



## Libertarian Party of Brevard County - Regular Business Meeting Minutes

\*This draft agenda is subject to approval by the voting membership.

9/19/2022

Cape Royal Professional Business Center

1980 N Atlantic Ave 2nd Floor, Cocoa Beach

Sign in

Meet-and-Greet

1. Call to order – 643pm by Chair Nathan Slusher
2. Officer Roll Call
  - Determination of quorum (75% of Executive Committee or 25% of all voting members) - Quorum met.
  - Executive Committee: Chair-Nathan Slusher, Vice Chair-Mari Peele, Secretary-Thai Heiler, Treasurer-Greg Peele
  - Voting Members: Brian Fleming, Jennifer Keyser, Rob Klimkowski
  - Voting Virtual Attendee: Adriana Slusher
  - Non-Voting Attendee: Shawn Middleton, Ashley Kautz
3. Motion to excuse absence of Shawn Allred Middleton
  - “I move to excuse the absence of Shawn Allred Middleton due to his participation in the City of Melbourne’s Citizens Advisory Board as an appointed member.”
  - Mover-M. Peele, Second-G. Peele. Vote Passed-Unanimously
4. Approval of Agenda
  - Mover-M. Peele, Second-G. Peele. Vote-Passed Unanimously
  - Motion to amend agenda to add two motions.
    - Mover-G.Peele, Second-M.Peele, Vote-Passed Unanimously
    - Motion 2022-35 Adopt recommendations on Florida Constitutional Amendments on the November 2022 ballot.
    - Motion 2022-36 Adopt recommendations on Brevard County Charter Amendments on the November 2022 ballot.
5. Approval of the minutes from August 15 Monthly Business Meeting and August 30 Special Business Meeting.
  - Mover-G.Peele 2nd-M.Peele Vote-Passed Unanimously
6. Officer Reports



➤ Chair

- Lost election to incumbent
- Strategy meeting with Shawn Allred Middleton for his campaign.
- Attended Brevard County Meeting.
- Attended Titusville Meeting.
- Attended Titusville Budget & Tax Meeting.

➤ Vice Chair - Typed report provided and attached to minutes.  
See addendum 1

➤ Secretary - No Report

➤ Treasurer - Typed report provided and attached to minutes.  
See addendum 2

➤ Director At Large – No Report

7. Committee Reports

➤ Gala 2022 Committee - Typed report provided and attached to minutes.  
See addendum 3

➤ Outreach Committee

- Still looking for a Committee Chair
- Brian Fleming attended a meeting with Clear Channel Outdoor

➤ LPF Report

- New Communications Committee Chair appointed-Matt Johnson
- Region 4 Rep. appointment-Matt Johnson
- Matt Johnson removed from Candidate Committee
- Adopted Resolution 420

8. Old Business-None

9. New Business

➤ Motion 2022-32 Motion to authorize up to \$600 for the second half of the venue fee for Brevard Zoo’s Nyami Nyami River Lodge for the 2022 Golden Liberty Gala. Mover-M. Peele on behalf of Gala Committee, 2nd-G.Peele Passed Unanimously

➤ Motion 2022-33 Motion to amend previously adopted Motion 2022-12 to strike, “Spike and Tasha Cohen as speaker and special guest”, and replace it with “guest speakers”. Mover-M. Peele, 2nd-G.Peele Passed Unanimously



- Motion 2022-34 Motion to amend the previously passed Motion 2022-25 by striking, “\$1500”, and replacing it with “\$2500”. Mover-M.Peele, 2nd-T.Heiler
  - Motion to amend proposed Motion 2022-34 to increase amount from \$2500 to \$3200. Mover-N.Slusher, 2nd-G.Peele Passed Unanimously
  - Motion 2022-34 Passed Unanimously with amended dollar amount of \$3200.
- Motion 2022-35 Adopt recommendations on Florida Constitutional Amendments on the November 2022 ballot. Mover-G.Peele, 2<sup>nd</sup>-M.Peele, Vote-Passed Unanimously  
See Addendum 4
- Motion 2022-36 Adopt recommendations on Brevard County Charter Amendments on the November 2022 ballot.
  - Motion to divide and consider Proposition 3 separately passed. Adoption Recommendation on Proposition 3 Mover-G.Peele, 2<sup>nd</sup>-M.Peele, Vote Passed-Unanimously
  - Remainder of Motion postponed to next Special Meeting.  
See Addendum 5

#### 10.Discussion Item

- Thanksgiving Day Charity Event/Outreach-Ashley Kautz
  - Asking for LP Brevard Sponsorship
  - Asking for \$165 to rent Lipscomb Park for event
  - Looking for volunteer speakers
  - Looking for volunteers to help set up an run event
  - Event to occur after election and during the week of Thanksgiving
  - Want to have a “Know Your Rights Speech” at event and “Bitcoin and How to Make a Profit Without Government”

#### 11.Public Comments - None

#### 12.Notice & Announcement of Next Meeting

- Next Meeting Date & Location  
October 17, 2022  
Cape Royal Professional Business Center  
1980 N Atlantic Ave 2nd Floor, Cocoa Beach



➤ Next Social Date & Location

October 1, 2022

Rotary Park at Suntree Clean Up

6495 US Highway 1

Rockledge, FL 32955

13. Adjournment - 920pm



## **Addendum 1**

### **Vice Chair Report 9/19/2022**

This past month I have:

Applied updates and changes to the website to fix issues caused to Dreamhost and WooCommerce.

Moved the LPBrevard Merch to its own subdomain that will still be attached to LPBrevard.org to protect the main website's stability. When ready, the merch store will launch at [merch.lpbrevard.org](http://merch.lpbrevard.org).

Made a lot of progress on the LP Brevard Merch including: purchasing and setting the plugin to make checkout collect the legal donation information, connecting the store to our Clover account so we can connect donations, creating and moving everything to [merch.lpbrevard.org](http://merch.lpbrevard.org), setting up the product categories and related settings to make the site easier to navigate, and set up the MailChimp integration so that donors will automatically get emails with confirmation, receipts, shipping updates and abandoned cart reminders.

Caught up our voter totals spreadsheet with the newest data. Although we are still down some from voters switching for primaries, the number of registered LPF voters has already started going back up. The current total is 1979 LPF voters in Brevard County.

On August 24th, I sent letters to six voters who had been previously registered as Unity Party of Florida (UPF). In July their party disbanded, and all their voters were automatically reregistered as NPA. So far none of them have switched to registration to LPF or otherwise but I will keep an eye on their registration and I hope that they will consider joining our party as their new political home.



## Addendum 2

### Treasurer's Report September 19, 2022

#### Statement of Assets, Liabilities, and Net Assets

Asset Type	Balance 09/19/22	Liability Type	Balance 09/19/22
Cash & Equivalents	9,802.75	Current Debt	-
Accounts Receivable	-	Accounts Payable	(41.00)
Other Assets	-	Other Liabilities	-
<b>Total Assets</b>	<b>9,802.75</b>	<b>Total Liabilities</b>	<b>-</b>
<b>Net Assets</b>	<b>9761.75</b>		

#### Statement of Income and Expenses

Income Type	Month	YTD	Expense Type	Month	YTD
Contributions	625.38	10,919.58	Operating Expenses	(667.49)	(4,958.61)
Refunds Given	-	-	Refunds Received	-	25.00
Non-Operating Income	-	-	Non-Operating Expenses	-	-
Other Gains	-	-	Other Losses	-	-
<b>Total Income</b>	<b>625.38</b>	<b>10,919.58</b>	<b>Total Expenses</b>	<b>(667.49)</b>	<b>(4,933.61)</b>
<b>Net Income</b>	<b>(42.11)</b>	<b>5,985.87</b>			
<b>In-Kind</b>	<b>-</b>	<b>-</b>			

#### Cash Flow By Accounts

Account	08/15/2022 Balance	Deposits	Withdrawals	Net Cash Flow	09/19/2022 Balance
<b>PNC Checking</b>	10,581.09	435.00	(1,449.18)	(1,014.18)	9,566.91
<b>PNC Merchant</b>	-	453.09	(453.09)	-	-
<b>Paypal</b>	52.92	190.38	(7.46)	182.92	235.84
<b>Stripe</b>	-	-	-	-	-
<b>Total</b>	<b>10,634.01</b>	<b>1,078.47</b>	<b>(1,909.73)</b>	<b>(831.26)</b>	<b>9,802.75</b>



## Reports

The 2022 P7 report covering the period from 04/01/2022 to 08/18/2022 was submitted on time.

The 2022 G7 report covering the period from 8/19/2022 to 11/03/2022 is due on 11/04/2022.

## Income and Expenses By Category

Income	Type	Month	G7 Report	YTD
Contributions	Cash	-	-	120.00
	Check	-	-	3,557.95
	Electronic	625.38	340.38	7,241.63
	<i>Monetary</i>	<i>625.38</i>	<i>340.38</i>	<i>10,919.58</i>
	<i>In-Kind</i>	-	-	-
<b>Total Income</b>	<i>Total</i>	<i>625.38</i>	<i>340.38</i>	<i>10,919.58</i>



<b>Expenses</b>	<b>Authorized</b>	<b>Month</b>	<b>G7 Report</b>	<b>YTD</b>
<b>Banking</b>				
Fees	237.88	20.60	20.60	237.88
Equipment	200.00	4.95	4.95	148.70
<b>Subtotal</b>	<b>437.88</b>	<b>25.55</b>	<b>25.55</b>	<b>386.58</b>
<b>Candidates</b>				
Contributions	750.00	500.00	500.00	750.00
<b>Subtotal</b>	<b>750.00</b>	<b>500.00</b>	<b>500.00</b>	<b>750.00</b>
<b>Outreach</b>				
General	2,000.00	-	-	830.15
Branding	300.00	-	-	283.25
Mail	200.00	-	-	81.60
Merchandise	150.00	-	-	-
Social Media	100.00	-	-	16.79
Printing	200.00	-	-	89.71
Web Hosting	200.00	90.00	90.00	125.40
<b>Subtotal</b>	<b>3,150.00</b>	<b>90.00</b>	<b>90.00</b>	<b>1,426.90</b>
<b>Event</b>				
Advertising	1,500.00	-	-	-
Catering	500.00	-	-	392.53
Registrations	150.00	-	-	50.00
Speakers	1,400.00	-	-	810.62
Sponsorships	325.00	-	-	325.00
Supplies	1,100.00	51.94	51.94	216.86
Venues	600.00	-	-	575.12
<b>Subtotal</b>	<b>5,575.00</b>	<b>51.94</b>	<b>51.94</b>	<b>2,370.13</b>
<b>Facilities</b>				
Office	900.00	-	-	-
<b>Subtotal</b>	<b>900.00</b>	<b>-</b>	<b>-</b>	<b>-</b>
<b>Total Expenses</b>	<b>10,812.88</b>	<b>667.49</b>	<b>667.49</b>	<b>4,933.61</b>





## Reconciliation

Cash Flow		Current Accounts	
Starting Assets	10,634.01		
(Less Starting Liabilities)	(830.15)		
+ Contributions	625.38		
(Less Expenditures)	(667.49)	Current Assets	9,802.75
Net Income (Loss)	(42.11)	(Less Current Liabilities)	(41.00)
Net Assets	<b>9,761.75</b>	Current Net Assets	<b>9,761.75</b>



## Budget Authorizations

Motion	Effective	Expires	Amount	Remaining	Category	Notes / Limits
	Always	Never	%	%	Banking : Fees	Credit card fee
2021-15	12/13/21	01/08/22	500.00	-	Events : Catering	Paid in Full
<del>N/A</del>	<del>3/17/21</del>	<del>01/08/22</del>	<del>725.00</del>	-	Facilities : Office	Expired
2022-03	01/01/22	01/08/23	900.00	900.00	Facilities : Office	Monthly \$75
2022-03	02/21/22	01/08/23	100.00	100.00	Outreach : Social Media	
<del>2022-03</del>	<del>02/21/22</del>	<del>01/08/23</del>	<del>250.00</del>		Events : Supplies	Amend 2022-23
2022-03	02/21/22	07/04/23	150.00	-	Events : Registrations	Parade Paid in Full
2022-03	02/21/22	01/08/23	200.00	118.40	Outreach : Mail	
<del>2022-03</del>	<del>02/21/22</del>	<del>01/08/23</del>	<del>400.00</del>	-	Banking : Supplies	Amend 2022-11
2022-03	02/21/22	01/08/23	200.00	138.00	Outreach : Printing	
2022-06	02/25/22	02/28/22	600.00	-	Events : Venues	Paid in Full
2022-07	3/21/22	04/08/22	325.00	-	Events : Sponsorships	Paid in Full
2022-10	3/21/22	01/08/23	150.00	73.60	Outreach : Website	Paid in Full
2022-11	3/21/22	01/08/23	200.00	61.20	Banking : Equipment	PNC + Clover
2022-12	4/18/22	11/08/22	1,400.00	589.38	Events : Speakers	Spike Travel
<del>2022-13</del>	<del>4/18/22</del>	<del>01/08/23</del>	<del>4,000.00</del>		Outreach : General	Amend 2022-24
2022-15	4/18/22	01/08/23	300.00	-	Outreach : Branding	Logo Contest Paid In Full
2022-20	6/20/22	11/08/22	600.00	600.00	Events : Supplies	Gala Programs
2022-22	7/18/22	7/18/22	250.00	-	Candidates	N. Slusher
2022-23	7/18/22	1/8/23	500.00	335.08	Events Supplies	
2022-24	7/18/22	1/8/23	2,000.00	1,169.85	Outreach : General	
2022-25	8/15/22	11/08/22	1,500.00	1,500.00	Events : Advertising	Gala Ads
2022-26	8/15/22	Never	%	%	Outreach : Merchandise	Printify
2022-26	8/15/22	9/18/22	50.00	-	Outreach : Website	WooCommerce
2022-26	8/15/22	1/8/23	150.00	150.00	Outreach : Merchandise	Samples
2022-28	8/30/22	8/30/22	500.00	-	Candidates : Contributions	S. Middleton
<b>Total</b>			10,575.00	5,086.06		



## 2022 Gala Profit and Loss

Income		Deposited	Estimated	Projected
Contributions	Ticket	616.81	750.00	1,366.81
	Vendor	154.97	300.00	454.97
	Sponsor	6,090.28	-	6,090.28
	Advertiser	-	-	-
	Auction	-	500.00	500.00
	Donation	20.00	-	20.00
	<b>Monetary</b>	<b>6,882.06</b>	<b>1,050.00</b>	<b>8,432.06</b>
	<b>In-Kind</b>			-
<b>Total Income</b>	<b>Total</b>	<b>6,882.06</b>	<b>1,050.00</b>	<b>8,432.06</b>

Expenses	Authorized	Disbursed	Estimated	Projected
<b>Banking</b>				
Fees	38.13	38.13		35.24
<b>Subtotal</b>	<b>38.13</b>	<b>38.13</b>		<b>35.24</b>
<b>Events</b>				
Advertising	1,500.00		2,500.00	2,500.00
Catering			2,000.00	2,000.00
Supplies	600.00		300.00	300.00
Speakers	1,400.00	810.62	589.38	1,400.00
Venues	600.00	575.12	600.00	1,175.12
<b>Subtotal</b>	<b>2,600.00</b>	<b>1,405.60</b>	<b>5,989.38</b>	<b>7,375.12</b>
<b>Total Expenses</b>	<b>2,600.00</b>	<b>1,423.87</b>	<b>5,589.38</b>	<b>7,413.25</b>
<b>Net Income (Loss)</b>		<b>5,458.19</b>		<b>1,018.81</b>

## Other Activity

- Twitter Account – 154 followers (+10)
- Checked PO Box biweekly
- Conducted review of Brevard County Charter Amendments 1-6, ballot questions for BCPS Property Tax, \$50m EEL Bond, and Florida Constitution Amendments 1-3
- LPF Rules Committee activity



## **Addendum 3**

### **Gala Report 9/19/2022**

Research numerous advertising options such as additional mailers, Big Red Double Decker Bus in Cocoa Village, digital and traditional billboards, and radio.

Attended a meeting with Nathan Slusher, Brian Fleming, and Rose Bobier of Clear Channel to discuss advertising options for the Gala and the affiliate.

Met on September 9th and laid out a plan for advertising, speaker accommodations, and event timeline.

Scheduled an appearance on Jason Lyon's podcast, Mr 'Murica: The Bearded Truth, for Sept 30th at 8pm to speak about the Gala and a discussion on how libertarians for Sept 30th at 8pm to speak about the Gala and a discussion on how libertarians can move from observers to engaged volunteers.

Prepared two motions for the September Business Meeting Agenda.

Decided not to pursue the Gala Programs for lack of time and vendor response.



## Addendum 4

Motion 2022-35 November Florida Amendments Review

Prepared by: Greg Peele

**Title:** Recommend Positions on 2022 Florida Constitutional Amendments

**Mover:** Greg Peele

**Motion:** I move for LPBC to adopt the following recommendations for the Florida Constitutional Amendments on the November 2022 ballot:

- Yes on Amendment 1
- No on Amendment 2
- No on Amendment 3

### Review and Rationale

#### Florida Amendment 1

**Summary:** Have property appraisers disregard flood mitigation structures for appraisal of property value for taxation.

**Case in Favor:** The existing constitutional provision being amended already requires property appraisers to ignore wind mitigation and renewable energy devices. The amendment extends the existing exemption to also logically include flood mitigation, which is a major concern in Florida and in principle this avoids penalizing people for taking responsible action to counter flood risks. In theory it could reduce property tax burden on responsible homeowners, all else being equal, and indirectly work toward mitigating flood insurance premiums.

**Case Against:** The net effect of this amendment is potentially irrelevant, since property appraisals are subjective and based on comparative value analysis within statutory caps so it's difficult to show when they are being done improperly. In the end, local governments aim for dollar values to justify their existing spending (which they absolutely will not reduce) and fiddle with millage rates and special assessments (not affected by property appraisal) to achieve that, so the net impact on taxes is questionable at best.

**Recommendation:** Vote Yes.



This is a minor tweak to an existing constitutional clause. At worst it does nothing, and at best it's a slight tax reduction in favor of Florida homeowners who are being responsible to mitigate flooding damage. While that's not a ringing endorsement, there's no real advantage to voting no.

### Florida Amendment 2

**Summary:** Abolishes the 20 year Constitutional Review Commission in its entirety.

**Case in Favor:** The CRC is a relic of the past that adds costs and complexity. Given that it is appointed by the Florida governor and legislature, its independence is theoretical at best, and the 2018 CRC was heavily stacked by Governor Scott and the legislature to ensure no initiatives not approved by the power structure were approved. Removing this would focus the amendment process on public initiatives and legislative action. The mover of this amendment also noted that the CRC is not limited by the single-subject rules applied to legislature and public initiatives so the resulting amendments can be complicated and bizarre.

**Case Against:** The CRC provides a mechanism for Florida residents to persuade a nominally independent board to put constitutional amendments not approved by the legislature on the ballot without the high cost of a public voter initiative process. Abolishing it would reduce options of Florida voters to alter or abolish their form of government. The case in favor does not present a compelling need to do this, particularly as the commission only meets once every 20 years regardless. The 1998 CRC was instrumental in securing permanent ballot access for the LPF. The main opponent of this amendment in the legislature noted that while the CRC process is not ideal, this is an argument to improve it not abolish it since it still gives a voice to Floridians.

**Recommendation:** Vote No.

While the benefit of the CRC in 2038 may be questionable, there is no real advantage to abolishing it and the Florida government is in favor of doing so to make it harder for Florida residents to bypass them which is as good a reason as any to keep it. While nothing good passed it in 2018, the LPF achieved permanent ballot access through it in 1998, so who knows what the future may bring?

### Florida Amendment 3

**Summary:** Adds a new \$50k homestead exemption for public service workers such as EMS, law enforcement officers, firefighters, active duty military and Florida National Guard, K-12 teachers, and state child welfare service employees.



**Case In Favor:** Some Libertarians advocate for all tax reductions regardless of conditions since prioritizing tax reduction is its own greater good. This would apply an additional \$50k property tax exemption to a nontrivial number of Florida residents, all else being equal reducing their tax burden. Furthermore, most of the individuals that benefit from this exemption are already being paid by the same local property taxes, so this eliminates kind of a silly Ouroboros loop of the local government eating itself.

**Case Against:** One of the only ways to get some Libertarians to oppose tax reductions is to make them apply only to government employees. A higher exemption across the board would be one thing, but an exemption for only government employees creates two tiers of citizens. As also considered on Amendment 1, homestead exemptions and other limitations on appraised value generally do not reduce the overall tax burden as local governments target dollar values and fiddle with millage rates and special assessments (which are not subject to homestead exemptions) to get the dollar value they want rather than actually budgeting properly to reduce taxes. So this would have the net effect of shifting the existing property tax burden from government employees to individuals employed in the private sector. Furthermore, countering the argument that the beneficiaries of this amendment are already paid for by the same property taxes, it is not unusual for government employees to commute to work in a different jurisdiction, so the taxing authority paying their salary may be different than the one in which their homestead exemption applies. Finally, as a fixed exemption this has a disproportionate effect on counties with lower property values; a \$50k exemption is a much higher percentage of property value in Holmes than it is in Broward. The legislature recognized this and already passed a companion bill to take effect if this amendment passes to give “fiscally constrained” counties - typically very conservative Republican counties - additional state government welfare from state sales taxes to counter the loss of local property tax revenue that would essentially otherwise annihilate the budgets of these rural counties.

**Recommendation:** Vote No.

We fundamentally reject the notion that government employees are special servants worthy of special privileges above everyone else. While taxation is theft and we support reducing taxes as a general rule, spending is currently the bigger problem and so long as absolute dollar spending stays the same, fiddling with the tax code so that the tax burden is shifted from “special” government employees to the private sector is perverse. We would rather see the property tax abolished entirely as it is a negation of the entire concept of private property, and the state - if it must exist - transition to voluntary funding or failing that at least other forms of taxation that are not applied to subjective property value determined by the government and that apply to real money that actually currently exists rather than hypothetical unrealized gains.



## Addendum 5

2022-36 November Brevard Amendments Review

Prepared by: Greg Peele

**Title:** Recommend Positions on 2022 Brevard County Charter Amendments

**Mover:** Greg Peele

**Motion:** I move for LPBC to adopt the following recommendations for the Brevard County Charter Amendments on the November 2022 ballot:

- No on Proposition 1
- No on Proposition 2
- Yes on Proposition 3
- No on Proposition 4
- No on Proposition 5
- No on Proposition 6
- No on Brevard School Board 1 Mill Property Tax Increase
- No on Approval of \$50m EEL Tax Bond

### Review and Rationale

#### Brevard Proposition 1

**Summary:** Amends the process for amending the charter so that the currently mandatory review of three attorneys is binding and if at least two attorneys find that the charter amendment is inconsistent with state constitution or law, the amendment is automatically rejected and if appropriate returned to the BOCC or CRC for reconsideration.

**Case in Favor:** The attorney review for is already mandatory per the charter, and the county taxpayers are already incurring the expense of paying them. The current charter specifies that if the attorneys approve an amendment from the BOCC or CRC, it must be placed on the ballot. However, nothing specifies what happens if they reject the proposed amendment, and the county commission can (and in this election did in multiple cases) approve an amendment that the attorneys found to be unlawful. The proposal establishes that the review process is binding on the county. Note that the review process is already binding on public citizen initiatives via Brevard County Charter 7.3.2.3, albeit in a poorly worded way; public initiatives cannot go to the next phase unless  $\frac{2}{3}$  of the attorneys approve them.





**Case Against:** The final authority on amending the county charter should remain with the public and their elected representatives on the county commission. While there is a case that the CRC should be able to bypass the commission entirely similarly to the state CRC, that is the subject of Proposition 4 rather than this amendment. Attorneys are not always correct, often tend to be excessively conservative about the risk of preemption of state law, and tend to have biases in favor of state power and the power of the ruling party due to the influence of the Florida Bar. While their opinion should be carefully considered and probably should be included on the ballot measure, unelected consultants should not be able to veto the legislative process, especially for amendments originating from the CRC. That the attorney review can block public initiative is an argument to amend the charter to amend 7.3.2.4.2 to make the attorney review advisory rather than binding, and to allow petitioners to continue regardless. Let the voters be the final judge.

**Recommendation:** Vote No.

Acknowledging that this is a complicated amendment and that that voting yes would make the process fairer in that the government would be subject to the same rules as the public, but also believing that we should bias questions of home rule in favor of the public and their elected representatives and not unaccountable consultants with ties outside of the county and to state power. The principled position is to advocate rescinding the existing mandatory attorney approval for public initiatives, not strengthening it to apply to more cases. While the attorney review is useful and should be on the ballot measure, it should be up to the county commission and/or the voters to make the final call.

Brevard Proposition 2

**Summary:** Make charter amendments require 60% of votes cast rather than a simple majority.

**Case In Favor:** The Brevard County Charter is the fundamental contract between the government of Brevard County and its residents and businesses. Changing the existing contract that people already agreed to should only occur when absolutely necessary, and establishing a supermajority threshold to do so safeguards the existing residents against abusive changes due to transient fads.

**Case Against:** Making it harder to amend the Brevard County Charter is a double-edged sword that also makes it harder for Brevard residents to alter or abolish negative aspects of their local government, noting that much of the process of county government is preempted by state law in any case. There is also evidence at the state level that there is relatively little difference between a supermajority and majority threshold; amendments tend to either fail with less than 50% or succeed with more than 65% with very few falling



in between. Finally, per the attorney review of the amendment, they believe that the Florida Constitution mandates simple majority for county charter amendments as found in *Citizens for Term Limits & Accountability Inc v Lyons* in which a similar amendment in Clay County was found unconstitutional and took no effect despite being approved by 80% of that county's voters. Reading the reasoning of the case, they argue that the definition of "will of the electors" in Florida Constitution Article X Section 12(d) requires a simple majority and that same phrasing is used in Florida Constitution Article VIII Section 1(c) to describe the requirements for county charter amendment process. Although, we note that the petitioner unsuccessfully appealed the ruling on the grounds that municipal charters do expressly have the power to set a supermajority threshold and for most intents and purposes the home rule provisions for charter counties are intended to match municipalities.

**Recommendation:** Vote No.

There is a substantial debate on whether the ability to directly amend charters and constitutions leads to more or less individual liberty. However, we note that in Florida, unlike the state and federal constitution, county charters cannot legally guarantee individual rights and only prescribe policies and procedures within the boundaries set by the state. The county government - and the Florida state legislature - have sought to make amendments more difficult to protect existing government power. Approving this measure, if upheld, would make it more difficult for LPBC or other pro-liberty organizations to sponsor amendments to limit the county government while also making it more difficult for anti-liberty organizations to sponsor amendments to strengthen the county government. Ultimately, given that ambiguity plus the near-100% likelihood that this amendment would be found unconstitutional by courts and cost county taxpayer funds to defend in court lead to a recommendation to vote no.

Brevard Proposition 3

**Summary:** Clean up wording on recall process and add ability to use recall process to remove Brevard County Public School board members as is currently already possible for county commissioners and constitutional officers.

**Case In Favor:** A fundamental principle of parliamentary procedure and democratic representation is that the power to elect or appoint should also be the power to remove. Consent of the governed is necessary to rein in the government, and currently the Brevard County school board is not subordinate to the Brevard County Commission and is completely unaccountable to anyone except the Florida Board of Education and (indirectly) Governor DeSantis in between elections. This was especially evident during the COVID pandemic in which BCPS took actions deeply unpopular with Brevard County



residents and then attempted to suppress debate and dissent at board meetings rather than listen to concerns. Providing for recall elections would ensure that the school board members are more accountable to the public, while noting that the difficulty of executing the recall process in Brevard ensures it would be limited to scenarios in which it is actually appropriate and thus the expenditure of taxpayer funds on a recall election is justified and necessary. This would align current school board recall with existing practice for all other local offices under Florida Statute 100.361.

**Case Against:** It is an open question as to whether a county charter can in fact prescribe the recall of school board officials with no court precedent either way. Florida Constitution Article IX Section 4 establishes that the county school boards are only subordinate to the Florida Board of Education and the electors of the county, not the county government itself, which leaves them in a strange position in which they are neither state officials nor county officials. It's completely unclear as to how Florida law governing recalls applies in this situation. The attorney review took the unusual step of not issuing a recommendation on this amendment due to the complete lack of legal precedent or relevant law.

**Recommendation:** Vote Yes.

While we would prefer to see the school board abolished in its entirety, that requires a state level constitutional amendment to pull off. This motion nonetheless improves accountability of elected officials to Brevard County voters. Since there is no explicit law against doing this, we believe it is a viable case to state that the Brevard County Charter is establishing this right using the administrative power of the Brevard Supervisor of Elections on behalf of the Brevard electors to which the Brevard School District is already constitutionally accountable.

Brevard Proposition 4

**Summary:** Changes the attorney review of amendments such that the attorneys are selected by the body (BOCC or CRC) that originated the amendment, having the effect of the attorneys for CRC amendments are selected by the CRC and attorneys for the BOCC amendments are selected by the BOCC.

**Case In Favor:** The current process allows the BOCC to select attorneys that review the CRC amendments, undercutting the whole point of a separate CRC with a review gate. This would allow the county to justify denying any CRC-originated amendments using their own handpicked attorneys. The review process should not be used to deny the whole point of the CRC's existence.



**Case Against:** This amendment is extremely complicated, and interacts poorly with Proposition 1 if that also passes. While the intent seems to be that the attorney review rejecting an amendment should go back to the originating board (CRC or BOCC), the attorney review noted that an ambiguity of wording could be interpreted to mean it always goes back to the CRC even if the amendment originated from the BOCC. While this could be seen as a power grab by the CRC, this is mitigated by the fact that the CRC itself is appointed by the BOCC and only meets once every six years rendering all the gymnastics for independence somewhat moot. Finally, this motion also has all of the same drawbacks as Proposition 1.

**Recommendation:** Vote No.

Assuming we adopt the recommendation to vote no on Proposition 1, it would be philosophically inconsistent to vote yes on Proposition 4 given that it has the same problems. Furthermore, since the CRC is appointed by the BOCC, any independence is theoretical at best and this highly complicates the charter amendment process for no practical gain.

Brevard Proposition 5

**Summary:** Rescinds the current charter process allowing vacancies to be filled by governor appointment if no less than 1 year is left in the term, effectively realigning the county with state law that instructs the governor to appoint to fill vacancies if no more than 28 months is left the term, or to fill a vacancy until the next regular November election otherwise.

**Case In Favor:** The current county charter specifies that the governor shall appoint if no more than 1 year is left in the term, otherwise the county shall conduct a special election. This language is inconsistent with state law and it is very unclear what happens if the governor makes an appointment between 28 months and 10 months before the term ends. Rescinding this language removes this uncertainty and aligns the county with state law.

**Case Against:** Allowing the governor to appoint for terms with 28 months remaining results in a situation in which the Brevard voters are represented by someone they didn't elect for a majority of that person's term, resulting in less representative and accountable government. Carefully reading Florida Statute 114.04 suggests a middle ground - the governor may make an appointment to fill the vacancy if no more than 28 months remain in the term regardless of what county charter says; however, if the county successfully completes a special election prior to the governor making an appointment, then the position is no longer vacant and no such appointment would be valid after that point. We note that one item of frustration to Brevard County Commission that Governor DeSantis



chose not to appoint to fill the vacancy in District 2 created by the resignation of Commissioner Lober, and there is nothing compelling him to do so but it is within 1 year of the regular election so no special election may be conducted either; this leaves District 2 residents without any representation at all.

**Recommendation:** Vote No.

After careful review, we do not believe the county charter conflicts with state law after all, so long as the county recognizes that the governor may make appointments if no more than 28 months remain in the term regardless of what county charter says, and it may be a legal question in court if the county finishes a special election and then the governor makes what would have otherwise been a valid appointment. The current language was previously passed and presumptively found constitutional, and we believe that the charter providing for a special election is not prohibited anywhere by law, which would mean the position would no longer be vacant after the special election election completes. However, the governor would be able to make an appointment in between a special election being announced and completed, which would necessarily cancel the special election. We believe the existing language provides options more representative of the will of the Brevard voters and should not be changed in this way, acknowledging that the worst case scenario is the governor may make appointments per the state laws regardless.

Brevard Proposition 6

**Summary:** Creates permanent trust fund for the county that is funded by net profit from sale of county property plus any other revenue that the BOCC decides to approve, to be used exclusively for the purposes of affordable housing in Brevard; any investment revenue from the cash in the fund must be reinvested in the fund.

**Case In Favor:** From a Libertarian standpoint, there is none as the government should not be involved in this. The proponents of the measure correctly identify rising housing costs as a problem in Brevard, and claim that this will provide additional funding for county government to mitigate this problem

**Case Against:** This proposed fund permanently encumbers taxpayer funds into affordable housing programs (or sitting around unused for reinvestment) but does not prescribe any boundaries or guidelines on how it will actually be used to help affordable housing. This does not provide any new capabilities that the BOCC itself cannot already do today, and the BOCC would still decide how to spend these funds and no doubt will do so as uselessly and wastefully as they already do with unencumbered general funds. There is no need for this trust fund to exist and no case for establishing it.

**Recommendation:** Vote No.





In effect this proposed trust fund - or rather slush fund - will just be an excuse to raise our taxes and further fund cronyism and corruption in Brevard County. It does not even begin to address the root causes of rising housing costs in Brevard which largely trace back to the state and local government planning, zoning, code, and other restrictions and regulations plus the overarching inflationary economic environment thanks to the Federal Reserve and out-of-control federal spending and massive inflow of new residents into Brevard from other states driving up demand on a limited supply. This is just an excuse to rob more money from the public under the pretense of helping people, with no actual plan to help people or reason why this would be any more effectively run than existing county programs.

Brevard Public Schools 1 Mill Property Tax Increase

**Summary:** Increase property tax rate by 1 mill to allegedly fund teacher and support staff pay increases and student program funding.

**Case In Favor:** There is no Libertarian case in favor of this measure.

**Case Against:** Taxation is theft, and abolish the Florida Board of Education. We cannot support robbing taxpayers even more to fund wasteful and inefficient state indoctrination. Philosophy aside, from a practical standpoint Brevard County Public Schools have been grossly inefficient with their existing public funds, expending on average Brevard Public Schools 1 Mill Property Tax Increase

**Summary:** Increase property tax millage by 1 mill for Brevard County Public Schools, stated to be for increasing teacher and support staff compensation and supporting student programs.

Case in Favor: There is no Libertarian case in favor of this ballot question.

**Case Against:** Taxation is theft, and the Florida Board of Education should be abolished. While this cannot be done without a state-level constitutional amendment, we cannot justify taking more funds from Brevard residents already struggling with inflation and affordability of housing to support government education. Philosophy aside, the 2023 school budget increased by 16% from 2022 to \$1,497,724,807, leading to a per-student cost of roughly \$20k per student. Note that this is not how the actual school board reports these numbers, because they do not include indirect costs, but this is exceptionally high relative to the Brevard County average private school tuition of \$7,912 per student (even the official Brevard Public Schools number of \$8k per student is higher than average private school tuition). Brevard Public Schools do not have a revenue problem, they have



an excessive spending problem. If teachers are not being properly compensated, this raises questions of where exactly all of the existing funding is going. This is especially offensive in light of the Brevard School Board instituting COVID policies that a substantial portion of the county opposed, and two incumbents who approved the tax increase losing reelection because of it. The same measure would likely fail if proposed on the new Brevard School Board.

Recommendation: Vote No.

\$50m EEL Tax Bond

Case In Favor: There is no Libertarian case in favor of this ballot question.

Case Against: Taxation is theft, and debt secured by future taxation with interest is even worse. Furthermore, the use of taxpayer funds to buy land has a further impact on county tax structure as it incurs a maintenance obligation on the county while removing these lands from property tax revenue pool. Commissioner Tobia, in his dissent on the 3-1 vote to approve this ballot measure, presented a compelling case on why this measure is wasteful and makes no sense to renew yet again. Finally, neither the state nor county government has shown any reliability at environmental conservation. The Brevard government has done poorly with preserving the Indian River Lagoon, while neighboring Orange and Osceola governments betrayed their environmental conservation commitments with the Split Oaks Forest preserve. We oppose further centralizing land ownership in the government and call for environmentally-conscious residents, businesses, and not-for-profit charitable organizations to lead the charge on environmental conservation instead.

Recommendation: Vote No.