

# **The South/Central Brevard Parks and Recreation Advisory Board**

Viera Government Center  
2725 Judge Fran Jamieson Way  
Building C. 3<sup>rd</sup> Floor, Room 313-Florida Room  
Viera, FL. 32940

**Tuesday, October 11, 2023 2:00 p.m.**

First regular meeting of the Parks and Recreation Department, South / Central Parks and Recreation Advisory Board, was conducted on Tuesday, October 11, 2022 at 2:00 p.m.

In accordance with the Americans with Disabilities Act and Section 286.26, F.S., persons needing accommodations or an interpreter for these minutes, should notify Marsha Blizzard, with South Area Parks and Recreation, via email at [Marsha.Blizzard@brevardfl.gov](mailto:Marsha.Blizzard@brevardfl.gov).

## **Members Present**

Theresa Barger  
Nick Galluzzi  
Ralph Williams  
Roger Harden  
Marcia Booth  
Mary Jane Nail  
Janice Scott  
Jack Masson  
Leartis Brothers  
Betty Wells  
Izeal Battle

## **Members Absent**

Sharon Spikes  
Pastor Jesse Guest

## **Staff Present**

Richard Tucci, South Area Operations Manager  
Terry Lane, Central Area Operations Manager  
Mary Ellen Donner, Parks and Recreation Director  
Marsha Blizzard, Administrative Secretary

## **Public**

None present

## **Call to Order**

The Pledge of Allegiance was recited then the meeting was called to order by Mary Ellen Donner at 2:00 p.m. Eleven (11) members were present and two were absent. It was noted that the board did have a quorum.

## **Approval of Minutes**

As the first meeting, there were no minutes to approve

## **Public Input**

There were no public comments

## **Board Member Reports**

There were no Board member reports

## **Standing Committee Reports**

No Committee reports

## **Old Business**

No old business

## **New Business**

Mary Ellen Donner, the Director of Parks and Recreation made county introductions, and presented the draft bylaws and agenda. A majority of the first meeting was for people to get to know one another, go through the agenda and make changes or additions. There will be four (4) meetings a year, and the dates of those meetings will be discussed in the meeting itself.

Board member introductions.

Mary Ellen spoke about including Board Member and Committee Reports on the agenda, if the Board felt the need to add or continue, as with the old Advisory Boards.

It was noted that the Pledge of Allegiance was not on the original agenda or in draft bylaws. It was nominated by Roger Harden, seconded by Mary Jane Nail and added to the agenda.

Mary Ellen facilitated the election of Chair and Vice Chair. Betty Wells nominated Jack Masson for Chair. Seconded by Mary Jane Nail.

Mary Jane Nail nominated Betty Wells for Chair as well. Betty Wells declined and Mary Jane withdrew her nomination.

Jack Masson was voted unanimously as Chair for the South / Central Advisory Board.

Chair, Jack Masson led the nomination for Vice Chair. Mary Jane Nail nominated Janice Scott for Vice Chair. Janice Scott declined the nomination and Mary Jane Nail withdrew her nomination.

Jack Masson nominated Roger Harden for Vice Chair. Mary Jane Nail seconded. Roger Harden, by unanimous vote, was elected Vice-Chair of the South / Central Advisory Board.

Jack Masson asked Mary Ellen to introduce the draft bylaws and Board questions for discussion. She introduced the changes requested by Vice Chair, Roger Harden.

Discussion regarding changing the word “any” to “a” in Article Seven (7), actually, Article Eight (8), Removal. At least three (3) minutes in Article Nine (9), Public Speaking, Section Two (2).

Mary Ellen explained that she drafted the bylaws using the two guiding documents from the Board of County Commissioners (BOCC); Resolution 2022-053 and Ordinance 2022-13. Based on that, they are unable to change some language to the draft bylaws. Items that were not taken from those BOCC documents, were up for discussion and could be changed.

Jack Masson put out for discussion any specific bylaws they wanted to change.

Marcia Booth asked if the number of board members were going to stay the same. She was advised that the numbers were decided by the Board of County Commissioners, so that wouldn't change. She then inquired about the board officers. “Since it's combined, will Central and South both be represented?” Mary Ellen responded, “This is one board now, so there's not going to be any separate officers for different areas.” With the exception of Cocoa West, “We will start the meetings at 2:00 p.m. and Cocoa West can vote on any items, but only Cocoa West can vote on Cocoa West items. So that is a bit of a change.”

Betty Wells asked why Cocoa West was the exception. Mary Ellen was at the BOCC meeting and “This is just me talking”, answered she thinks it's because previously, Cocoa West only really concentrated on the community and Community Center, whereas the other boards were area wide and the Board didn't want to lose focus on their specific area.

Betty Wells also asked to clarify why all the Boards were combined. Mary Ellen clarified that she doesn't know why the Boards were combined all together, but it happened with the library's, too. It was voted on by all the County Commissioners and didn't know the genesis of it, but might have had something to do with the \$3,000 annual cap.

Jack Masson mentioned the bylaws regarding Cocoa West requiring a unanimous vote that make up the quorum based on Robert's rule.

Betty Wells advised Chairman Masson that Pastor Jesse Guest had resigned. Hadn't spoken to him directly, but that is what she was informed. Mary Ellen confirmed that his resignation would be sent to the BOCC and a new appointee would be chosen as his replacement. Mary Ellen explained the application process to anyone who would be interested in serving on the Board. As of the meeting, Pastor Guest hadn't sent the county anything in writing regarding his resignation.

To clarify, Chair Jack Masson stated that Cocoa West would need three (3) members to have a quorum for voting on their items and it was acknowledged that Cocoa West members would have the first period of the meeting, starting at 2:00 p.m., to discuss their agenda with other members present.

Mary Jane Nail wanted to take a moment to make some comments regarding the interests of people, areas and localities. With the separate boards, "People are very aware of what's going on in each of these districts." "However, when someone comes up with the idea," "to combine all of this, it's a bit remote from this standpoint." "We are involved in our communities and now we are being asked to be involved other communities as a voting Board member." "It's problematic." She recommended the matter go back to the Board of County Commissioners and that she doesn't believe the decision was thought through fully nor "The best idea for the Board to come together like this." She wanted her statements on record and hoped that her comments are brought to the Board of County Commissioners.

Roger Harden referred to the draft bylaws and Article Nine (9) on fixing the typo of at least three minutes, not lease three minutes.

Section Seven (7) of the Resolution 2022-053 noted meeting times, but dates were not included in the draft bylaws. they should have meeting times and dates in them, but the current draft bylaws did not list times and dates of meetings. Roger recommended that the meeting dates and times be included as soon as possible, and recommends that if the meeting dates and times aren't decided on yet, that they should be voted on at this meeting. Mary Ellen stated that she has never seen dates specifically mention, just frequency, in bylaws. But that is something that can be added.

Betty Wells asked if the draft bylaws have any articles about emergency meetings. Director, Mary Ellen Donner stated that as long as it's approved, there can be additional emergency meetings outside of the four (4) meetings per year allowance, with County Manager approval and within the pay cap.

Jack Masson pointed out that though they are an Advisory Bboard elected by BOCC, it's important to note that everything needs to be discussed with the Parks Director prior to bringing it to BOCC. Mary Ellen said that she's typically involved with formal motions and actions. Nothing prohibits them from discussing anything that relates specifically to this Board with the Commissioner that appointed them.

Janice Scott had a follow up comment regarding Ms. Nails' comments. From Article Eleven (11), she advised that it was Commissioner Tobia who proposed the bylaw about the money allowances for meeting and staff times and assumed it was for time after 5:00 p.m. Mary Ellen clarified that everyone regardless of position will be paid \$50 an hour and shall not exceed \$3,000 annually. That includes the meetings and any time spent in preparation. We are tracking to make sure we don't exceed our \$3,000 a year and are required at the end of the fiscal year to submit a report to the County Manager and goes to County Commission.

Mary Jane Nail asked Jack Masson about who was going to keep track of the three minutes for public comments. Chairman said it would be him and he'll be getting a timer for next meeting.

Regarding Article Nine (9) Public Meetings. It was clarified that public comment could include the bylaws themselves.

Betty Wells referenced the application of the Sunshine Law. "Is it still in play?" Jack Masson answered, "Yes." "Ms. Donner would you like to elaborate on that?" Mary Ellen requested that just as a refresher, she hoped that they could review the Sunshine Law at the next meeting; Chairman agreed with no dissent from rest of Board.

Jack Masson had questions on a few articles in the draft bylaws. First, with Article Seven (7), Removal, noting that County Commissioners would have to approve any appointments to the meeting roles, as his interpretation. Mary Ellen stated that it does state, a Commissioner can remove an appointee, but doesn't believe it is possible to do so unilaterally since the Board votes as a body.

Under Article Nine (9), Section Three (3), he noted that speakers "may" be required to give names and addresses for the record. He noted that he is uncomfortable with this, and requested that it be changed to "shall." Doesn't want the option to not give names and addresses for public speaking roles. He acknowledged that this decision would probably have to go back to the County Commissioners, but he requested the changes be made anyway. Betty Wells seconds the motion. Requests sending the verbiage change to BOCC for approval.

Further verification that all requested changes as part of the original Resolution 2022-053 and Ordinance 2022-013 must go to the BOCC for approval. All other changes can be made at the Advisory Board level.

For clarification, Jack Masson on Article Seven (7), is the annual written report prepared by staff? Not stated specifically, but staff has done for other Boards. Mary Ellen stated, "Yes, staff would."

Janice Scott requested adding a second public comment to the agenda and seconded by Mary Jane Nail. There was discussion and unanimous agreement for an addition of a second Public Comment section to the agenda.

Vice Chair Roger Harden makes a motion to accept the initial draft bylaws as a starting point.

Jack Masson requested changes for typos to Article Ten (10), Section Two (2) to include a space and make meetings plural.

Roger amended his motion with changes. Betty Wells seconds the motion. There is further discussion regarding the requested changes to BOCC for approval and if approval of the draft be voted upon before changes are made.

Jack Masson summed up the potential to adopt the draft bylaws, with the exception of changes that are non-material, that the BOCC didn't dictate. Those changes will be adopted, with exception of the Bylaws that require written, "suggestions" to the BOCC for material changes. Roger was motioning that we adopt the draft bylaws with non-material changes and changes to the agenda.

Upon further discussion, Roger withdrew his motion and Betty Wells withdrew her second.

Mary Jane Nail made a motion to hear all of the changes suggested by Roger Harden before deciding. Motion withdrawn.

Jack Masson recommended that the board hear all the changes Roger wanted to make.

Article Nine (9) Section Four (4) Public Meetings. The Pledge of Allegiance added to agenda immediately after it is determined that there is a quorum. Second Public Comment added.

Roger Harden discussed Article Six (6), Section Two (2), Voting. The number of people required to pass motions and his concerns about vacancies. He motioned to change the wording of the article to just be a majority instead of a certain number of people. Mary Ellen says that it can't be changed because it was decided by the County Commissioners and it would need to be brought back to them to see about getting it changed.

Article Eight (8), Removal. The subject of removal by the County Commission and the County Attorney. Mary Jane Nail wanted to be on record as "Objecting to Article Eight (8) on the subject of removal by the County Commission and County Attorney." "I object," "I don't approve of it." "I think it should be removed and I just want to go on record." She acknowledged that there was nothing that could be done about it, but wanted her objections heard. So, noted by Chairman, Masson.

Harden requested a change to Article Fifteen (15) Section One (1), Amendments. To add, at the previous regular meeting. Such amendments shall not conflict with the Brevard County Code of Ordinances, Resolutions, or Policies of the Brevard County Board of County Commissioners.

Vice Chair requested to add more specific language about future meeting dates and times. Per Mary Ellen, the information can be added to bylaws today. Times in the draft bylaws as 2:00 p.m. Adding the second Tuesday of the month in January, April, July and October.

Chairman clarified that the changes, so far, were the changes in the agenda and the amendments, not Board directed, and could be voted on and approved.

Roger Harden addressed his lack of understanding about the three Boards combining and why Cocoa West representatives are meeting and discussing things on their own with respect to their community center, yet we have no input. However, those representatives have input in our areas. "Seems like they are still their own Board, though part of a larger Board."

Vice Chair Harden, readdressed the quorum limits in Article Six (6), Section One (1), Voting. He wanted to amend the bylaws by adding two paragraphs giving the same rights voting rights Cocoa West has to the specific areas of the former Merritt Island and South Area Boards. This addition is based on the expertise of the members' area(s). Mary Jane Nail requested to "hardily" approve this amendment.

Jack Masson asserted that, "We as a Board, cannot change this without their approval." Mary Jane Nail stated, "We can be unified, but we have people who are living in these districts that are closer to the issues and closer to the people and the input there." "I feel that's being taken away from the South and Central Boards."

Further discussion by other members regarding the combining the Boards.

Chairman Masson commented by giving an example using the District One Commissioner with BOCC. Like us, all Commissioners do not know everything about the District One Commissioners' area, but if she were to make a recommendation or approval, the other Commissioners would follow lead, trusting her position. So, if there was a Recreation Partner in South Area or the like, he wouldn't expect those from the different areas to know all the information. He would hope the unified Board would refer to the members in that immediate jurisdiction, and unless there's a conflict, the rest of the members would make recommendations or suggestions based on their opinions of the matter. Though a large area from Cape Canaveral to Sebastian, "we" still need to use the resources shared by this Board to make the best recommendations.

Chair Jack Masson presented the options regarding the approval of the draft bylaws. First, were the changes, as a Board, we could make. Then, the list of recommendation that requires BOCC ratification. Only thing we could do is approve, if we want to, those changes to the bylaws we can change now. We could submit a written statement to Mary Ellen Donner of those recommendations that are different from what the BOCC said. The process is to submit a list to Mary Ellen and she sends to the County Manager and Assistant County Manager for discussion, before going to the BOCC.

Recreation Partner application process was reviewed for Board clarification.

All recommendations and changes given over to Marsha Blizzard for corrections, memo and drafting.

Izeal Battle wanted a summary of all changes recommended to the bylaws by the Board.

Clarification of the Sunset policy in Article Fourteen (14). If BOCC sunsets this Board, members would not go back to their original board, those Boards no longer exist. BOCC make all the decisions upon sunsetting boards and their extensions. The annual report will show how valuable this Advisory Board is and how necessary.

Recorded changes to draft bylaws and agenda by the Advisory Board, presented by the Central Operations Manager, Terry Lane.

- **Article VIII. Removal – Section 1** - Change Any to A district Commissioner
- **Article IX. Public Meetings – Section 2 (2)** – Changed to each speaker shall be given at **least**, not lease, three minutes to speak
- **Article IX. Public Meetings – Section 2 (4) - The order of business of the Advisory Board** Change to **shall** instead of may
- Pledge of Allegiance added to agenda
- There will be two opportunities for public comment on the agenda; after new business and before adjournment
- **Article X. Meeting Frequency, Time, and Location – Section 1** – Shall meet a maximum of four times per year, **normally the second Tuesday of October, January, April, and July** added to this section
- **Article X. Meeting Frequency, Time, Location – Section** - Add a **space** between Section and number 2 and Advisory Board meeting is plural. Change to **meetings**

Established meeting dates for 2022 and 2023 is October 10, January 10, April 10 and July 11.

Introduction of Izeal Battle; arrived later.

Established that Cocoa West will meet at 2:00 p.m. and be first on the agenda.

Request recommended amendment changes to be sent via Marsha Blizzard to Mary Ellen for review with County Manager with a report to this Board at the next meeting.

Mary Ellen suggested a vote on the items changing on the bylaws.

Discussion regarding adding items to the agenda, by members. Members will send items they want added to the agenda to the Recording Secretary, Marsha Blizzard. These items will be added to the agenda, upon review by Chairman, Jack Masson. Any items not added to the agenda, by Board members, may submit within their Board reports or during new business. Public agenda items will be added by the Parks and Recreation department. In compliance of the Sunshine Law, all members will be blind carbon copied (BCC) on all e-mails, sent to all members.

Jack Masson proposed a motion in reference to the bylaws as submitted, with those changes, that were outlined by Mr. Lane, documented by Marsha. Motioned by Ms. Nail. Seconded by Mr. Harden. Mr. Masson confirmed all members understood the motion and all members answered, "Aye"; none opposed. Motion passed unanimously.

### **Other**

No other business

### **Adjournment**

Motion by Jack Masson to adjourn meeting. So, moved by Mary Jane Nail. All in favor, motion passed.

Meeting was adjourned at 4:35 p.m.

Next regular meeting is scheduled for January 10, 2023