

FRANKLIN COUNTY BOARD OF COUNTY COMMISSIONERS EMERGENCY MEETING
COURTHOUSE ANNEX, COMMISSION MEETING ROOM
MARCH 22, 2020
2:00 P.M.
MINUTES

Commissioners Present: Noah Lockley – Chairman, Ricky Jones-Vice-Chairman, Joseph Parrish, William Massey, Bert B. Boldt, II

Others Present: Marcia M. Johnson-Clerk of Court, Michael Shuler – County Attorney, Michael Moron-County Coordinator, Lori P. Hines-Deputy Clerk to the Board.

Call to Order

- 1. Public Notice: Based on CDC and Governor Desantis guidelines regarding COVID-19 proper grouping and spacing to reduce transmission, there may be a restriction on the number of audience members allowed in the commission meeting room.***

Chairman Lockley called the meeting to Order.

Prayer and Pledge

There was a prayer followed by the Pledge of Allegiance.

Mr. Moron said the Board is here to review the ordinance that passed yesterday restricting parking for beach access. He explained he talked with the Sheriff yesterday and it was challenging. He stated the Sheriff wanted to see what would happen today when he had control of the parking area. He reported hopefully the Sheriff will arrive at the meeting in a few minutes to provide an update. Mr. Moron said the second item is Commissioner Boldt reached out about an emergency meeting to possibly address beach closure for the county.

Public Comments

Ms. Adriane Elliott, Commissioner for the City of Apalachicola, reminded the Board of the Oath of Office she and Commissioners took to uphold and protect public health and safety, protect the rights of constituents and to protect constitutional rights. She reported this is a global world pandemic and they can aid the problem which is coronavirus (COVID-19). Commissioner Elliott stated the hospitals are not equipped to handle this illness. She stated she works in the hospitality industry and is impacted by this but the county is a travel hot spot. She explained people are traveling here from all over because the media is broadcasting that the beaches have not closed. She said the Board is under pressure from shareholders or business owners but now is not the time to put personal profit margins

over the lives of their constituents. She stated she does not think closing the beaches will help but most of the country is on essential travel only. Commissioner Elliot reported they need to assess the possibility that a lockdown is imminent in the state. She discussed the tourists traveling from other areas into the county and community spread of the illness. She said if they act now to secure the public and help the entire country handle the pandemic then they can hinder the recession and save the summer season.

Mr. Walter Armistead, a resident of St. George Island, stated he is a partner in a property management business. He reported the beaches are a huge economic driver for the county and the Governor has taken steps to limit groups to 10 people and close the restaurants to take out only. He reported other counties have shut their beaches but they have high density in those areas. Mr. Armistead said he applauded what the Board did yesterday and he came from the Island today and no one was on the beach. He reported the day trippers the Board was trying to stop have stopped. He asked the Board to pause for a week and see if it works. Mr. Armistead stated if they have to close the beaches then so be it. He explained they have low density and single family houses and those people are supporting the businesses that are trying to stay open. He agreed people are coming from all over the country but said they cannot stop the virus even if they shut down the whole county. He stated there are some people that are going to lose their jobs and they are scared and not going to be in good shape. Mr. Armistead stated what the Board did yesterday was drastic and what the Governor did was drastic but he does not think they need to take it to the next level and shut all the beaches down. Mr. Armistead stated regardless of what they do, he will support it.

Ms. Linda Shepard, a resident of Franklin County, asked if local people could still have access to the parking lot and beach by showing their re-entry tags. She stated they can walk on the beach and still stay 10 ft. from everyone.

Ms. Lula Fuller, a homeowner on St. George Island, said she applauds the Commissioners for their work yesterday because they are in full compliance with federal and state boundaries. She stated her family came here because the Island has natural social distancing. She reported the ultraviolet rays from the sun is what the hospitals and airlines are using to protect the public against the virus. Ms. Fuller reported people have an opportunity on the beaches in the county because they do not have high density. She explained what the county did yesterday was well balanced and took into account science and facts. Ms. Fuller stated it has been less than 24 hours and she asked the Board not to change anything until they see if it works. She thanked the Board and said she sent an email to Commissioner Jones after the meeting because she knows it was a hard decision.

Mr. Sean Stafford, a property owner on St. George Island, agreed yesterday's decision was fact based. He reported today no one was parked at the center of the Island and they need to give it a week to see if it works. He said they brought their family here from Tallahassee for the open space and sun. He stated they believe this is a safer place to be and there is no medical benefit to closing the beaches and forcing people inside. Mr. Stafford said there may be some distinction in what is closed as other counties have had problems trying to determine property lines. He stated this issue is difficult to enforce. He questioned if homeowners from all over the country are allowed to come in to their

homes. Mr. Stafford said it will be very difficult to lock the county down. He reported what the Board did yesterday worked and he asked them not to give in to what they read on social media.

Ms. Danny Itzkovitz, a business owner in Apalachicola, questioned how many people will get infected with the virus in a week. He asked the Board to shut down for the safety of everyone. He discussed all the different people at the beach when he was there and questioned if anyone knows if any of them had the virus. He stated there was a medical emergency on the beach and they do not know if the person had the virus but the first responders and EMS responded. He asked the Board to make a responsible decision for life not the dollar. He said it may be over in a month and asked them to shut it down.

Mr. John Cadriel, owner of The Beach Pit Restaurant on St. George Island, discussed their care and meals they provided after Hurricane Michael. He stated they paid their employees and cooked meals and it was not about the dollar or profit. He explained the community supports their businesses and they need to be there for them. Mr. Cadriel stated the beaches are spread out and clean and it just takes some common sense. He said they need to stick to being a community and taking care of everyone there.

Ms. Julie Krontz, a resident of St. George Island, stated she did a television interview yesterday of their perspective of the Board's vote and she told them they were proud of the Commissioners for measuring the facts and making the right decision that closing the beach will not impact the spread of the virus. She explained they are compliant and the only problem was at the public beach access where there were crowds. She stated if they go to the beach they can see it solved the problem. She said there is a lot of emotion and misleading information has been distributed on social media that caused panic and these people are trying to get the Board to change their decision. Ms. Krontz reported if she thought closing the beach would stop someone from getting the virus then she would be in favor of closing it but there is no factual evidence that it will. She said the majority of people get the virus from being forced to stay inside or closer together. Ms. Krontz stated these people want to close the bridge and not let anyone on the Island except for people that live there permanently. She discussed the amount of employees that depend on St. George Island. Ms. Krontz reported she is getting cancellation requests for August. She explained if they close the beaches they will never be able to reopen them and it will be devastating for months without any benefit.

Ms. Beth Brinkley, Resort Vacation Properties, apologized to the Board for what they have been through and the threats they have received since they made the decision yesterday. She stated they are a united front and here for the safety of their guests but also want their employees to work because they cannot support their families without working.

Mr. Brian Robinson, a homeowner on St. George Island, stated people pressuring the Board are suffering from a lack of correct information. He reported the Board's action yesterday was measured and fact based and in line with the Governors, the Presidents, the Center for Disease Control and Prevention (CDC) and the National Institute for Health and Allergies. He said they are all concerned about the virus but if they go beyond that today then what they will be asked to do tomorrow. Mr. Robinson explained it is not in the best interest of the public to change. He asked the Board to wait a

day or a week to check if this works and if additional action is necessary to protect the health and welfare of the community then take that action. He explained shutting down people coming into the county is only one half of the risk because when county residents leave the county and come back the county is also equally exposed.

Ms. Brenda Karlin, a resident of St. George Island, stated she applauded the Board's decision yesterday. She asked what closing the beaches really means and said the definition would need to be well defined for people to voluntarily stop. She said their action yesterday was a compromise and people are doing what they were asked to do. Ms. Karlin stated their decision was reasonable and she hopes that is the decision today.

Mrs. Jessica Sparks, a homeowner and business owner on St. George Island, said she supports the decision from yesterday. She stated it is working and they can see the difference already with things being slower. She reported there are hundreds of people here at their homes and if they cannot spread out on the beach then it encourages them into smaller spaces, backyards and the bay. Mrs. Sparks stated the best place for social distancing is the beach. She explained if it is not working then they can evaluate it in 10 days. She said they support yesterday's decision and it is working.

Mr. Michael Sparks, owner of the Island Grocery on St. George Island, stated they are working hard to keep his business supplied. He reported they have been in compliance on the Island. He read a quote from the Governor about beach closures. He said things coming from the CDC have not changed. He stated they did a good job yesterday and the Sheriff's Office was out there making sure the community is safe. Mr. Sparks reported they did a great job and they need to see where this goes. He said there are property owners coming in from all over the country unless they shut the county down. He pointed out Franklin County would be the first county to take that action. He said the Board acted as leaders and made decisions that did not devastate them.

Mr. Alex Krovovsky, a Franklin County resident, stated he is here to express his concerns about keeping the beaches open. He reported according to the World Health Organization (WHO) COVID-19 spreads from person to person contact but they do not know how long the virus can live on surfaces. He stated on March 1st there were only 2 confirmed cases in the state and as of March 15th there were 155 confirmed cases and 4 deaths. He reported today there are 763 confirmed cases. He said that is a 608 person increase and 12 deaths. Mr. Krovovsky stated these facts are given not to scare people but to inform them. He explained this virus is a worldwide pandemic and not bound to any country, state or county. He reported the President said to defeat the virus they must socially isolate and not leave their houses. He said his own wedding has been postponed until next year because of the virus. Mr. Krovovsky asked the Board to close the beaches.

Ms. Karen Kessel, a resident of Apalachicola, said she is concerned about the facts also. She stated Florida needs to shut down and stop it before it get here. She asked the Board to follow CDC recommendations for their health and welfare.

Ms. Stacy Burch, a resident of Franklin County, said she works on St. George Island. She reported the numbers jumped because they just started testing. She stated whether they close the beach or not they still have tourists. She said they are not going to stop people from leaving the county and coming

back with the virus. She reported they cannot stop the homeowners from cancelling the tourists and coming down to stay in their homes because it is safer. Ms. Burch stated their sun and seclusion limit the issues with spreading the disease. She explained the businesses are open and there are other homeowners that rent their homes through Vrbo and Airbnb. Ms. Burch said FedEx and UPS come into the county and deliver each day. She expressed her opinion that closing the beach will not make a difference. She agreed with the Board's decision yesterday and said she also agrees with locals being able to access the beach.

Mr. Grayson Shepard, a resident of Apalachicola, stated Weems Memorial Hospital has 2 ventilators and sometimes people with the virus require a ventilator. He questioned who makes the decision about who gets the ventilators. He referenced a beach party in Miami that occurred and 9 people contracted the virus. He explained on March 3rd in Miami there were no cases and now there are 101 that they tracked back to the beach party. He reported the party was 2 weeks ago and there are still people coming up positive from that party. Mr. Shepard stated the county just had the first week of spring break so chances are the virus is here. He reported they are not showing signs yet but now they want to invite a new crop of spring breakers to come down. He stated everyone else has closed down their beaches but we are inviting them to come down and party as usual. He reported the county does not even have an Intensive Care Unit (ICU) and people at the hospital are terrified because they have families at home. He questioned what will happen when the nurses get sick. Mr. Shepard stated Sacred Heart Hospital has 12 rooms and they will be focused on taking care of individuals from their county. He said Tallahassee is already admitting people with the virus. Mr. Shepard stated closing the beaches will not make a big difference but slowing down the spring breakers coming in will. He said if you look at the other counties they shut everything down.

Ms. D.T. Simmons, Florida Department of Health (DOH) in Franklin County, read a letter from Ms. Sarah Hinds, DOH Administrator, about COVID-19, the medical capacity and response in the community, social distancing guidelines and recommendations for visitors.

Ms. Kelly Williams, a resident of Apalachicola, recommended the Board look at the model Monroe County used to close The Keys to all tourism. She reported they stopped all future rentals but allowed people to finish their stays but not extend. She said they need to stop the flow of people into the county but she did not know how they can stop property owners from coming in. Ms. Williams reported staying open is not smart but it is not the beaches but people renting homes and coming here. She stated they need to tell people no and it is not an option.

COVID-19 Update

2. Update and Discussion on the County Beach Parking Lots Closure Emergency Ordinance
3. Reconsideration of a Beach Closure Emergency Ordinance

Commissioner Boldt thanked the Board for having the meeting. Commissioner Jones stated they are making decisions based on facts but things are fluid and changing daily and sometimes hourly. He explained he did some research and the Governor has now set up someone with the DOH that is over all the hospital beds in the state so they are pooling resources for everyone. He explained Weems

Memorial Hospital may not have patients today but could have patients tomorrow if the state sends them here and the public needs to know the county has no say in that. Commissioner Jones said the Governor did shut down state beaches because the state park is no longer open in addition to the other state parks. He pointed out that has changed since yesterday. He stated they are the elected officials and must respond and not take this lightly. Commissioner Jones reported they have to make decisions for everyone. **On motion by Commissioner Jones, seconded by Commissioner Boldt, and by unanimous vote of the Board present, it was agreed to close the beaches effective tomorrow until next Friday and they will look at it again.** Attorney Shuler clarified the time of closing. Commissioner Jones said midnight tonight. Attorney Shuler asked what time the Board will meet on Friday. Commissioner Jones said he will make his schedule work whatever time the meeting is just like other times. Commissioner Massey asked if Mr. Moron can get with the Chairman and then the other Commissioners can appear by telephone. Mr. Moron suggested they make the ordinance effective until 7:00 p.m. on Friday so they have time to meet to decide if they will extend it the ordinance or allow it to sunset. Commissioner Massey stated they need to contact the Sheriff about Dog Island because everyone will take their boats and go there to the beach. Attorney Shuler reported Dog Island is included in the ban. Commissioner Massey stated they need to have the Sheriff contact Florida Wildlife Commission (FWC) and let them know because people are talking about going there in their boats. Chairman Lockley said they also have people up the river. Sheriff Smith reported they have boats and will check these areas. Attorney Shuler explained the only directions he has is to draft an emergency ordinance to close the beaches and the beaches have a specific definition under Florida law which does not include rivers beds. He said if they are considering the river banks then that is not part of the instructions or included in the motion. He reported unless the Board takes further action he cannot include that in the ordinance. Commissioner Parrish stated the river banks are flooded right now so there is nothing to address. Commissioner Boldt asked if they want to define what people with private property on the beach can do with their property with regard to the ordinance. Commissioner Massey stated all beaches in the county are closed. Mr. Moron said they are speaking about private beaches in front of private property and Florida has a statute about this matter. Attorney Shuler reported the motion said all beaches in Franklin County and did not have an exception for private beaches. He read a proposed ordinance. He explained violation of the ordinance is a criminal 2nd degree misdemeanor and punishable by up to 60 days and/or a \$500 fine. He said the ordinance will sunset on Friday at 7:00 p.m. and the Board can hold another meeting to determine whether to extend the ban. Commissioner Massey stated when this is put on the radio they need to say Dog Island is also closed. Commissioner Boldt asked if they need a motion to adopt the ordinance. Attorney Shuler said specifically if this is in line with Commissioner Jones' intention then they could adopt it for the specific wording. Commissioner Jones agreed the ordinance is good. Chairman Lockley thanked the Board for taking this action. **Commissioner Massey made a motion to adopt the ordinance with the specific wording. Commissioner Jones seconded the motion.** Chairman Lockley stated the last epidemic was 1918 and it killed a lot of people and this one has the potential to get bad. Commissioner Massey explained after their action yesterday he thought people would leave but they did not. Commissioner Parrish reported Attorney Shuler did a good job drafting this ordinance and incorporating what they did yesterday and today. Commissioner Parrish said Facebook will not die down because they will blast the Commissioners for the decisions they made yesterday and the decisions today but the Board did what they thought they needed to do. Commissioner Parrish reported there is a lot of panic out there and they do not know what the future holds but they are making the best decisions they can today. He stated Mr. Moron will call them if they need to meet again. Commissioner Massey said the Sheriff's Office is trying to handle this and working hard but cannot hold up to this. Sheriff Smith agreed they

are working hard. Commissioner Massey stated they will need to stop the old Carrabelle Beach area as well. Sheriff Smith said they may need more barricades but Mr. Fonda Davis, Solid Waste Director, has been good about helping with these items. Commissioner Massey commented he appreciates what they have done because they have done a good job. Chairman Lockley said they may need a motion for Mr. Davis to help the Sheriff. He stated the Sheriff and Mr. Davis are doing a good job.

Commissioner Boldt reported yesterday they did the best they could at the time with what they knew and they developed a customized ordinance. He stated because of what they are seeing today and the science they have they are trying to mitigate it in a consistent way using standards of practice from the federal government, the CDC and the local health department. He encouraged everyone to be on standby as they may need to come back again. **Motion carried; 5-0.** Mr. Moron reported if he can get the system worked out this will be the last meeting in this manner with everyone in the room. He explained he is looking for software that allows a teleconference. He said at the meeting on Friday if the software is in place the only people in the room will be him, Chairman Lockley, Attorney Shuler, Clerk Johnson and her staff. He reported everyone else and the public will have to call in. Mr. Moron said everyone will be able to hear and he will make sure there is a way to control public comments so only one person talks at a time. He stated he talked with Mrs. Pam Brownell, Emergency Management Department and hopefully FEMA will reimburse the county 75% of the cost of this software. He explained when meetings are advertised people will need to look for the teleconference number and this is the way they will participate until further notice. Chairman Lockley asked Mr. Moron to update his phone number on the county website because the old number is showing. Commissioner Massey stated his number needs to be updated too. Chairman Lockley recognized Mrs. Alice Collins, Collins Vacation Rentals, but said they do not normally let someone speak at this time in the meeting. Mrs. Collins said she did not speak earlier but the Board knows where she stands. She asked for clarification on the closure because yesterday the beaches on St. George Island were identified as the St. George Island gulf beaches area which runs from the Plantation to 11th Street on the east end but it did not include properties on the east end nor in the Plantation because those properties are deeded to the mean high tide line to individual owners. She asked for Attorney Shuler to comment. Attorney Shuler stated the ordinance will ban public gatherings on all beaches. He reported a beach on someone's property would be captured in this ordinance. Mrs. Collins asked about families who own the homes using the beach. Attorney Shuler explained they are not telling people they cannot use their property but they cannot bring the public to their beach. Mrs. Collins inquired about people who rent homes that have beaches included in the property. Attorney Shuler commented the Board has not taken action in the ordinance to close down vacation rentals. He reported if someone is renting a house they still have the right to go down to that private beach. Mrs. Collins said they just wanted it clarified because they do not want to do something they are not supposed to do. She explained they already have agreements with their guests that limit the amount of people that can be on the property at any time. She reported they have changed their policies and procedures for things that happen with their guests. Attorney Shuler informed the Board there are some Florida jurisdictions that are prohibiting on a temporary basis and closing hotel, motel and vacation rental properties to everyone other than essential personnel. He stated other jurisdictions are invoking that emergency authority and he wanted the Board to understand they also have that authority if they find it necessary to protect the public health, safety and welfare. Chairman Lockley thanked the representatives from the City Commission and the School Board for being present.

Commissioner Massey asked for them to address what happened with EMS services on St. George Island yesterday. Mr. Moron stated he would prefer for Mr. Richard Louie Lewis, EMS Director, to speak on this issue. Mr. Lewis reported there were rumors going around that all first responders

including EMS were stopped from responding to St. George Island and that is not true and they are responding at all times. He stated for now and for the duration they will be respond to whoever calls 911. Commissioner Boldt asked if the first responders at St. George Island are viable and active or did they resign. Mr. Lewis said that is a question for the fire chief. He explained he has encouraged any first responders that are high risk to limit their response to basic calls and only respond to the calls that are absolutely necessary. He reported at the moment they do not have enough personal protection equipment (PPE) for everyone. He reported he is working with the Health Department on this matter. The Board thanked Mr. Lewis for his work.

Commissioners' Comments

There were no Commissioners' comments.

Adjournment

There being no further business to come before the Board the meeting was adjourned at 3:22 p.m.

Noah Lockley - Chairman

Attest:

Marcia M. Johnson - Clerk of Courts