



# Brevard County Board of County Commissioners

2725 Judge Fran Jamieson  
Way  
Viera, FL 32940

## Legislation Text

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File #: 2201, Version: 1

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### Subject:

Appointments to the Environmentally Endangered Lands Program Selection and Management Committee

### Fiscal Impact:

There is no fiscal impact as a result of this action.

### Dept/Office:

Parks and Recreation Department / Environmentally Endangered Lands Program

### Requested Action:

It is requested the Board of County Commissioners provide direction to staff regarding the appointment of members to the Environmentally Endangered Lands Program, Selection and Management Committee.

### Summary Explanation and Background:

On January 8, 2019 the Board reappointed members who had served for less than 8 years and directed staff to initiate the process to advertise and fill the remaining openings with the understanding that current committee members who were not being reappointed were welcome to reapply.

All eight positions on the Selection and Management Committee are expiring on December 31, 2020. Currently five members, Elizabeth Becker, Oli Johnson, Tammy Foster, Tamy Dabu and Lisa Toland have served on the committee less than eight years. Two members, Paul Schmalzer, David Breininger have served on the committee more than eight years. On November 12, 2019 the BOCC approved Ordinance 2019-24 which established term limits for advisory board appointments. “(3) Term Limits. Appointees to advisory boards shall serve no more than eight consecutive years, or ten years in sixteen-year period, on the same advisory board for which there is not an Interlocal Agreement or Memorandum of Understanding or other contractual commitment precluding imposition of a term limit. A Commissioner may request the Board of County Commissioners waive the aforementioned term limit should the commissioner have difficulty filling an advisory board appointee position. A waiver of the term limits will only be granted if the Board votes in favor of the waiver by a supermajority vote.” Kim Zarillo is the current Tourism Development Council’s appointee, but the Tourism Development Council has recommended Mac McLouth as their new appointee.

The following three options are presented for Board’s consideration:

**Option 1:** Reappoint all current science members. Appoint Mac McLouth as the Tourism Development Council representative. The members and their years of service are listed below. Terms would expire December 31, 2022. Approval of this option will require the Board to waive the term limit requirements for the two members who have served more than 8 consecutive years. **If this option is selected, a super majority vote would be required.**

<b>Committee Member Name:</b>	<b>Consecutive Years of Service:</b>
Oli Johnson (Science Appointee)	4
Tammy Foster (Science Appointee)	2
Elizabeth Becker (Science Appointee)	2
Paul Schmalzer (Science Appointee)	30
David Breininger (Science Appointee)	22
Lisa Toland (Science Appointee)	1
Tamy Dabu (Science Appointee)	1
Mac McLouth (TDC Appointee)	0

**Option 2:** Reappoint the science appointees who have served less than eight years and appoint Mac McLouth as recommended by the Tourism Development Council. These members are listed below. Terms would expire December 31, 2022. Direct staff to initiate procedures to advertise and fill the two remaining science positions with the opportunity for current members to reapply. The process to advertise the positions and present a list of qualified candidates to the Board for final ranking and appointment typically takes about 90 days. The science appointees would remain on the Selection and Management Committee until their replacements have been approved.

<b>Committee Member Name:</b>	<b>Consecutive Years of Service:</b>
Oli Johnson (Science Appointee)	4
Tammy Foster (Science Appointee)	2
Elizabeth Becker (Science Appointee)	2
Lisa Toland (Science Appointee)	1
Tamy Dabu (Science Appointee)	1
Mac McLouth (TDC Appointee)	0

**Option 3:** Reappoint all current science members that can attend meetings in person. Appoint Mac McLouth as the Tourism Development Council representative. Currently, three members of the committee are prohibited, by their employer, to attend SMC meetings in person. This makes it difficult to meet the in-person quorum requirements, as directed by the State.

The members and their years of service are listed below. Terms would expire December 31, 2022. Direct staff to initiate procedures to advertise and fill the three remaining science positions with the opportunity for current members to reapply. The process to advertise the positions and present a list of qualified candidates to the Board for final ranking and appointment typically takes about 90 days. The science appointees would remain on the Selection and Management Committee until their replacements have been approved.

<b>Committee Member Name:</b>	<b>Consecutive Years of Service:</b>
Oli Johnson (Science Appointee)	4
Elizabeth Becker (Science Appointee)	2
Lisa Toland (Science Appointee)	1
Tamy Dabu (Science Appointee)	1
Mac McLouth (TDC Appointee)	0

**Option 4:** Appoint Mac McLouth as recommended by the Tourist Development Council. His term would expire on December 31, 2022. Direct staff to initiate procedures to advertise and fill the remaining seven science positions with the opportunity for current members to reapply. The process to advertise the positions and present the list of qualified candidates to the Board for final ranking and appointment typically takes about 90 days. The science appointees would remain on the Selection and Management Committee until their replacements have been approved.

Per the EEL Land Acquisition Manual, the process for ranking and appointing new SMC members is as follows:

- a. The qualifications of all applicants or nominees responding to a call by the County Commissioners for EEL Selection and Management Committee volunteers shall be reviewed by a Qualifying Committee consisting of the EEL Program Manager, the Chairman of the Procedures Committee (or their designee), and the Director of Human Resources (or their designee). Staff will present the list of all applicants/nominees to the Qualifying Committee for review and an initial ranking based on their level of experience and education. Qualifications for EEL Selection and Management Committee members are outlined in this manual (pages 13 & 14).*

*Applicants/Nominees being recommended by the TDC and EDC will not be reviewed or ranked by the Qualifying Committee or the Procedures Committee, but will be presented to the County Commission for final ranking along with the list of science applicants/nominees.*

*The method of the initial ranking by the Qualifying Committee is as follows:*

- 1. All applicants who meet the minimum qualifications as approved by the Qualifying Committee will be assigned one hundred (100) points.*
- 2. Five (5) additional points are assigned for each graduate degree (Masters or Doctorate) in ecosystem management, natural resources conservation, aquatic biology, field ecology, marine biology, botany, geology, hydrology, fire ecology, natural areas management, human use and recreation in natural areas, science education, or natural areas sanctuary design.*
- 3. And/or two (2) additional points for each year up to six (6) years for demonstrated professional expertise in biological or environmental sciences OR a closely related conservation field such as ecosystem management, natural resources conservation, aquatic biology, field ecology, marine biology, botany, geology, hydrology, fire ecology, natural areas management, human use and recreation in natural areas, science education, or natural area sanctuary design.*

*The Qualifying Committee will provide the list of all applicants/nominees to the Procedures Committee including identification of those applicants/nominees that have been determined by the Qualifying Committee to be qualified. The qualified applicants will be identified by their initial ranking.*

*The Procedures Committee will review the list of applicants presented by the Qualifying Committee and will verify the final list of qualified applicants/nominees through a majority vote. County EEL staff will provide the list of the qualified applicants/nominees in ranked order from highest to lowest to the Board for review and final ranking.*

*Any Procedures Committee member who is applying for an open seat on the Selection and Management Committee, shall refrain from voting on the final list of qualified applicants or participating as a member of the Qualifying Committee.*

- b. The Board shall review the qualifications of the qualified nominees and give each nominee a ranking score from 1-3. The Assistant County Administrator (or designated county staff) shall tabulate the ranking scores. Those nominees with the highest scores shall be appointed to the EEL Selection and Management Committee, those nominees with the second highest scores shall be appointed as alternates to the EEL Selection and Management Committee. In cases of tied scores, the Board Chairperson will choose members or alternates by drawing names of those with tied scores from a box.*

Currently the Committee has three members who are not permitted to attend in-person meetings due to their employer's restrictions and one additional member cannot meet in-person due to health concerns. This makes it difficult to obtain an in-person quorum. As such, a consideration of appointment for new members would be the ability to attend in-person meetings.

### **Clerk to the Board Instructions:**

Please send Board Direction Memo to the Environmentally Endangered Lands (EEL) Program.