second on this one; and he stated he looks forward to seeing the exciting water feature.

The Board approved the Tourist Development Council's recommendation to approve \$1,000,000 in funding for the FY 2021-2022 Capital Facilities Grant application; authorized the Tourist Development Office Director to negotiate and sign all necessary grant agreements and

related documents to support the grants; and authorized the County Manager to execute necessary Budget Change Requests. By approving this action, the Board is making the legislative finding that Tourist Development Tax funds are authorized to finance the Nature Center facility improvements to the Lori Wilson Park and Nature Center pursuant to Section 125.0104(5)(b), Florida Statutes and Section 102-119(3)(c) of the Brevard Code.

Result: APPROVED

Mover: Bryan Lober

Second: Kristine Zonka

Ayes: Pritchett, Lober, Smith, and Zonka

Nay: Tobia

F.33. Request for Naming of the Lori Wilson Park Hammock and Boardwalk the “Mansfield Maritime Hammock”. District 2

Commissioner Lober advised he is going to move to pass but he wanted to take less than a minute to thank some people who were integral in getting this Item here; he expressed his appreciation to Janice Scott, Jim Stahl, Laurilee Thompson, Mary Ellen Donner, and Peter Cranis for their involvement in this; and he moved to approve the Item.

Commissioner Smith asked who is Mansfield.

Commissioner Lober stated she is an individual who has been involved and very respected in the birding community and they had a lot to do with setting up the canopy.

The Board of County Commissioners, in regular session on September 14, 2021, approved the naming of the Lori Wilson Park Hammock and Boardwalk the “Mansfield Maritime Hammock”.

Result: APPROVED

Mover: Bryan Lober

Second: Kristine Zonka

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

F.34. Authorization to advertise a Facebook Page Live Event between Commissioner Bryan Lober and Commissioner John Tobia on the Incentive Program for Missed Solid Waste Pickups to be held on the Space Coast Government TV Facebook Page.

Chair Pritchett stated she just wanted to mention her concern with this; the Board never typically used the County’s webpage to host two Commissioners doing a conversation; her request with this is that, if the Board approves it, the Commissioners do a disclaimer that this would not set a precedence of what it will do in the future and that it would always have to come before the Board; and she would like to put that in the boundaries on this, as her request.

Commissioner Lober stated he is fine with both of those things; he did not intend, and apologizes if it even came across that he was trying to exclude anyone on the Board; he mentioned if anyone else on the Board wants to be on there, they are more than welcome; he just wanted to make sure the Commissioners were in compliance to the greatest degree possible with sunshine; he thinks there could have been an argument made that they could have done it anyway on Facebook live with two Commissioners, maybe not using Space Coast Government Television (SCGTV) is staff was not comfortable with it, based on the fact that the

intention is to discuss what has already taken place, not what is going to come up in the future; and he thinks Commissioner Smith was concerned about how people would find out about the Waste Management Item when it came up early, and he noted this is how people are going to find out about it. He continued on to say he is fine with incorporating these couple of items, the disclaimer and this not setting precedent for items of this nature and having to come back before the Board; and he advised he is fine making the motion with those two things in mind.

Chair Pritchett reiterated her only concern was that they were using the government page; she advised the Board knows each other, but it does not know who might come along later; she thinks it might be very risky into the future; and she just wanted to mention that to the Board.

The Board authorized hosting a Facebook Live event held on SCGTV Facebook Page between Commissioner Bryan Lober and Commissioner John Tobia on the Incentive Program for missed Solid Waste pickups; and approved advertising the Live Event as a public meeting pursuant to State law.

Result: APPROVED

Mover: Bryan Lober

Second: Kristine Zonka

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

G. PUBLIC COMMENTS

Chair Pritchett advised the speakers if someone were to speak in one public comment session of the meeting that person is not eligible to speak in the last public comment session; if anyone is speaking on an Item the person needs to make sure the Item number is on the card, and their name; and she noted that would help her out greatly.

Charles Tovey thanked everyone and stated God bless everybody, good and bad; desperate times call for desperate measures; he is asking the Board Members, as leaders, and all Americans to beef up their patriotism and stand up for this Country and the foundation that is being torn apart and disposed of now, to regain this country back for all Americans, Jehovah Jireh, Jehovah rapha; COVID-19 spending, as Commissioner Smith pointed out last year, this is not money that is here, it is money being printed and it is bankrupting the nation and deflating the dollar to an unsustainable value; it is going to be difficult if people do not act now, as desperate times call for desperate measures; this is the day that is called for; and he has other stuff so he has to save his time. He continued on by saying he wants to thank the Governor, Scott Ellis for his patriotism, Commissioner Infantini for not only hearing but listening, and he wished County Attorney Eden Bentley good luck and thanked her for her service, and all Commissioners and all Americans; he thanked Frank Abbate, County Manager, for the security advising he has thought about that but he talks too much as it is; and he noted he is looking for a few minutes of time within the next couple of weeks to explain the Lagoon and its conditions. He noted he has been steadily working on the Lagoon, as well as the beach erosion, the environment, the homeless, and the rest of the stuff, through God his higher power; the flyover turned out well, not so much a safety issue with the drainage culvert; he believes the baffle boxes are full and that was one of his issues; someone brought it up at the Lagoon meeting and if there is a full cup, no more can be put in the cup because it is full; he thinks the County needs to revamp all of the baffle boxes; the next worldwide thing is not the straws, the Styrofoam, it is the masks; as he held up a bag full of masks, he announced this is from just one public area; he advised these are masks just laying around and he asked how healthy they are and how much COVID-19 or any other sickness is in there, as well as other items; and he mentioned he is out of time.

John Nieland stated he wants to talk about the fluoridation program; there was a Swiss doctor who has been known as the father of toxicology and he said everything in life is toxic, water is toxic, oxygen is toxic, if we ingest too much of anything; to say fluoride is toxic by itself would be meaningless; the Mims water plant sent him some data from last year, of how much hydrofluoric salicylic acid they put into their water supply; and he wanted to share that because he thinks it will bring home the point of how toxic that fluoride is. He noted one can go to the water plant, if someone was to take one tablespoon of that hydrofluoric salicylic acid and ingest it, that person would not make it off the plant property; it will either kill or injure that person for the rest of his or her life; by itself fluoride is not toxic, it is extremely toxic; the number he wants to share is, last year Mims put in six tons of hydrofluoric salicylic acid into the water supply there; to do the math, 99.5 percent of that extremely toxic chemical they placed in the water supply did not go to the intended use, meaning it was not consumed by the residents in Mims, it was dumped back into the waterways, it was dumped back into the Indian River Lagoon (IRL); and it is crazy to continue this fluoridation program. He went on to say there are less expensive, safer ways, and more effective alternatives than this fluoridation program; the Center for Disease Control (CDC) has said brushing teeth with fluoride is safer and more effective than drinking the fluoride and having it go into one's blood stream; if people in this County would like to give their children fluoride, they can simply buy fluoridated toothpaste, mouthwash, and water; and to continue to dump tons of extremely toxic chemicals into the waterways, is absolutely absurd.

Sandra Sullivan stated in coming to these meetings in the past two years advocating for a response to protect Hightower and the critical evacuation efficiency beachside, Brevard was co-applicant on the FCT phase two grant, thus changes to the joint phase one and two Management Plan requires both County and City approval according to FCT; and Florida Administrative Codes apply to the County and the City for capping density. She announced she wants to switch topics for a second to Central Florida Expressway Authority (CFX); CFX Director, Laura Kelley, was at last week's Transportation Planning Organization (TPO) meeting and said that toll roads are the funding mechanism when there is no other alternative, it is a last resort, and no one likes to pay tolls; Brevard County is not desperate for money to pay for expansion; State Road 528 is Brevard County's economic engine to the Port and space program; in addition to the concern to put local influence on the State-appointed FCT governing board, to impact the outcome of the FCT site Hightower, she is now aware of an even larger issue that suggests collusion by CFX and other entities to put influence on that board to get permission to use FCT site, Split Oak Forest, for their new highway across the State; working to put influence on the FCT board, she would suggest, crosses an ethics line to a special privilege; and the concern is Commissioner Smith and former Commissioner Barfield were involved in that. She went on to say since the last meeting more records requests to CFX show more entities discussing what they call an alignment discussion in reference to the Florida community's trust Split Oak Forest, and corresponding emails on the open vacancies on the FCT governing board, the entity that makes the management plan changes to an FCT site when it is controversial; according to Commissioner Smith's letter to the state Representatives, he indicated a new route to Pineda or Post Road; she recently learned that this route as planned, will go through the FCT site called Split Oak Forest; in February, Barfield wrote Commissioner Smith about these two routes with attached documentation about Split Oak Forest; and Barfield was on the CFX board when the planning began to go through Split Oak Forest and continues to serve on the environmental committee which was discussed in a February meeting. She added Commissioner Smith sits on the CFX board and a potential conflict of interest form clearly establishes guidelines for avoiding such an issue; and she thinks this should concern everybody.

Commissioner Lober stated he will be careful in how he phrases this, but he thinks he needs to put this out there; there have been things, not just at today's meeting but in prior meetings, that Ms. Sullivan said that he absolutely agrees with and there have been things she has said that he absolutely disagrees with; the one thing he would caution, not just Ms. Sullivan but everyone, is regarding the use of terms that have particular connotations; he is not saying that any particular conclusion of Ms. Sullivan's are or are not correct, he thinks a lot of them are subjective; when talking about something that is unethical, unless there is a specific rule on point, ethics are subjective when the rules are not on point; when talking about the facts which one draws those conclusions, he does not know what those facts are necessarily, certainly in whole; but he thinks caution is advised when terms like collusion are used because implicit in that type of word is the idea that something is not necessarily just wrongful, but potentially even illegal or otherwise prohibited; and as he has stated just as some of the things Ms. Sullivan has said he agrees with and other things he disagrees with, he can say the same about Commissioner Smith, there are some things he says that he thinks are brilliant and other things that are not quite as brilliant. He added he is sure Commissioner Smith can say the same about him. He mentioned he would caution when certain terms are used, whether it is special privilege which is defined in State Statute, the common understanding is not necessarily the legal definition and the operative portion when talking about a term of art like that, or that particular term that is found in statute, there are a lot of intricacies when it comes to what is permissible and what is not permissible; maybe the most appropriate way, in his subjective opinion, to try to get a point across and to win people over who have not yet formulated an opinion, or who may be flexible enough based upon new information to change that opinion, is to lay out the facts upon which ones is drawing a conclusion, rather than just drawing those conclusions; if one has done a public records requests and found a communication took place on a particular date tell what the public records request was and what the communication said that leads one to believe that there was collusion or whatever he or she thinks there may have been; then let the people draw their own conclusion from there whether there is something that is permissible or not; some may agree, some may agree in part, and some may not; he thinks focusing on the conclusion rather than what leads to that conclusion is skipping a couple of steps and it makes it harder for one to potentially jump on board because one is missing that foundation that is needed to even potentially get to the end result; and he mentioned he appreciates Ms. Sullivan taking the time to come up, where most people are apt to complain to their friends and neighbors about how terrible government is at various levels, so he thinks that is commendable. He added he is not adopting or refusing to adopt any particular conclusion, he just thinks more work in terms of the basis would be beneficial to provide.

H.1. Petition to Vacate, Re: A portion of a Public Right-of-way - Tkacs Drive - "Plan of Town of Pineda" Plat Book 1, Page 41 - Melbourne - KMM-FL, LLC - District 4

Chair Pritchett called for public hearing for a petition to vacate a portion of a public right-of-way on Tkacs Drive in Melbourne.

Marc Bernath, Public Works Director, stated this is a petition to vacate part of a public right-of-way on Tkacs Drive; it is requested that the Board conduct a public hearing to consider vacating part of public right-of-way; the petitioner is requesting vacating portion of 50 feet; it is simultaneously requesting approval of a resolution access easement providing FPL an easement requested which will later be considered under Item J.3.; and there are no objections.

Commissioner Smith stated he thinks it is a good idea.

There being no further comments or objections, the Board adopted Resolution No. 21-118, vacating a portion of a public right-of-way in Plat "Plan of Town of Pineda" Subdivision,

Melbourne, lying in Section 12, Township 26 South, Range 36 East, as petitioned by the Town of Grant-Valkaria.

Result: APPROVED

Mover: Curt Smith

Second: Bryan Lober

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

H.3. Approval of a Rate Resolution to Impose Non-Ad Valorem Special Assessment for the State's Medicaid Managed Care for Direct Payment Program for Local Hospitals

Chair Pritchett called for public hearing on a rate resolution to impose non-ad valorem special assessment for the State's Medicaid Managed Care for Direct Payments Program for local hospitals.

Katherine Wall, Assistant to the County Manager, stated this is a request for approval of a non-ad valorem assessment to be imposed solely on Brevard County for-profit and non-profit hospitals that are located on properties that are either owned or have a leasehold interest in; it authorizes the Chair to sign their rate resolution and authorizes the County Manager to implement all necessary budget changes; there are 10 for-profit and not-for-profit hospitals located in Brevard County; and each have been noticed of this meeting.

Commissioner Zonka stated based on the advice of the County Attorney, Eden Bentley, she has to abstain as being an employee of one of the entities.

There being no further comments or objections, the Board executed and adopted Resolution No. 21-119, imposing Non-Ad Valorem Special Assessments against real property owned by private for-profit and non-profit local hospitals in the County for the State's Medicaid Managed Care for Direct Payment Program; authorized you to execute any necessary Budget Change Requests to implement the Non-Ad Valorem Special Assessment Program for the Medicaid Managed Care for Direct Payment Program for local hospitals; and authorized the County Manager to execute the Letter of Agreement with the State of Florida authorizing the County's participation with this Program.

Result: ADOPTED

Mover: Bryan Lober

Second: Curt Smith

Ayes: Pritchett, Lober, Tobia, and Smith

Abstain: Zonka

I.1. Auctioneer Services for Brevard County Surplus Property (including vehicles, heavy equipment, and real property)

Steven Darling, Central Services Director, stated this is requesting that the Board approve utilizing GovDeal Sourcwell Contract, utilizing George Gideon Auctioneers as a secondary vendor, and authorizing the County Manager to execute all contracts and contract documents for auctioneer services for Brevard County; they went out for a Request for Proposal (RFP) to seek contractors to sell surplus property for the County; GovDeals came back as well as Gideon and a selection committee was held; GovDeals was rated number one, however, the contract that they want to piggyback was more lucrative than the contract that was proposed;

and he is asking for permission to piggyback that contract and authorizing George Gideon, who was number two, to be the secondary vendor for Items that would not sell under the GovDeals Contract.

The Board approved utilizing the GovDeals Sourcewell 012821-GDI Contract, piggybacking State of Florida GovDeals Sourcewell Contract, beginning September 27, 2021; approved utilizing George Gideon Auctioneers, Inc., as the secondary vendor for auctioneer services beginning September 27, 2021; and authorized the County Manager, or his designee, to execute all contracts, any necessary contract amendments, extensions, or renewals for GovDeals Sourcewell 012821-GDI and George Gideon Auctioneers, Inc., upon approval by the County Attorney's Office, Risk Management, and Purchasing Services.

Result: APPROVED

Mover: Bryan Lober

Second: Kristine Zonka

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

I.3. Allocation of American Rescue Plan Act (ARPA) funding to qualified Capital Projects and Equipment within Commission Districts

Katherine Wall, Assistant to the County Manager, stated this Item is a request to allocate, not to exceed, \$44 million of the American Rescue Plan Act (ARPA) funding to qualified capital projects and equipment within each Commission District; authorize Purchasing Services to issue a competitive solicitation and within each District, allocations may be reprioritized by each Commissioner once the bids are received; authorize the County Manager to implement all necessary budget changes; and execute all contracts, contract amendments, and tax orders, with approval of the County Attorney's Office, Risk Management, and Purchasing Services.

Commissioner Lober stated he would move to approve, assuming there are no cards, but he would like to clarify that his motion contemplates that reprioritization must occur within the Items that are actually listed in the Agenda Item so it is not that someone can pull something that is not listed and reprioritize that onto the list; and he explained it has to be listed on what the Board has, and he is fine approving it otherwise.

The Board approved the recommended allocation of, not to exceed, \$44 million of ARPA funding for capital projects within Commission Districts; authorized the County Manager to execute all necessary Budget Change Requests for ARPA funded projects approved by the Board; authorized Purchasing Services to issue and award competitive solicitations, within Commission District ARPA funding allocation, and as may be prioritized by each District Commissioner once bids are received and evaluated; and authorized the County Manager to execute all contracts, contract amendments, task orders, work orders, and any necessary extensions upon review and approval by the County Attorney's Office, Risk Management, and Purchasing Services.

Result: APPROVED

Mover: Bryan Lober

Second: Kristine Zonka

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

**J.1. Waiver of Section 62-102(c), Re: Unpaved Road Agreements to Allow Access Via Paper Right-of-Way to Burkholm Road (District 1)
Applicants: David & Krystal Harris**

Chair Pritchett advised that there is a lot of undeveloped properties in her District still; there are large tracts of land; she has one gentleman that owns large tracts and he is subdividing them with no connection to the County road; the problem with this is they have to have it connect to a road for them to be able to get a permit because there has to be a roadway for emergency vehicles to get back there; this is a problem coming up in her District; if the Board does not stick with what is in play, then every taxpayer in the County has to pay to make this property where it should be to be able to be built; and she is not sure that is fair to place the responsibility on everyone else. She mentioned people are getting the properties for minimal cost because it is landlocked; staff is willing to work with them to help do a dirt road or figure out how to do flag lots; but there are going to be a few of these come up that she is not in favor of approving; and this is one of those she is not in favor of today.

Tad Calkins, Planning and Development Director, stated this is a request for the Board to consider a waiver of Section 62-102c to allow the applicant to construct a home on a paper right-of-way without constructing an unpaved road within the County right-of-way and without providing the maintenance for the roadway; and without entering into a proportionate fair share assessment; this application comes proposing use of a paper right-of-way that is about 647 feet to go south down to Burkholm Road; and the applicant did submit an application about a year ago to go to the north to Welty, that was about 130 feet, and that application was approved. He continued by saying at that time, staff could not confirm that the lot was a non-conforming lot of record, so they could not issue the permit; the application was withdrawn and their money was returned; then they came in to make this application; there is a small wetland that way that would have to be impacted if they were to go that direction; for the Board's knowledge, as Chair Pritchett mentioned, Section 62-102 was adopted in 1991 and it was primarily to aid residents with developing lots that were created prior to the subdivision regulations; and those were adopted in 1970, which was 90 years of development without infrastructure being provided to support those developments; and he is happy to answer any questions.

Chair Pritchett commented Mr. Calkins had mentioned to her that staff was working with them to try to help them get an easier path where they would mitigate the wetlands; and he also told her it would be about .15 of the wetlands and \$15,000, which is a lot cheaper than constructing a road going down to the other road.

Tad Calkins mentioned they have provided an environmental assessment and that gives staff an indication of where that wetland is, it is a good estimating tool.

Chair Pritchett thanked staff for helping the applicants come up with an idea.

Krystal Harris mentioned this has been a really long process for them and very difficult; they have tried so many different ways to build a house on their piece of property; the way the property was divided before they purchased it, it was divided a long time ago and it was not divided properly is her understanding, and now they are the ones that are having to deal with that and fix the situation; all she is asking for is a little bit of help; it is extremely expensive to mitigate the wetlands and they do not want to have to tear down anything that is there; she noted it is a really nice piece of property in Mims; everyone likes Mims because it has the surrounding woods and things like that to keep everything private for everybody; and they do not want to tear any of that down in regards to the other homeowners that are there, so they can keep their privacy as well.

Chair Pritchett stated maybe they can buy a little flag lot through one of the others and hook up to one of the other upper roads; but other than that, she thinks what staff has provided is probably their cheapest route; she would recommend the applicants do that because she is not

going to vote in favor of this request; however she is all-in with trying to come up with some other creative ideas within the Code.

Ms. Harris advised they have tried; they went to all of the other homeowners around there and the only directions that they would be able to get a flag lot through their property runs right through where their house would be or something like that; and none of it is conducive to making it easy for them.

Chair Pritchett expressed her sincere apologies for this predicament; she advised she has a bunch of these coming down the road; she has one fellow who subdivided everything; and she reiterated she is really sorry about it.

Julie Gould mentioned there is one access road that has already been there, it is not paved but there is a dirt road and a home right there that uses that road.

Ms. Harris added and they have used it for 30 years.

Chair Pritchett advised she cannot do it; she stated she has gone over this many times with Mr. Calkins trying to figure out a way to do this; and her cheapest path is going to be to mitigate that wetland and then build a road.

Ms. Harris asked how is that cheaper, having to mitigate the wetlands and then having to build a road, it is going to cost double.

Chair Pritchett explained they will have to build a road straight down onto Burkholm which is going to cost her a fortune.

Ms. Harris advised there is already a road there and that is her issue; there is already a dirt road there that is half paved by another homeowner.

Chair Pritchett explained it has to be a standard road when all these houses start coming off of it because the County has to be able to get emergency vehicles in there, the County has liabilities.

Ms. Harris advised the road is plenty wide enough for emergency vehicles.

Chair Pritchett advised it is not going to work.

Ms. Harris commented she has tried to be extremely calm and patient with this over the last couple of years; she does not understand why, as someone who is an advocate for property owner rights, that Chair Pritchett would deny this; the piece of property that she is asking for...

Chair Pritchett interjected she is also an advocate for everybody else; she is going to do a trust soon that everybody that buys a house out there, because she has everyone yelling they want their roads paved, there is no way to pave it, so soon when people start permitting, she is working on putting money in a trust where they have to pay for their own roads being paved down the road when the County is ready to do it; this is a very expensive part of the County where there are these undeveloped areas and there is not any infrastructure; and she commented she wishes Ms. Harris would have done due diligence when she bought it and made sure she had access to the road.

Ms. Harris noted she did; she actually called the County and spoke to several people about it.

Chair Pritchett commented someone might have caught it; she does not know; she has this popping up all over and Ms. Harris is not alone.

Ms. Harris noted she did her due diligence and that is the issue; she did it and the County records were wrong.

Chair Pritchett apologized and stated she just disagrees on this.

Commissioner Lober stated this falls in Chair Pritchett's District and he asked what she wants the motion to be.

Commissioner Smith stated he will second but he would like to explain why; from his discussion, and he is afraid this would come up in other parts of the County, the problem exists that if the Board were to do something like this for one individual, the Board would then have to do it for everybody.

Commissioner Pritchett advised there is a bunch coming.

Commissioner Smith continued on by saying there is a standard involved right now that requires that a paved road be constructed before the properties are built on; and he inquired if that is correct.

Mr. Calkins explained if one comes in and subdivides property today, the individual must pave the roadway and provide all the infrastructure through the process.

Commissioner Smith went on to say the only option available to them is for them to pay for paving or to get their surrounding neighbors to kick in and pave that road.

Mr. Calkins explained when the right-of-way was created prior to 1970, when the subdivision regulations were adopted, there is this dirt road paving process which allows the Board to enter into an agreement for a property owner to construct a dirt road to County standard and then they are responsible for the maintenance of that roadway; once it gets to 50 percent of the lots along that right-of-way have been permitted then they are subject to an assessment for the paving of that roadway; and he advised it is a user-based fee that gets the benefit and pays for the improvements.

Commissioner Smith noted that was what he was trying to say.

Commissioner Pritchett advised the next meeting she thinks there is going to be another one come up.

The Board denied the request for a waiver of Section 62-102(c) to allow David and Krystal Harris to construct a house on their property without constructing an unpaved road within the County right-of-way, providing for the maintenance of said roadway, and agreeing to a proportion share assessment for the paving of the roadway.

Result: DENIED

Mover: Bryan Lober

Second: Curt Smith

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

J.2. Mooring Field Development (District 2)

Virginia Barker, Natural Resources Management Director, stated this is permission for staff to pursue grants and or private funding to design and engineer a regional mooring field in District 2; it would include authority for the County Manager to execute any resulting grant or funding contracts; and if they are successful in coming up with a reasonable design and engineering proposal that would come back to the Board before implementing any sort of mooring field.

The Board of County Commissioners, in regular session on September 14, 2021, granted permission for staff to pursue development of a regional mooring field in District 2, including site design and engineering, seeking regional public and private partnerships, exploration of management options, and seeking additional project funding; granted authority for the County Manager, or his designee, to execute resulting grant/funding contracts, including those in excess of \$100,000; and authorized all associated Budget Change Requests.

Result: APPROVED

Mover: Bryan Lober

Seconders: Kristine Zonka

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

J.3. Approval, Re: Access Easement, Warranty Deed, Resolution, and Easement (Business) for the Waelti Drive Warehouses Site Plan- District 4.

Marc Bernath, Public Works Director, stated this one is tied to Item H.1.; it is an access easement, warranty deed, and Resolution asking to approve and accept the access easement and warranty deed and for the Chair to execute the resolution; it is for the development of a warehouse complex known as Waelti Drive Warehouses in relation to a site plan requirement for stormwater pond enabled for staff to relocate a Florida Power and Light (FPL) power pole for continued service to the railroad; and there are no objections.

The Board approved and accepted the Access Easement and Warranty Deed; adopted Resolution No. 21-120, authorizing the conveyance of real property interest by the County; and authorized the Chair to execute the Resolution and Easement in favor of Florida Power and Light (FPL) for the Waelti Drive Warehouse Site Plan.

Result: ADOPTED

Mover: Curt Smith

Seconders: Bryan Lober

Ayes: Pritchett, Lober, Smith, and Zonka

Absent: Tobia

J.5. Staff Direction, Re: Tourism Development Office lease and Visitor Information Center (VIC) lease

Peter Cranis, Tourism Development Office Director, stated this is the actual review of the two leases that were in the discussion prior for the office move, 5,500 square feet in Cocoa Beach; and the 800 square foot visitor center.

The Board approved moving the Tourism Development Office to 801 N. Atlantic Avenue, Suite 400, Cocoa Beach, FL 32931; and approved moving the Visitor Information Center to 267 W. Cocoa Beach Causeway, Cocoa Beach, FL 32931.

Result: APPROVED

Mover: Bryan Lober

Second: Kristine Zonka

Ayes: Pritchett, Lober, Smith, and Zonka

Nay: Tobia

J.6. Approval, Re: Tourist Development Council FY 2021-2022 Cultural Support Grant Program recommendations.

Peter Cranis, Tourist Development Office Director, stated this is approval of \$150,000 in grants for 17 cultural events; this was the item that the Board gave quite specific direction on last year; the TDC and its committee went back and reworked the guidelines; he thinks they worked because there were 23 actual applicants; four did not actually make it into the application process because they did not qualify; and two did not receive the scoring level that was required; therefore, it went down from 23 to 17. He mentioned he believes these all have a good Return on Investment (ROI) relative to tourism.

The Board made legislative findings and approved funding for the following FY 2021-2022 Cultural Support Grant Program applications listed in Attachment A; and authorized you to negotiate and sign all necessary grant agreements, Budget Change Requests, and related documents to support the grants upon County Attorney and Risk Management approval.

Result: APPROVED

Mover: Bryan Lober

Second: Curt Smith

Ayes: Pritchett, Lober, Smith, and Zonka

Nay: Tobia

J.7. Consideration and Approval of a Board Policy Relating to Commission District Office Annual Budgets

Jill Hayes, Budget Office Director, stated this is consideration and approval of a Board Policy relating to Commissioners' office budgets; it was requested on August 5 that staff draft this Policy; therefore, it was drafted based on the input received at that meeting.

Chair Pritchett stated she thinks Peter Fusscas made this recommendation a while ago; at the time the Board Members were still getting settled in; she thinks now all the Commissioners are pretty much established with where they are as Commissioners; she thinks the Board has done a good job establishing what each needs to do to complete their job; and she thought this would be a smart thing to do because there will be new Commissioners down the road. She added if anyone hits past the peak it might be good to bring it in and let the Commissioners have a conversation on it; she respects all those on the Board and she believes they are all very frugal; she thanked County staff for putting this data together; and she will open up the conversation.

Commissioner Lober stated as the guy who spends the least, he is in favor of this; he has the slimmest staff in terms of Full Time Employees (FTE) but they do a stellar job; he just wants to reiterate his understanding from the prior time this came up; and he asked if what is being proposed will not change his ability within the office's overall budget.

Chair Pritchett advised it is within the same scope; it will give each Commissioner a little more flexibility, especially Commissioner Lober since he has the lowest; if he wanted to go to the Space Symposium it would be within his budget; she thinks the Board Members are pretty settled; and Commissioner Lober has quite a bit of wiggle room.

Commissioner Lober stated the only thing he would ask to incorporate in the motion because this is something that is all-encompassing, is to allow for and authorize, instead of bringing in an additional FTE or a part-time employee, if he has a project and he needs to bring someone in on a contract basis, and instead of bringing them on through the full hiring process, he would like for individual offices, using the same budget, to bring people onboard on a contract basis for individual projects as need be, and allowing with that, to have Human Resources or Risk Management run through whatever they feel is appropriate as far as vetting someone, if they feel vetting is appropriate; and he explained for instance, if he has a mailing going out to about 900 constituents in Snug Harbor following the Auto Aid Agreement with Patrick Space Force Base, some of that will be done in-house and some out of the house, but if he has a specific project like that, and if the Commissioner could spend the money on an employee, it could also be spent on a contractor.

Chair Pritchett stated she wants to think about that a little bit; she likes that it would be run through Human Resources to do it because it is a contract employee, therefore, he is entering into contract; and she asked if it would be easier to just use it as a project to pay it out of his budget as part of his fund and not do that, but pay for something he is doing.

Commissioner Lober mentioned he just wants to make sure he is allowed to do that because at the end of the day that is what he is looking to do; and if for whatever reason there were questions as to whether or not that is permissible, he thinks explicitly allowing it as part of this motion would clear it up.

Chair Pritchett stated that would be within the scope because Commissioner Lober would have already used part of his for mailing.

Commissioner Lober stated if it is not mailing, for instance, if it is for door knocking and saying they are going to be digging up the force main in their backyard tomorrow for a street that is three blocks, 10 blocks, or 100 blocks as long as it is within the office's budget; and he just wants to make sure if someone says there is an entity or company that would do the outreach for them.

Chair Pritchett asked if Commissioner Lober could think of a way to frame that so it ends up being put in the scope.

Commissioner Lober asked if the Board can revisit this in maybe two minutes, he should have some good language for it.

Chair Pritchett responded that would be great.

Commissioner Tobia requested to speak.

Chair Pritchett responded affirmatively.

Commissioner Tobia stated he genuinely appreciates the conservative idea of placing limits on spending and he honestly thanked her for putting this forward; with that being said, he thinks there is no question that, for this to be less of a political game the calculation has to include

basic things such as rent utilities, and maintenance; no budget made by home owners or businesses would include these basic things, and yet it is calculated differently by Facilities Management; but it is still part of the office budget as the title insinuates. He noted he has a revised policy that adds in building costs, printing, and postage; it says building costs shall include, but are not limited to rent just value of County property, utility costs, and maintenance; it adds in all the things that the Commission offices spend and makes it a more rounded and fair process; obviously the \$380,000 would need to change and he does not care what that new number would be; and he thinks it is just more fair to include the holistic approach, instead of taking out certain items and not including others.

Chair Pritchett commented she does not necessarily disagree with that but she has thought; up in her District it is a lot cheaper to survive than probably in Commissioner Tobia or Commissioner Zonka's Districts because they live in higher areas; Commissioner Smith has Viera and she imagines that allocation would be fairly high, from the numbers she saw from the Budget Office Director; she thinks that is something the Board Members should kick around because that would probably open up her District to a lot more funds that she does not necessarily need; and she noted will probably disagree on the utilities, but the rent could probably be a little more difficult because they need to be in an area where they can do their jobs adequately, as well.

Commissioner Zonka advised her only concern was the equity on the rent; obviously her office is in the smallest space it can be, but they had to rent because of the need for the Sheriff Office at the location she used to be on Sarno Road; they sought out this location with the previous County Manager and he really worked hard to find an affordable place that was not just big enough for her small staff, but that was not too luxurious; she does not know that equating that with someone else who maybe has to pay more or less is the fair way to go; she thinks that could help or hinder an office; and she thinks it may open up budgets to be significantly higher for certain offices, so she does not know if it would equitable. She added she does not think she would agree with that part.

Chair Pritchett advised she would not mind throwing in there that possibly if a Commissioner moves that it has to come before the Board.

Commissioner Zonka mentioned that was done before.

Chair Pritchett agreed she just did that.

Commissioner Lober stated he does not think it is going to impact him one way or the other because his office is so much lower than the highest, but with a cost allocation number, it is kind of an arbitrary number; he thinks Commissioner Smith would be hurt the most by implementing a cost allocation number because there is no question that space in the Viera Government Center is more valuable than the dungeon that his own office is in; he is not trying to get out of it, he is okay if there is asbestos in the walls and carpet that is as old as he is, it is what it is; he just thinks that the number that is assigned to that, there is not a person on this planet that would pay it; the space went vacant for a while and he spoke with Mr. Abbate about if there were any non-profits that the County extends nominal leases to, to just extend it to them in his building because there is ample parking and plenty of space; and he noted he had a conversation last week with someone in his office who was with guardian ad litem in the Viera Courthouse who expressed the lack of enthusiasm of the prospect of their having potentially moved into the building based on the conditions; and if the Board is going to do it, he is not going to make a big fuss about it. He went on to say he does not know that it is fair to implement the cost allocation in the total number, it is not going to hurt him; he does not know

that it is necessarily appropriate because the real cost is not that number, it is the opportunity cost which is often times negligible; and he will support whatever the Board wants on this, but he wanted to point out that number is kind of an artificial number.

Chair Pritchett stated she agrees; she kind of thinks if the Board did that it would greatly affect Commissioner Zonka and her other costs are not very high; she would rather not do it because hers are the lowest; and she does not think it is very fair because she lives in the lower rental area; she mentioned in her office she left Marsha on for a little while when they were training the staff; she was in a temp position and did not receive any benefits; but she still thinks Commissioner Lober can accomplish what he wants to accomplish and they do not have to do contracts.

Commissioner Lober stated he thinks he has some good language; if Chair Pritchett will give him a minute he would like to run it by her real quick; he hopes, if the County Attorney does not love it, hopefully she can live with it; it would approve this and also authorize the Commissioners to expend funds without increasing the aggregate total authorized for expenditure on contractors who would perform services that otherwise would be performed by Brevard County staff members within an individual Commission office; and it would also allow Human Resources to run background on any such contractor as may be appropriate given the scope of work.

Chair Pritchett mentioned she thinks a temp employee would be the same thing for him.

Commissioner Lober stated the problem is people may not want to go through that; if there is an entity that would perform the service for him, they are not necessarily going to want to go through getting badged, credentialed, and all that; but the individual might be fine having their background run.

Chair Pritchett mentioned the only thing she has a hang up with, and Commissioner Lober would know this because he is the lawyer, she does not know if the Commissioners should be entering contracts on their own; a 1099 is a contract employee; and she asked him to think about that.

Commissioner Lober advised technically someone is entering a contract if they are employing someone, in a slightly different sense.

Chair Pritchett commented that is the County though.

Commissioner Lober stated right, but one way or the other it is authorizing expenditure of funds.

Chair Pritchett asked if the County would be entering into the contract with them for him; and if that is how he thinks it would work.

Commissioner Lober mentioned it would and it would be limited to the scope so basically it would authorize the Commissioner to bring someone on a contract basis who otherwise would be an employee do the same exact thing.

Chair Pritchett stated the County would enter the 1099 with the person.

Commissioner Lober responded in the affirmative.

Commissioner Zonka stated she has a little bit of a concern with that only because she thinks

that the County employees, although the offices are separate and the Commissioners make the rules and set the standards for what they expect in each District office, she thinks that in order to be transparent to make sure the Commissioners have good quality people, contract or not, working for the Commissioners, they should be employees, even if it is temporary; and even 1099 employees should still be County employees, still subject to the same rules, because essentially they are working, even if it is under contract, for the government; and she does not like that.

Chair Pritchett stated she does not think she would deny anything Commissioner Lober wanted to do with something anyways; there is the extra budget, she just does not know how to work this; and she reiterated she would not deny him if he said he had something he was doing; and she asked what if the next person who comes after Commissioner Lober, and that person is a real nut job.

Commissioner Lober noted this would not give him any additional funds to hire someone to do something that he could not otherwise hire them to do; this is if a Commissioner has some scope of work that needs to be accomplished where it is either more easily accomplished with an outside entity or individual or alternatively where an outside individual or entity does not want to go through all the hassle; for instance if the mail service that facilities has a contract with, they are not County employees, he can go with the outbound mail from the Commission office put a letter without sealing it, and they will moisten the flap, seal it, and then put postage on it, but they are not County employees; and he thinks technically the County can pay for it anyway even without an explicit allowance, but this would take out any ambiguity whatsoever as far as the Commissioners being allowed to do that because technically, if anyone is of the position that the Commissioners can not hire contractors because it is a contract, then the County would not be able to do what facilities has done with respect to bringing on someone to moisten, seal, and post envelopes. He continued to say in terms of the liability for the County, there may actually be an offset in the sense that if one is a contractor and there is not that same level of control over how they accomplish it, and if someone gets their hand cut off using one of the machines to moisten, seal, and post, it is going to be harder for them to come into the County's pockets than it otherwise would be if they were a County employee; in a sense there is less liability as opposed to more; and with the lessened liability it is giving up control.

Chair Pritchett stated she loves how Commissioner Lober thinks outside of the box; he has been very creative in the past; she asked that he give her time to think on it; and she advised even if she agrees with this, and she is struggling with it, he will still have to come up with the scope that stays within the administrative expense scope as it is, so it would be mailing and those types of things they already do with the administrative funds.

Commissioner Lober stated he is thinking if it is cheaper or easier to have someone do the same thing, using the same money, but technically not have them as an employee, is all he is trying to accomplish.

Chair Pritchett noted she understands; she reiterated it has to be within the scope of what the County is using it for.

Commissioner Lober mentioned he does not want to limit it to mailing; and he explained if the County is ripping out a force main or doing smoke testing for laterals, and it will be done over a mile long stretch, and if someone says they will knock on the doors for \$200 for every single door, if the Board does not want to do it and it is cheaper on an opportunity costs basis to have someone go and do it.

Chair Pritchett advised Commissioner Lober needs to word the scope for her of what they are using within the administrative.

Commissioner Lober stated okay.

Commissioner Smith stated he is kind of ambivalent about this as well; he agrees that it might be helpful to have a budget limit; however he cannot see any reasonable cause to hire an outside entity to do something that the County's own Facilities Department can take care of; the County has the expertise and the talent; if there were some situation that did not exist then the answer is simple and one would have to go outside; he would still encourage facilities to be the ones that would go out to find someone to get it done because that is their job rather than the individual Commissioner; and he would suggest if there is this much questioning on this then table it until the next meeting.

Commissioner Zonka stated she would just say she thinks it is about transparency; she does not think that Commission Offices are going to have to knock on doors for utilities; the County has a Utility Department that does that; there are contractors that have already been vetted through the County either through Request for Proposal (RFP) or procurement process; and as she stated before they are still vetted through the County's processes. She added she gets a little leery about Commission offices hiring private contractors to do door knocking of any sort; she thinks it needs to be as transparent as possible, even if it is part time; whatever agreement one has with an employee is theirs; but she thinks it needs to be out there and transparent.

Commissioner Tobia stated he would prefer the Board wait on this a little bit; he is looking at a document, he is sure the rest of the Board has it, it has Commission District office expenditures Fiscal Year 2018 through 2020, that had the 2021 year to date; everyone claims they have the lowest numbers; and based on what he is looking at, even when backing out the facilities cost allocation, that would put Chair Pritchett at \$350,000, which would potentially put her over the \$380,000 limit this year.

Chair Pritchett advised she does not have those numbers; and she asked what sheet he is looking at.

Commissioner Tobia advised Jill Hayes, Budget Office Director, did a Commission District Office expenditures, Fiscal Year 2018 through 2020 and Fiscal Year 2021 year to date data as of August 25, 2021; and he advised Commissioner Pritchett's Office for District One is \$360,625.

Chair Pritchett stated yes; she explained part of that was a one time; she does not have to go through it right now; and she gets it.

Commissioner Tobia noted his concern, he is all for transparency and limits, but he is concerned that Chair Pritchett had a one-time cost, and although it looks as though it was a wise move, long term, but there was a pretty expensive upfront moving cost of \$26,640; however, that would temporarily place her over the limit assuming her funding continues to go that way.

Chair Pritchett stated it will not and she will give her word on that.

Commissioner Tobia stated he is not arguing; he does not think anyone doubts her; District Two is the only office that begins with a two; District Two, without a doubt, is clearly the lowest; Districts Three and Four are within \$1,500 of each other; District Five is in the neighborhood; all

of the District's are relatively close to each other; and his concern is if there is a one-time expense, like Chair Pritchett incurred, it could potentially put an Office over the limit.

Chair Pritchett advised she hears what Commissioner Tobia is saying; if Commissioner Tobia was there in person it would be a little easier; she thinks the conversation was necessary; she thinks it might be good to bring this back; she thinks the Board Members are all doing a good job; she thinks the Board needs to come up with what a top number should be for future Commissions because they are all now pretty much settled; and she thinks this Board should set some type of criteria for future Commissions.

Commissioner Tobia advised this is all part of the budget, so the Board votes on this; it just is not normally broken down to this detail; the Board takes responsibility; every time he votes for a budget he votes for the things that make up all the Commission Districts; if Mr. Fusscas, or anyone else, has issues specifically with the way this Board runs its offices or how it spends, that may be better than looking at it from a larger perspective; he thinks this was a good exercise; it is interesting to see how the offices decide to spend their resources one way or another; maybe his office could do better, maybe other offices could do better, and maybe there will be things that come from this, but putting in an arbitrary number that realistically, one office will surpass, he thinks would put the Chair in a difficult position; and he certainly would not support that.

Chair Pritchett thanked Commissioner Tobia; she mentioned she thinks this is going to be more for moving forward; the one-time cost being talked about is, she had a long-term employee that had worked for the County for 30 years and she had to do a payout out of \$19,000 when she left; then she had the office move and she brought that to Board; however, over the rest of the years, the Commission is going to end up with a positive \$20,000 of what she would have had if she had not moved; and that what she was thinking when Commissioner Tobia came in with the wisdom earlier about the facility. She added she thinks the Board should probably be bringing moves up to the Commission and discuss numbers before doing that; she is still going to support a cap on the Commissioners to give a little more comfort to the County Manager, because right now, the Board can pretty much do whatever it wants with its budget; the Board Members have been very responsible, but she cannot speak to future Commissions that come in; she would hope they are good people, but one just does not know; and she advised she is still going to support a cap.

Commissioner Lober stated he has a few thoughts and at the end he will recommend that this be tabled for one meeting; as far as the comment Commissioner Smith made with respect to if it can be done in-house, it should be done in-house, the County is not doing that now; an example is the mailing service, that can absolutely be done in-house with County employees, but it is either cheaper, easier, or a combination of the two to send that out; it is not that the County is doing something that otherwise would not be permitted to do, they are simply doing it in a way that is cheaper and or more efficient for them; he agrees with Commissioner Zonka in that anyone, even as a contractor, should be vetted, hence the language he included mentioning Human Resources having the ability to run a background check; and he would be happy to work with Human Resources to have some better language when this comes back. He went on to say but as far as a level of discomfort in having anyone knock because utilities could knock, using his example, utilities may not choose to do so, they may choose to post something, advertise it as required by statute, but they may not go the extra mile because there is a cost to knock; anyone is welcome to be uncomfortable with individuals knocking on behalf of a particular Commissioner for any reason, but the fact is nothing prohibits him right now, from picking up his phone telling his employees to leave the office today and go knock on doors; he has every right to do that as it is government business; the difference is, instead of

having a County employee knocking, this would simply allow a contractor to do it if the cost benefit analysis supports a contractor doing it; if it does not, then why would he or anyone else have a contractor do it in the first place; he thinks it is artificial to have an impediment where the Commission cannot have private business do this when private business may be cheaper and or more efficient; and if they were not cheaper and or more efficient he would not use them anyway. He went on to say he is not looking to have anything enabled that otherwise would not be enabled, he is simply saying instead of having a County staff member do it, the Board allow in those instances where there is a calculation where the cost benefit analysis suggests it is better to have a contractor do it, to allow private industry to do it and have the County pay them, and allowing Human resources to do the vetting; he is happy to work with Human Resources to come back with some language that may address some of the concerns a little better; and he motioned to table the Item for one meeting.

Commissioner Smith stated he likes the idea of the cap because if the County Manager does not want to step on any one Commissioner's toes, there is not any reason for any future Commissioner to get silly with spending money; the cap is good from that perspective; however, he thinks if the Board goes forward with some areas of this, that each Board Member has displayed that they have a reluctance to step on each other's toes when a Commissioner wants to do something with regard to their District; most of the cases that Commissioner Lober is using, he thinks it is apples and oranges; if there is a cap in a situation where a Commissioner wants to spend a sizable amount, then that could be brought to the Commissioners and then the decision could be made rather than placing the onus on staff; and this way it would be the Board's decision if it is reasonable or not; and he thinks that would be a better way to handle it.

Chair Pritchett advised Commissioner Lober he has some work to do on how to frame this.

Commissioner Lober mentioned he does not necessarily disagree with what Commissioner Smith just said; he thinks the way to address that is to set a cap under which it is okay, and over in which the commissioner is to come back before the Board; maybe \$5,000 or \$10,000, if it is a contract under \$10,000, and as long as it is within the Commissioner's budget, then go ahead and spend it, but if it is over \$10,000, then bring it before the Board; and if there is some concern that he has some nefarious motive that he is looking to put in place in the next week, he is happy to have a moratorium on doing this for the remainder of the year.

Commissioner Smith stated there might be some nut case accusing him of something to where the county may have to have a Grand Jury sequestered.

Commissioner Lober asked if that has not been done yet.

Commissioner Smith advised there has been one; and he just thinks that any Commissioner who wants to spend their dollars for some outside contractor that can be done in-house, he would be reluctant to approve that anyway.

Commissioner Lober asked even if it is cheaper.

Commissioner Smith noted if he could prove in some way that it could be done cheaper than the County's own facilities can do it, that would surely be an argument.

Chair Pritchett commented that may also make it sound like the Commissioners pay their staff too much.

Commissioner Smith agreed with that too; and he commented to bring it up at the next meeting.

Commissioner Lober stated in terms of the Argument that we may be paying staff too much, if the Commissioner can find someone outside to do it cheaper...

Chair Pritchett interjected she was just joking.

Commissioner Lober continued on by saying there may be some people who take that a little too seriously; if someone has a machine or equipment that would cost the County a substantial upfront investment that would enable them to accomplish the task, he wants to make sure it is okay; he does not know that the Board technically needs this; for example, the emailing to Snug Harbor residents, he is paying a company to address envelopes with the recipient information and the return address to the Commission offices, it is a double digit expense, not even \$100, but technically that is him hiring a contractor; given that miniscule scope, they have not been vetted by Human Resources and he did not ask the Board for permission to do it, but he cannot imagine anyone having an issue with him spending under \$100 out of his office budget that is not increasing, to have someone print envelopes; and he thinks there are some circumstances where clearly no one has an issue with it, like that.

Chair Pritchett noted she thinks Commissioner Lober is just going to have to frame some scope to it because it is ambiguous right now.

Commissioner Lober advised he will put some wording together.

The Board tabled consideration of Board Policy relating to Commission District Office annual budgets to the next Board of County Commissioner Meeting.

Result: TABLED

Mover: Bryan Lober

Second: Curt Smith

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

J.8. Brevard County 2022 Legislative Program

Frank Abbate, County Manager, stated as the Commissioners know, the legislative delegation will be meeting soon; staff prepared a variety of items for the Board's consideration which is included in the Agenda Item; it includes advanced wastewater treatment facilities for Port St. John and South Brevard which both need it; the Indian River Lagoon (IRL), a couple areas there looking for support from the delegation; resiliency as it relates to beach renourishment; and then two major road projects, Ellis Road and State Road 528. He noted staff is looking to see if the Board would like to add anything to this or take anything off the list, as well as if the Board wants to designate a Commissioner to bring this forward to the delegation at its upcoming meeting.

Commissioner Smith stated he will move to approve.

Commissioner Lober stated he would be happy to move to approve; and he asked who the Board wants to send.

Chair Pritchett mentioned she hoped someone would volunteer.

Commissioner Smith stated he thinks Commissioner Tobia would be ideal for that.

Commissioner Lober commented he would agree with Commissioner Smith on that.

Commissioner Tobia commented he was named the champion last time.

Commissioner Lober mentioned he is a double champion.

Commissioner Smith stated he was so good last time the Board thinks he should do it again, especially since he is not there; and he is just returning the favor for how many times Commissioner Tobia has done that to him.

Commissioner Zonka noted for some obviously there are going to be bigger priorities, but she was specifically asked if the aquarium could be added to this as an initiative because there has already been tens of millions of dollars invested in that project; and anything legislation could do to support that would be appreciated.

Commissioner Smith advised there is grant money to that would be available, so he thinks that would be perfect.

Commissioner Zonka commented if one were to compare this to Ellis Road widening and the IRL, it pales, but she thinks that there is so much invested in that and so many in the community that said they wanted it; and the Board has a nice short list, so she would like to see that added.

Commissioner Smith commented he thinks the long term benefits of that aquarium; this is something that would bring in tourists; and it would also educate the public.

Commissioner Zonka respond it also has the IRL component.

Commissioner Smith went on to say it would also probably enhance the opportunity to get more grants for the IRL.

Commissioner Zonka mentioned part of their admission fee is going to go toward the IRL, so that is another way to tie it in; she thinks it is a great project; she just thinks the Board needs to get behind it and support it; and anything the legislature can do to help secure that funding or support that funding would be great.

Chair Pritchett asked if that is amended into the motion.

Commissioner Lober responded affirmatively.

Commissioner Zonka commented she would just ask that if the Board needs to refer to Keith Winsted as far as language goes, if the Commissioner needs a couple lines or wants to contribute to putting this together; and she noted she does not know if he is needed but he may have some more information that makes this work.

Mr. Abbate responded he would be happy to do that.

Commissioner Tobia announced he was there until the aquarium was added; he thinks it is going to be a very difficult sell to ask the legislative delegation, in these times; he will do it because that is the wisdom of the Board; he is just leery of the aquarium; however if that is his

task, he will add it as if it is his own.

The Board considered and accepted the identified priorities for the September 29, 2021 Legislative Delegation Meeting; approved adding the Aquarium to the list of priorities; and appointed District 3 Commissioner, John Tobia, to present the County's legislative priorities to the delegation.

Result: APPROVED

Mover: Curt Smith

Seconded: Bryan Lober

Ayes: Pritchett, Lober, Smith, and Zonka

Nay: Tobia

J.9. Labor Agreement with Brevard County Professional Firefighters Local 2969 Rank and File & Supervisory Units

Jerry Visco, Human Resources Director, stated after an extensive period of negotiations between the Management team and the representatives of Brevard County Professional Firefighters Local 2969, the Rank and File and Supervisory Units of that union have tentatively agreed and ratified a new three-year contract with the Board; that Contract is supported by the County's Management team; and they make the recommendation to the Board and ask that it ratify the agreement.

Michael Bramson stated he is using this opportunity to speak in favor of the 26 sessions of negotiations with County staff and to thank them; he does not really have a lot of opportunity to engage with County staff, not while in negotiations, and not when they are asking for certain things to be brought to the table; and they never really have the opportunity post negotiations to discuss anything, as they all run for the hills. He commented he supports the staff's energy and efforts on both sides of the table for this; this contract represents fantastic framework on top of a great foundation that was put together through an aligned plan many years ago; it only outlines, frameworks, and creative foundations for the future challenges and changes that everyone is about to face in Brevard County to meet the needs of the citizens and visitors of Brevard County for public safety; and he thanked the Board for its time.

Chair Pritchett thanked Mr. Bramson for coming to the table and getting the contract ready to

Commissioner Tobia stated the County's lowest paid director grosses roughly \$90,000 and he asked how many International Association of Firefighters (IAFF) employees gross more than \$90,000.

Mr. Visco advised today, under the current contract, there are four unit members that have base salaries in excess of \$90,000.

Commissioner Tobia asked how many Brevard County Fire Rescue (BCFR) employees gross more than \$70,000.

Mr. Visco advised in the world of gross salary there are 185 employees that would gross in excess of \$70,000.

Commissioner Tobia inquired how many employees under BCFR gross more than \$100,000 per year.

Mr. Visco responded there are 27 employees that gross more than \$100,000.

Commissioner Tobia asked what did the two highest paid employees gross over the past year, and what were their positions.

Mr. Visco replied in a 12-month period from September 1, 2020 through August 31, 2021 there was a Fire Medic II who grossed \$140,391, and an emergency dispatcher who grossed \$133,537.

Commissioner Tobia pointed out to be clear the County there is a dispatcher making more than most of the County employees who hold professional degrees such as attorneys.

Mr. Visco responded affirmatively.

Commissioner Tobia asked how many staff hours the negotiations team spent on just the negotiating meetings alone.

Mr. Visco responded the Management Team just in preparation for the negotiating sessions and then participating in the sessions are estimated at about 1,728 man-hours for the size of the negotiating team.

Commissioner Tobia asked last year, or this upcoming year, assuming the budget is approved, what was the Cost of Living Adjustment (COLA) increase of non-union employees.

Mr. Visco advised he believes last year's COLA increase was two percent and this year's is projected at 1.5.

Commissioner Tobia asked what the average salary increase of unionized labor, under the first year of this contract to the past.

Mr. Visco stated it looks like a 12.8 percent average across the contract period.

Commissioner Tobia stated having sat through many hours of these negotiations, he would like to thank staff for their diligence and hard work; the team led by Jerry Visco, under the supervision of Mr. Abbate was both effective and quite tenacious; of course, when members of this Board wear union t-shirts to meetings there is only so much that can be done; he hopes that County staff understands, that while he cannot support this agreement, it is certainly not a reflection of their work product, instead it is a reflection of the fact that this Board chose to increase fees in order to line the pockets of union through this agreement; when this Board voted to raise fees 33 percent, or more than \$8 million per year and devote 75 percent of that to union salaries, that predetermined the outcome; and as a conservative Board, it is abhorrent that it treats unionized labor better than it treats its own non-unionized employees. He added when comparing a two percent increase to one more than six times that, it is very difficult to vote in favor of; these are the same employees who largely refused to get COVID-19 vaccine, even when they were being paid to do so; a public health director noted that citizens could potentially die; the next time a union member complains about the cost of the tires, please remember that 27 of them, prior to this 12 percent increase, made more than \$100,000 last year; and it is for these reasons that he absolutely cannot vote to ratify this agreement.

Commissioner Zonka stated she is not going to try to get too crazy with the numbers and she knows she is probably just going to throw some things at Mr. Visco that he is not prepared for;

and she asked if it is fair to say that 90 percent of these people making over \$100,000 are continuously mandated for overtime.

Mr. Visco responded overtime is a significant portion of that.

Commissioner Zonka asked what percentage Mr. Visco thinks the average employee gets, and if it is tens of thousands of dollars in overtime.

Mr. Visco responded affirmatively.

Commissioner Zonka went on to ask if typically in the last 12 months it has not been by choice, that they were mandated.

Mr. Abbate advised he would not say that the majority of overtime has been mandatory, he thinks the majority of the overtime has been voluntary, especially in the numbers where the employee is getting those high numbers.

Commissioner Zonka noted there were 27.

Mr. Abbate advised what he is saying is the highest numbers are not necessarily because those individuals were mandated overtime; there is a lot of mandatory overtime; however, the people who have the highest number of earnings most likely have the highest number of voluntary hours.

Commissioner Zonka stated assuming that is correct, or even half, they are still working those hours in emergency services, still riding on the fire vehicles, still saving lives, and still doing the job they are supposed to do.

Mr. Visco responded those were required hours of men and women on the street.

Commissioner Zonka asked if it was 24-hour shifts.

Mr. Visco responded affirmatively.

Commissioner Zonka stated she knows this contract was supposed to make up for some increases that they forego in previous contracts; and she asked if that is correct.

Mr. Visco stated as much as anything else; this is an effort to make the County competitive with the surrounding territories that they have not been able to maintain a competitive posture with over the last several years; the fire assessment gave them that opportunity; the County has taken advantage of it; and staff believes they are in a much better competitive posture than they have been in many years.

Commissioner Zonka stated whether one agrees with what people make and what they do, they are working the hours, doing the time, this is the job they signed up for, and most people in the room would not trade for what these people do; she is going to support the contract; and she is glad it finally got done.

Chair Pritchett stated she is glad they got the contract together as well; she understands the financial part of it; the problem is there is a competitive market currently out there and this is what the competition is paying as far as firefighters; the County has to have firefighters and Brevard County has some good ones; she knows when this was done, part of the goal was that

a lot of these funds are going to hire on lower entry-level people so that the overtime costs come down; and that was a concern of the Board. She continued by saying the Board was hoping to get a larger work staff and bring that upper amount from higher up to a level where they could get some more employees on because if there is a turnover after training it gets expensive; she knows that was part of the conversation; she hopes County staff works towards removing those overtime costs so that everybody has a great job, great income, everyone is enjoying their job, and they are not getting overwhelmed because there is enough staff; and that is the goal. She went on to say she hopes to continue to move towards that; she knows it is like a another culture; she would love to move to two 12-hour shifts and still have nice pay for people; she thinks that might cut down on a lot of the people being exhausted; and she thinks the cost would be a lot more beneficial to the County, and the job enjoyment would be a lot better for the firefighters. She added she knows that is not a good point because no one does that anywhere, but it might be something to consider for the future.

Commissioner Lober pointed out the Department Directors are not comps for BCFR employees; they do not assume the same risks; they are not going into burning buildings, they are not dealing with people who are bleeding out of their throats, and they are not dealing with responding to calls for service from people who are choking to death from COVID-19; and the average firefighter works substantially greater overtime than nearly all other Brevard County employees.

Mr. Visco responded affirmatively.

Commissioner Lober stated he agrees with Commissioner Tobia in that it is odd that there was a fire medic II earning \$140,391.

Mr. Visco responded yes.

Commissioner Lober inquired why they would be earning that and stated it is because of overtime; if one does not want them to earn that, then steps need to be taken to reduce that overtime; the step the Board can take, and that is logical to reduce the overtime, is to hire more fire medic IIs; this contract allows the County to accomplish that; the County should not see folks making \$140,000 as a fire medic II, that should be an incredible anomaly; the fact is the County has not been competitive with its actual comps, and he is not talking about Department Directors, people who work at the Lexus dealership, or people who are doing sign printing or anything else. He continued by saying if someone wants their 94-year old grandmother to be worked on by some imbecile who could not get in any other department whatsoever because we have the lowest pay and the lowest standards, then do not approve the contract, and have an idiot work on your grandmother; and when she dies as a result of that he does not want to hear about it. He commented the fact is with dispatchers, it is odd that there is a dispatcher earning whatever the number was, he does not think that was a 40-hour, 50-hour or even a 60-hour work week, he would venture to guess that was an 80 to 100-hour work week.

Mr. Visco stated he would have to do the math on that, but Commissioner Lober is right, it is extensive.

Commissioner Lober stated if someone is working two or two-and-one-half jobs they should make two-and-one-half times what the job would normally pay, and that is assuming one is even paying time and one-half for overtime; the fact is the people making the money are working themselves to the bone; if someone wants to work 100 hours in a week, then he or she should be paid for working 100 hours in a week; and the fact is the environment should not exist where there needs to be someone who works 100 hours in a week. He went on to say

this contract does a lot or at least is situated to do a lot to fix that up; he noted he was proud to wear a yellow shirt and he paid for it; he agrees a conservative principle is to be a good steward of taxpayer dollars and another conservative principle is to support public safety, whether it is Mosquito Control to keep the people from getting mosquito born viruses, Brevard County Sheriff's Office (BCSO), or the firefighters; the Board needs to do its part and he does not want to be the lowest paid department anywhere in this vicinity, so the Board Members can brag to people that they were good stewards of taxpayers funds but God forbid if someone needs to call 9-1-1, prepare to be crispy; that is not what he wants to hear and it is not what his constituents want to hear; and when someone is violently ill they do not want to hear that the County saved them a couple bucks so it is going to take longer for someone to respond, or that some idiot will be there instead of a decent, competent employee. He commented the Board is not talking about plating the trucks in platinum or gold, or about giving people Aston Martin and Lamborghinis, the Board is talking about being competitive with the real comps; and to him this is an absolute no-brainer.

Commissioner Smith stated people have heard him say many times in defending the firefighters and EMTs, that they perform a terrific service for the County; he would say that every individual in this County appreciates the fact that if they have an emergency at 2:00 a.m., no matter what that emergency is, a parent fell down the steps, a spouse having a heart attack, or a son or daughter that has been involved in an accident, people do not care what they are paying to have someone come quickly for a responsible purpose to tend to that individual; and that is what these people do, they do not do it every single minute of every single shift, but they are there and they show up without asking what they are being called to do; and they do whatever is necessary. He went on to say from his perspective, he understands the comments by Commissioner Tobia, but he has a different perspective; for him these people in fire rescue that represent the County, they have chosen to forego making more money elsewhere; they have had the opportunity, they know the County has not been competitive for a long time, they have heard promises from the Commissioners for the past eight or 10 years, and they risk their lives and disrupt their families lives in the course of their employment in order to keep the people in their community safe, and he thinks this Board owes these people thanks and their respect; and he mentioned that these negotiations have been long and tedious and he thinks they have gotten to a good place for both the County and for them, therefore he is going to gladly support this.

The Board ratified the tentatively agreed upon modifications to the various articles in the Collective Bargaining Agreement; and authorized the County Manager to execute said Labor Agreement as provided for by Florida Statute, Section 447.309.

Result: APPROVED

Mover: Bryan Lober

Second: Curt Smith

Ayes: Pritchett, Lober, Smith, and Zonka

Nay: Tobia

L.2. Eden Bentley, County Attorney

Eden Bentley, County Attorney, stated she would like to introduce some of her staff; Shannon Wilson Assistant County Attorney, and Melissa Powers, Assistant County Attorney; the Board is probably familiar with Ms. Wilson from the CARES items and ARPA; Ms. Powers worked on the union negotiations as did Ms. Wilson; and she also does Risk Management, Human Resources, FEMA, Emergency Management, PI Litigation coordination, ethic issues,

bankruptcy, garnishments, foreclosures, and a host of litigation questions; she is a very heavy hitter in the office; and Abby Jorandby, Assistant County Attorney, is in attendance as well.

L.4. Bryan Lober, Commissioner District 2

Commissioner Lober stated he is not going to twist anyone's arm, but he has let the Clerk's Office know the memo's that his office receives or the Agenda Item memorializations that are received in the mail for \$0.53 cents on metered postage following the Agenda Items passing, he does not need to get hard copies; and he is hopeful if some or all of the Board is okay with receiving them by PDF it can save a couple hundred dollars per year. He advised he is not going to make a motion but if that is okay with the other Board members they could let the Clerks know to save a couple bucks.

Commissioner Zonka, Pritchett, and Smith commented that they do not get them.

L.6. Curt Smith, Commissioner District 4

Commissioner Smith stated he would like to wish Commissioner Tobia well and he hopes he does not get COVID-19 and that this is an exercise in futility. He went on to say he wants to mention an article in today's paper; he does not know how many read it, but it is regarding COVID-19 long-haulers; if people have not read it, he would suggest they do so; it is very eye-opening and scary; it may give people a different perspective on this disease; and he stated it is an honor to be a part of this Board. He added the Board Members collectively bring talent, insight, intelligence, and empathy when appropriate to the community and to their constituents; and it is an honor to sit there with all of them.

Chair Pritchett thanked Commissioner Smith.

L.7. Kristine Zonka, Commissioner District 5, Vice Chair

Commissioner Zonka mentioned it is an honor to serve with Commissioner Smith as well; she is grateful to staff for getting that contract done; she is thankful to all the brave men and women who serve this County. She mentioned her daughter is 18, and she is her last minor; she wished her a happy birthday; she advised she is a pre-med student at the University of Central Florida (UCF) and she is so very proud of her; and she also wanted to welcome her son home, he was granted his leave, so he may be at the meetings lurking around, he is basically Logan twin, so people will not miss him.

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

Chair Pritchett stated she just wanted to mention the 9-11 ceremonies that happened over the weekend; she is thankful everyone is here today; she attended a few of those ceremonies and it was very emotional to her; she remembers the things that people had to live through and how it united people; and she just thought about how the Constitution says, "All men are created equal," and the bible says that, but all men are not equal, there are men that are heroes and run into fire saving lives and try to rescue people, and then there are evil people that do harm to others; and she is thankful to have the emergency people and she wants them to know how much she appreciates them. She went on to say how proud she is of Florida's Governor and the way that he is standing these days; she loves the way he is allowing people to make their own decisions and risk assessments because that is what America is made of, people making their own personal decisions; there are things that people have to do as far as what government should do, such as provide protection for people altogether; she reiterated she is extremely proud of Florida's Governor; and she will continue to pray for the President to make good decisions.

ADJOURN

Upon consensus of the Board, the meeting was adjourned at 11:15 a.m.

ATTEST:

RACHEL M. SADOFF, CLERK

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