# Environmentally Endangered Lands Program Selection and Management Committee Meeting

## November 19, 2021 Meeting Minutes

## Attendance

### SELECTION AND MANAGEMENT (SMC) MEMBERS

Tamy Dabu, Oli Johnson, Kim Zarillo, Lisa Toland, Doug Sphar (Recreation and Education Advisory Committee), Jennifer Thompson, Mac McLouth (Tourism Development Council), and Liz Becker attended in-person. Jim Burney attended via Zoom.

### SELECTION AND MANAGEMENT (SMC) EMERITUS MEMBERS

Dr. Paul Schmalzer, Dr. Ross Hinkle, Dr. Randy Parkinson, and Dr. David Breininger attended via Zoom.

### ENVIRONMENTALLY ENDANGERED LANDS (EEL) PROGRAM STAFF

Mike Knight and Steve McGuffey attended in person. David DeMeyer, Jenny Warner, Jonny Baker, and Amy Rivera attended via Zoom.

### GUESTS

Monty Montgomery (Procedures Committee)

Protecting and Preserving Biological Diversity  
Through Responsible Stewardship of Brevard County’s Natural Resources

## Meeting Minutes

### CALL TO ORDER AND ROLL CALL:

Tamy Dabu called the meeting to order at 8:38 a.m.

### PUBLIC COMMENT

Monty Montgomery asked if the EEL Program manages conservation lands that have been recently acquired by the City of Palm Bay. He noted the EEL Program was mentioned at a recent City of Palm Bay meeting. Mike Knight responded only if the parcels are acquired by the EEL Program or if there is an agreement.

### MINUTES

The SMC October 15, 2021 minutes were presented for approval.

### MOTION 1

**Jennifer Thompson moved to approve the SMC October 15, 2021 minutes as presented.**

**Doug Sphar seconded the motion.**

**Motion carried unanimously.**

### ADMINISTRATIVE REVIEW

Mike Knight provided an update on the Treasure Coin Hunt. Eight coins have been hidden at Cruickshank Sanctuary and the public notified with a newsletter and via Facebook.

Mike shared the Indian River Lagoon Coalition is participating in a variety of local public events to promote the EEL Program and the Save Our Lagoon Program. The Coalition has one of the EEL table top displays and EEL brochures to include within their booth space for these events.

Mike added the Program is continuing its efforts to fill open positions within the Program including a Naturalist, two Land Management Technicians, and the Education Center Coordinator at the Enchanted Forest recently vacated by Patricia Rendon.

### COMMITTEE MEMBER REPORTS

Doug Sphar mentioned it is likely the next REAC meeting will be next year. Mike replied due to the holiday season, that is most likely correct.

### LAND ACQUISITION REPORT

Mike noted the permit for the Emerald Lakes Mitigation Site donation is expected to be approved soon.

### AGENDA ITEM 1

**Emeritus Committee Members**

Mike mentioned the word honorary was removed from the draft document and the program summary. He noted the SMC can revise this document at any time. Tamy asked if there is any discussion regarding the draft language or if there is a motion to approve the Emeritus Committee Member Program.

### MOTION 2

**Lisa Toland moved to approve the Emeritus Committee Member Program.**

**Oli Johnson seconded the motion.**

**Motion carried unanimously.**

### MOTION 3

**Kim Zarillo moved to appoint Dr. Paul Schmalzer, Dr. Ross Hinkle, Dr. Tammy Foster, Dr. David Breininger and Dr. Randy Parkinson as Emeritus SMC Members.**

**Doug Sphar seconded the motion.**

**Motion carried unanimously.**

### AGENDA ITEM 2

**Gauging Commissioner Support**

Doug Sphar asked who is speaking to the Commissioners about future funding and if a simple majority or super-majority is required to put this on the ballot. Mike responded, it is his understanding it requires a simple majority and noted the official process has not started just yet. Kim asked who is working on the draft ballot language. Mike responded formal work on ballot language has not begun. Kim emphasized millage rates are critical and the best legal advice is needed. Mike stated Staff has been asked to work on rate calculations, potential bond amounts, operational costs, and how to address acquisition in the event another referendum is approved. The Program has not received any direction from upper management or the Commission.

Lisa stated there are two issues determining support for a referendum and support for the fundamentals of what the SMC and Program does daily. She mentioned the fully funded Colonial Crossing Donation that was not presented to the Board due to a decision made by the Parks Director. Lisa provided a synopsis of the events regarding this potential donation and in her opinion, there is a disconnect. She asked if a SMC Member should reach out and meet with individual Commissioners to ensure the goals of the SMC and the Board are in alignment to instill confidence in the event there is a referendum.

Lisa asked if the committee wants to send a SMC member to speak with individual Commissioners. She asked Mike how many times he has met with Commissioners this year. Mike responded, he no longer communicates directly with Commissioners.

Jim Burney asked what is the conduit for communicating with the Board in the past and how to move forward. Mike responded it is very rare for a Commissioner to attend an SMC meeting. The Program Manager historically attended all briefings and was empowered to reach out directly to Commissioners; however, over the past five- or six-years lower level staff have been removed from this process.

Jim asked if the SMC should communicate directly with the Parks Director. Mike responded that is a fair thought.

Mac added he feels strongly speaking directly to Commissioners is a good idea and emphasized the importance of one on one meetings.

Dr. Parkinson stated there has always been a disconnect. He advised developing the message the SMC is trying to convey, determine who is going to go, and what they will communicate. He added this is best done by persons working along the periphery and not necessarily by SMC members. Lisa responded she was the original staff interface to the Board for the first referendum. She added the SMC is the only committee that had independent members who could determine what was presented to the Board. She noted the SMC is an advisory committee to the Board period. She added it is not appropriate for an SMC member to go to a Board meeting as an SMC member; however, it is appropriate for an SMC member, as an advisor to the Board, to speak to individual Commissioners. Lisa recommends one or two SMC members be assigned to speak to individual commissioners.

Mike hesitantly noted the heart of the issue is that staff stopped a SMC recommendation from being presented to the Board.

Dr. Paul Schmalzer stated that is an important perspective because the structure of the Land Acquisition Manual (LAM) doesn’t allow upper level staff to veto a SMC recommendation.

Dr. Ross Hinkle added originally the SMC was appointed by the Board and the SMC communicated directly with the Board. During the acquisition phase there was more direct communication; however, the interface changed during the management phase.

Mac asked the SMC’s responsibility regarding the referendum. Mike stated in the past, the SMC passed a motion of support to place the initiative on the ballot. He added, we are not quite there yet.

Jim Burney mentioned the Prioritization Matrix will be an important tool to answer potential questions from Commissioners.

Tamy suggested meeting with upper-level staff to discuss why the Colonial Crossing donation was not presented to the Board.

Doug asked if the donor has been notified and stated it would be impactful if the owner reached out to the Board. Mike responded, the owner has been notified of the SMC’s suggestion and a copy of the minutes were provided.

Liz Becker asked if the SMC should compose a statement if the SMC believe the procedure was violated.

Dr. Hinkle stated the SMC is responsible to the Board not upper level staff and can work directly with the Board. Lisa stated the County Manager is the interface to the Board. She stated if we want to initiate contact with upper level staff, she recommends contacting the County Manager. Lisa suggests a non-confrontational meet and greet with the County Manager to listen to their goals and vision for 2022. Mike cautioned the SMC to be aware of the policy structure in the LAM and to determine if the procedure was followed or not before proceeding with this meeting. Kim stated we should not ask what the County Manager wants in respect to SMC policies rather state we just want to know why this donation wasn’t sent up the chain.

Dr. Schmalzer noted it is important to resolve this issue before the next referendum. If the Parks Director can veto an acquisition, that is inconsistent with the science-based, apolitical program structure.

Oli Johnson asked if it is possible to send a polite invitation to the Parks Director or County Manager to attend a meeting and share their philosophy with the SMC. Mike responded the SMC can do either. Lisa stated as a consultant she recommends sending a letter and having a casual conversation. Doug asked if Lisa will take on the role of communicating with upper level management. Lisa replied she is willing to do that and asked the Chair, Tamy Dabu, if she is interested. Tamy replied Lisa has a tremendous amount of experience and she is fine with Lisa communicating with upper level management.

Jim Burney stated in the spirit of cooperation and due diligence he recommends reaching out to the Parks Director before the County Manager and see what she has to say about the Colonial Crossing donation to determine if the decision was science-based. Mike stated staff concurs with that.

### MOTION 4

**Doug motioned to send Lisa Toland meet with Parks Director regarding the Colonial Crossing donation and ask why it wasn’t presented to the Board.**

**Liz seconded the motioned.**

**Motion carried unanimously.**

In the interest of time, the SMC decided to skip to Agenda Item 5 since a vote is required and a couple SMC members need to leave the meeting.

### AGENDA ITEM 3

**Proposed Land Review**

Mike stated the goal of the prioritization list is a tool to demonstrate these parcels have conservation value and does not include willing seller information. The point is to have all of the parcels on a consolidated list to hand to an acquisition consultant in the event of another referendum to quantify the potential bond amount. He posed the question if any parcels should be removed.

Kim Zarillo stated parcels should be included on the list but marked as lands that will not be considered for future acquisition. Tamy asked if it would be wise to identify parcels that are no longer viable to consolidate the list. Kim suggested marking those parcels inactive. Kim asked if Dr. Schmalzer would comment on the parcel south of the FPL Solar Farm. Dr. Schmalzer responded he does not believe the southern parcel has significant conservation value. He added the parcel to the north has more conservation value. Lisa Toland asked if the SMC is looking at revising the color coding or determining if parcels remain on the list. Mike responded, just determining what will be included on the list. He added the color coding was for the purposes of this discussion.

Tamy suggested removing items from the list that have been developed and are no longer relevant. Lisa suggested compiling two lists titled acquisition goals and properties of interest. Mike clarified development includes pasture land or cleared land for industrial use. Dr. Hinkle stated although we may not be able to get all of the land a portion of it may be marked for conservation by FPL since its good public service. He added if it is removed from the map, the Program no longer has that leverage. Mike stated Staff can revise the boundaries on the map and keep the parcels on the list. Lisa suggested changing the name of the document to Conservation Value Matrix to reflect this is a supplemental tool to the Land Acquisition Manual. Mike replied the title can be changed. Lisa asked if the EEL Mapper could be made available to the SMC. Mike replied this interface can be made available to the public.

### AGENDA ITEM 4

**South Region Land Management Update**

Steve McGuffey provided an update on the South Region including Valkaria Scrub, Grant Flatwoods, and Micco Scrub. This presentation is available upon request. Lisa stated the management in this region is fantastic. Dr. Schmalzer stated it is good to see the process in the South Region. Steve replied, thank you.

### AGENDA ITEM 5

**REAC Appointment**

Mike Knight stated due to the recent resignation of Karen MacArthur, a vacancy exists on the EEL REAC. Jacob (Jake) Zehnder has expressed an interest in serving on REAC. Jennifer Thompson has worked with Jake and she thinks he would be an amazing committee member.

### MOTION 5

**Jennifer Thompson moved to approve Jake to the REAC committee.**

**Doug Sphar seconded the motion.**

**Motion carried unanimously.**

### NEXT MEETING

Friday, December 17th at 9:30 a.m.

### MOTION 7

**Lisa moved to adjourn the meeting.**

**Mac McLouth seconded the motion.**

**Motion carried unanimously.**

### ADJORNED

Meeting adjourned at 11:45 a.m.