

The following citizens came forward to speak regarding the beach issues:

- Barbara Culley came forward to discuss the Nightsanders Campers, Organization that has been established for 20 years with the history of camping on American Beach. She advised that she agrees that permits are necessary and should include specific dates that the permits are valid. In addition, she is in agreeance that all permits should be applied for in advanced.
- Brenna Durden, Attorney with Lewis, Longman, and Walker, came forward on behalf of the Sandpiper Homeowners Association. She advised that she is encouraged to see the August 15, 2019 draft recommendations to the Board of County Commissioners but found it a little discouraging for Nassau County's citizens to witness in her opinion that some of the members of the working group back tracked in tonight's discussion. She commented that the working group must establish these perimeters for Nassau County's citizens to include requiring permits or special permits for large groups.

There being no further business, the Beach Committee Working Group meeting adjourned at 11:30 a.m.

**BEACH COMMUNITY WORKING GROUP
MONDAY, SEPTEMBER 16, 2019, 9:00 A.M.
JAMES S. PAGE GOVERNMENTAL COMPLEX
96135 NASSAU PLACE, YULEE, FL 32097**

**CALL TO ORDER
ROLL CALL**

CONSENT ITEM(S)

Tab A Approve Minutes from the July 24, August 1, and August 14, 2019 meetings.

DISCUSSION ITEM(S):

Tab B Review of items on the agenda, led by County Manager, Mike Mullin.

Tab C Continue discussion of existing draft Beach Ordinance and amended draft Beach Ordinance prepared by Facilitator, Brian Teeple.

Tab D Review/discuss draft recommendations to the Board of County Commissioners prepared by Facilitator, Brian Teeple.

Tab E Discussion of the meeting of the Subcommittee held on September 9, 2019, led by County Manager, Mike Mullin. (draft minutes attached for informational purposes)

INFORMATIONAL ITEM(S):

Tab F Citizen emails received between August 2 and September 9, 2019.

PUBLIC COMMENTS: Limited to 3 Minutes Per Person

- Any member of the audience wishing to speak on any beach related concern

COMMITTEE MEMBER ITEM(S) AND COMMENTS/DISCUSSION:

- Any other items to be brought before the Committee.

ADJOURNMENT

Persons with disabilities requiring accommodations in order to participate in this program or activity should contact the Office of the County Manager at 904-530-6010 or Florida Relay Service at 1-800-955-8770 (v) or 1-800-955-8771 (TDD) at least seventy-two hours in advance to request such accommodations.

BEACH COMMUNITY WORKING GROUP
September 16, 2019 – 9:00 A.M.
COUNTY COMMISSION CHAMBERS
JAMES S. PAGE GOVERNMENTAL CENTER, 96135 NASSAU PLACE
YULEE, FLORIDA

A noticed meeting of the Beach Community Working Group was held this 16th day of September, 2019 at the Commission Chambers, James S. Page Governmental Complex, 96135 Nassau Place, Yulee, Florida.

Committee members present were Michael Mullin, County Manager/County Attorney; Taco Pope, Assistant County Manager; Butch Osborne, Sheriff's Office; Douglas Podiak, Facilities Maintenance; Gil Langley, Tourist Development Council; and Mac Morriss and Lowell Hall, Ex-Officio members. Also present as facilitator was Brian Teeple, Kimley-Horn and Associates, Inc. Present was Heather Nazworth, recording secretary.

Chair Langley called the meeting to order at 9:03 a.m.

It was moved by Mr. Mullin, seconded by Mr. Osbourne and unanimously carried to approve the minutes from the July 24, 2019, August 1, 2019, and August 14, 2019 working group meetings as presented.

Regarding Tab B, Mr. Mullin reviewed the items on the agenda. He commented that this agenda includes recommendations to be presented to the Board of County Commissioners and Mr. Teeple has prepared draft material to be reviewed.

Next, Mr. Mullin discussed the findings from the subcommittee meeting held on September 9, 2019. He commented that the group discussed ADA issues related to camping, beach operations, fees for permits, and the cost related to beach maintenance. He advised that there will be additional meetings to review items discussed and refine topics. The group had further discussion regarding the fees, population projections, and counters.

Mr. Teeple provided documentation to the committee which includes a list of ideas and consolidated ordinances, and a draft ordinance that incorporates the ideas that have been previously discussed. He reviewed the goals for today's meeting and the intentions for the next meeting.

Regarding Tab D, Mr. Teeple commented that the only the recommendations remaining are the ones that the committee agreed upon and divided into categories. The group discussed the designated areas for camping, parking on the beach, and permits for camping. Mr. Teeple referenced the topic that was previously decided which limited beach camping to primitive camping only and further discussion ensued. Next, the group discussed overnight beach parking. Mr. Teeple commented that the language references definitions in Ordinances 2018-22 and 2016-09 as it relates to campers. He reviewed the proposed language in the draft ordinance. The group discussed the types beach parking and suggested that beach front parking of campers should be prohibited.

Next, Mr. Teeple addressed Concession and Rentals in the Draft Amended Nassau County Omnibus Beach Ordinance. Mr. Mullin reminded the committee that the county had concession permits in prior years which created issues. He advised that the Leave No Trace Ordinance addresses any property left behind.

Mr. Teeple continued review of the Draft Amended Nassau County Omnibus Beach Ordinance. He reviewed Section 1, Definitions; Section 2, Driving and Parking. Further discussion ensued regarding primitive camping and enforcement. Chair Langley addressed the management of the beach and

commented that there has been ongoing discussion between the City of Fernandina Beach and the County. Mr. Mullin stated that there could be a possibility of a beach manager, however this will need to be determined at a later time.

Next, Mr. Teeple continued discussion regarding camping. Mr. Mullin briefly addressed the Sunshine Law. Discussion among the members, does not mean there is any decision in a certain direction.

Next, Mr. Teeple continued review of the Amended Nassau County Omnibus Beach Ordinance Section 2, Driving and Parking; and Section 3, Camping and Campfires. The group discussed amplified devices used on the beach and camping on the beach at set time periods. After further discussion, the group came to the consensus to remove all of Section 4, Concessions and Rentals. Mr. Teeple continued review to Section 5, Animals; Section 6, Littering/Unattended Personal Property; Section 7, Alcohol; and Section 8, Nudity. Mr. Teeple commented that he will complete the changes requested for review for the next meeting.

The following citizens came forward to speak regarding the beach issues:

- Lisa Kapral came forward to express her disappointment in the draft ordinance. She commented regarding the previous weekend's camping debris and vehicles parked on the beach at Peters Point. She also expressed her concerns regarding the primitive camping.
- Ron Starling came forward to discuss primitive camping, trash and clean up, and permits.
- Brenna Durden came forward on behalf of the Sandpiper Homeowners Association. She commended the committee regarding the progress. She expressed her concerns regarding the number of campers on the beach, night time driving, and bonfires on the beach.
- John Cline came forward to express concerns regarding the budget being an issue and the ongoing process of the Beach Committee
- Barbara Culley came forward to state that permits are necessary and should be enforced, and noise should have a limitation. In addition, she expressed concerns regarding parking overnight.

Mr. Mullin stated that the information Mr. Teeple provides is based on conversation points and does not determine what the recommendations will be.

There being no further business, the Beach Committee Working Group meeting adjourned at 10:54 a.m.

**BEACH COMMUNITY WORKING GROUP
THURSDAY, SEPTEMBER 19, 2019, 9:00 A.M.
JAMES S. PAGE GOVERNMENTAL COMPLEX
96135 NASSAU PLACE, YULEE, FL 32097**

**CALL TO ORDER
ROLL CALL**

DISCUSSION ITEM(S):

- Tab A** Review of items on the agenda, led by County Manager, Mike Mullin.
- Tab B** Discussion of amended draft Beach Ordinance prepared by Facilitator, Brian Teeple.
- Tab C** Discuss draft Non-Code recommendations to the Board of County Commissioners prepared by Facilitator, Brian Teeple.
- Tab D** Discussion of future meeting dates.

INFORMATIONAL ITEM(S):

- Tab E** Citizen emails received between September 15 and September 16, 2019.

PUBLIC COMMENTS: Limited to 3 Minutes Per Person

- Any member of the audience wishing to speak on any beach related concern

COMMITTEE MEMBER ITEM(S) AND COMMENTS/DISCUSSION:

- Any other items to be brought before the Committee.

ADJOURNMENT

Persons with disabilities requiring accommodations in order to participate in this program or activity should contact the Office of the County Manager at 904-530-6010 or Florida Relay Service at 1-800-955-8770 (v) or 1-800-955-8771 (TDD) at least seventy-two hours in advance to request such accommodations.

BEACH COMMUNITY WORKING GROUP
SEPTEMBER 19, 2019 – 9:00 A.M.
COUNTY COMMISSION CHAMBERS
JAMES S. PAGE GOVERNMENTAL CENTER, 96135 NASSAU PLACE
YULEE, FLORIDA

A noticed meeting of the Beach Community Working Group was held this 19th day of September 2019 at the Commission Chambers, James S. Page Governmental Complex, 96135 Nassau Place, Yulee, Florida.

Committee members present were Michael Mullin, County Manager/County Attorney; Taco Pope, Assistant County Manager; Butch Osborne, Sheriff's Office Director; Douglas Podiak, Facilities Maintenance Director; Gil Langley, Executive Director of the Tourist Development Council; and Mac Morriss and Lowell Hall, Ex-Officio members. Also present as facilitator was Brian Teeple, Kimley-Horn and Associates, Inc., and Peggy Snyder, recording secretary.

Chair Langley called the meeting to order at 9:00 a.m. and the recording secretary called the roll.

Regarding Tab A, Mr. Mullin reviewed the items on the agenda noting that there were no other items to add. Mr. Teeple has been updating the draft ordinance from the previous meetings. The committee will be reviewing these changes in order to get to the point of making a recommendation to the Board of County Commissioners. Chair Langley thanked the County's team who are doing an outstanding job supporting this committee; especially, Sabrina Robertson who has compiled all the information and responses received from stakeholders in a well-organized and well-presented manner. Mr. Mullin pointed out that Ms. Robertson compiles every e-mail and photograph received and distributes to the beach committee.

Mr. Teeple stated that it was his hope that as of the close of this meeting, he will be able to make the suggested changes to the draft ordinance and put together the report which will include an introduction of the process, all the meeting minutes, discussion regarding public input, and the two documents before the committee today: (1) amended draft Beach Ordinance; and (2) Non-Code recommendations for the Board of County Commissioners. His hope was to have the document ready next week for this committee to meet one last time to take final action on this draft Nassau County Omnibus Beach Ordinance. He requested that the committee consider Tab C first.

The committee addressed Tab C, discussion of draft Non-Code Recommendations to the Board of County Commissioners. The Non-Code Recommendations include an introduction and recommendations for consideration in the "near-term" and "long-term". Near-term is defined as within 18 months which gives the County another budget cycle. Long-term is any time after 18 months. Both time frames are subject to the availability of funding. Mr. Teeple advised that all the recommendations begin with a clause explaining their purpose.

Mr. Hall interjected that the major beach issues were camping and night-time, on-beach parking and 18 months seems like a long time. He also mentioned that long-term has no definitive end; therefore, he suggested no more than 24 months. Regarding the last paragraph under enforcement regarding installing cameras and license plate readers, Mr. Hall suggested near-term instead of long-term. Mr. Podiak felt that adding time frames for each of these recommendations was not realistic because each of these has dollar amounts attached. The group discussed the use of cameras and other deterrents. Director Osbourne emphasized that the law regarding camera footage only allows a certain classification of laws known as "misdemeanor exceptions". If the infraction is not within that list of misdemeanor exceptions and the deputy does not witness the event happening, they cannot act on it. None of the infractions happening on the beach are on that list. Most of the issues are a violation of a County ordinance to begin with which is not even state statute; therefore, the deputy cannot act on what they see on a video unless there is a crime

committed on the video that is considered a felony or within that list of misdemeanor exceptions. Mr. Mullin advised that the only way the bad behavior will stop is with police presence and enforcement. As the Sheriff's Office is the expert in law enforcement and security, they should make the recommendations on what security measures would be required at the beach.

Regarding beach parking, Mr. Podiak understood that the key card system would be similar to a gated access for the driving portion of the beach. People would purchase a beach driving permit associated with the key card. Mr. Podiak emphasized that this would only address the beach entrance only for driving vehicles. Mr. Teeple felt that this "beach parking" recommendation may be more applicable under the beach driving regulation. Mr. Pope agreed that if they eliminate beach driving during certain times of the day or the year, a locked security gate would be required. Mr. Teeple will rewrite the recommendation to state, *"In order to provide for enhanced public safety and better regulate beach driving and parking, install a key card system at the vehicle access points to the beach."* He felt that the only way to control that beach was with deputies. Mr. Hall understood that the key card entry system would allow a person to pay their beach driving fee. Mr. Teeple rephrased the verbiage for the recommendation to state, *"In order to better regular beach driving and parking, install a key card system at the vehicle access points to the beach."* Chair Langley explained that the purpose of the key card system would be to raise revenue.

Mr. Teeple explained that he added to the first recommendation, Enforcement, (1) to provide enhanced deterrence and enforcement to provide the resources to the Sheriff to ensure that one extra deputy (3 shifts, necessary supervisory personnel and one-time costs) is available to patrol the beach area. Director Osbourne requested that the 3 shifts be removed from the recommendation adding that the analysis has already been submitted to the County Manager's office of what the costs would be. Mr. Mullin agreed with the Director and the recommendation will state, *"In order to provide enhanced deterrence and enforcement, to provide the resources to the Sheriff to patrol the beach area."* Mr. Teeple requested that the committee address each of the recommendations one at a time and he addressed the next two recommendations under Enforcement dealing with (2) beach speed-limit signage, and (3) enhanced security with beach cameras or automatic plat readers in parking lots and camping areas. There was consensus to keep these items as long term. Mr. Podiak suggested deleting "camping areas" as camping has not been determined as yet. Mr. Teeple will remove camping areas from the third recommendation under Enforcement to read, *"In order to provide enhanced security, install beach cameras or automatic license plate readers in parking lots."*

Mr. Teeple addressed the recommendations for Beach Environment. The first recommendation is regarding the endangered species protection for the sea turtle nests and the Incidental Take Permit has been applied for. The second recommendation dealt with installing additional restrooms at Scott Road Park as a long term goal.

Next, Mr. Teeple addressed Beach Driving recommendations. The first recommendation was the verbiage, *"In order to provide for enhanced safety, restrict beach driving to designated travel lanes"* as a long-term goal. Mr. Mullin expressed concern about a document that states "enhanced safety". Should there be a beach driving accident and the County had not completed the suggested recommendation of designated travel lanes, there could be liability to the County. Mr. Pope suggested changing the verbiage to *"In order to provide for enhanced safety, consider creating designated driving lanes."* Mr. Mullin felt that with the presence of the deputy, this recommendation is not necessary. In summary, Mr. Teeple stated that the committee is deleting all Beach Driving recommendations.

Chair Langley explained that the reason there is beach driving today is for people to access parking. The objective is to maximize the parking spaces available on hard surfaces of the sand in the beach parks. He asked whether they should even consider beach driving lanes while the county is designing a parking scheme. Mr. Morriss suggested having this topic considered under a beach parking management plan in the long-term. Mr. Teeple will change the subheading from Beach Driving to Beach Parking

Management Plan. Discussion followed regarding whether to make this goal long or short-term. Mr. Mullin pointed out that he did not care for the “long term” or “near term” as they are not necessary. Mr. Teeple will remove the time frame designations of “near term” and “long term,”

Next, Mr. Teeple referred to the goal of Beach Parking and the recommendation to redesign the park entrances. Mr. Mullin pointed out that moving the accesses to the beach north would cause a myriad of issues. Mr. Teeple will discard this recommendation. The next recommendation under Beach Parking is to provide for enhanced public safety and, thirdly, better regulate parking by installing a key-card system in the parking areas; and to provide greater and more orderly access to the beach, establish off-site parking options such as trolley or shuttle options. Discussion followed.

The next topic was Horseback Riding. Mr. Teeple requested clarification if the committee wished to use licensees. If so, this could drop out of the recommendations since the committee has taken care of the problem.

Mr. Teeple addressed the topic of fees with the first recommendation stating that “In order to provide an equitable and defensible basis for the fee structure, the County shall conduct a cost study to determine the cost of beach driving permits, which shall be used to determine the cost levied as a permit fee on all beach driving permits. This would include in-county and out-of-county residents; however, not necessarily the same fee. Discussion followed. The committee concurred to replace the word “equitable” with “reasonable.”

The final recommendation under fees is to regulate and reduce nuisances resulting from beach camping and establish a beach camping permit system. Mr. Mullin felt that camping should be addressed by the Board of County Commissioners as camping is the central core issue. He added that the Federal Incidental Taking Permit may not allow beach camping or beach driving during the six-month turtle nesting season from May 1st through November 1st. In addition, the group discussed primitive camping versus camping restricted in front of Burney Park or Peters Point or camping at night. Mr. Teeple suggested removal of this final recommendation. Director Osbourne suggested having camping by special permit only to cover the Boy Scouts and large groups as these groups historically ensure the campsite is left clean. This would follow suit with the remainder of the State of Florida. Mr. Hall agreed with special permits but not limited to a particular group. To qualify, a person should appear in person to complete the permit paperwork. Mr. Pope advised that the County has a mechanism; a model they could follow which is the Festival Permit. The Festival Permit requires the hiring of an off-duty deputy, traffic control, bond for clean up the next day, and other requirements which could apply to the beach as well. Chair Langley pointed out that there are other options for camping at the State parks in the area. Mr. Morriss commented that just because there has been urbanization of the County, it should not restrict lifestyles. Chair Langley responded that there is the right to put limits on behavior. Director Osbourne advised that the Board has tasked this committee to bring back recommendations as the current model was not working. Mr. Podiak stressed that tent and primitive camping must stop except through an organized event that can be regulated. There is no control for individualized camping. He pointed out that those campers do not even utilize the restroom 200 feet away. Mr. Pope explained that without a camping ordinance, the Sheriff’s Office has nothing to enforce. Chair Langley advised that both Mr. Morriss and Mr. Hall have made their positions clear on this topic. A lengthy discussion followed regarding enforcement. To recap the conversation, Chair Langley stated that it will be the committee’s recommendation that individual camping be banned and group camping fall under the special Festival Ordinance of the County.

Mr. Mullin agreed that he hated to see lifestyles change; however, the reason this committee has met for five months is because of the people who had no respect for the County’s beaches. If all vehicles are taken off the beach at night permanently, the only camping the County will be wrestling with is tents. Mr. Teeple read the new language under Fees, *“In order to better regulate and reduce nuisances resulting*

from beach camping, limit such use to organized groups subject to a Festival permit or similar mechanism.” Mr. Mullin felt that even with the enhanced enforcement, people who are going to drink alcohol and defecate on the beach are not going to be caught by the Sheriff’s deputies. Mr. Mullin agreed that the simplistic approach would be to ban all camping on the beach. Mr. Pope felt that the committee’s recommendation must be to either ban or heavily regulate permitted camping. Director Osbourne suggested offering banning or regulating to the Board of County Commissioners for their consideration. Mr. Morriss and Mr. Hall declared that they were in favor of highly-regulated individual camping.

Next, the committee considered Tab B – Discussion of amendment draft Beach Ordinance prepared by Facilitator Brian Teeple. Referring to Page 1 of 10, Section 1. Definitions, Paragraph D, Mr. Teeple removed “primitive camping” from definitions and added “*sleeping bag*” to the protective garb for purpose of sleeping. He also added “*and not associated with a camper or motor vehicle, including truck tractors*”. Mr. Pope asked what other structure would there be besides a tent or shelter and the definition of “shelter” could cause additional debate. Mr. Teeple advised that this was existing language from the previous beach ordinance. Mr. Teeple will remove the word “shelter”. He will also remove “construction or”. Paragraph D would read, “*Camping shall mean erection of a tent for the purpose of sleeping or lying upon a sleeping bag, blanket or other protective garb for the purpose of sleeping....*”

On page 2 of 10, Mr. Teeple referred to Section 2, Driving and Parking, Paragraph A, noting that in the last version, he had stuck all of subparagraph 3. Upon further review, he decided that this subparagraph should remain in the ordinance as it provides for the exemptions by special permit for the Concours d’Elegance. Subparagraph 4, “Parking on the beach is restricted to designated areas only” is to be determined. Mr. Teeple advised that he struck subparagraphs 6 and 7. On page 3 of 10, Mr. Teeple addressed subparagraphs 5, Speed Limit of 5 miles per hour to be consistent with the City of Fernandina Beach. On page 4(C) related to campers, the change was “said vehicle being wholly contained in a single parking space.”

Mr. Hall referred back to Paragraph D, Permits, and Mr. Teeple pointed out that there was recommendation to do the study; therefore, the permit structure will be addressed when the study was completed. Mr. Mullin pointed out that the group had discussed both in-county and out-of-county residents should be required to purchase a permit; therefore, the sentence stating that Nassau County residents shall not be required to have a permit was incorrect. There will be two fee structures for in county and out of county residents. The word “not” will be removed from Paragraph D(1). Discussion followed regarding the amount of fees to be charged. It was noted that the amount of the permits will be determined by the analysis of the study.

Mr. Teeple addressed Section 3. Camping and Campfires. Mr. Teeple had two recommendations to make based on the committee’s discussion: (1) Restrict camping to groups with a Festival Permit, and (2) Ban camping all together. In addition, Camping would be limited to what is defined in Section 1(C and D). Also, camping on the beach is prohibited during the period beginning May 1st and ending October 31st. Section 4 relating to concessions has been stricken. In the new Section 4. Animals, Mr. Teeple changed the term franchisee to *licensee*. Mr. Mullin explained that if you issue someone a license and they violate the terms, the license can be revoked. He discussed the requirements for a licensee.

Mr. Teeple continued his review of the draft Beach Ordinance on page 8 of 10, noting no changes except for the Section 5(B) for use of the term “*Unattended*” Personal Property instead of “Prohibited.” There are also no changes to Section 7. Alcohol. Section 8. Nudity was added noting that it is prohibited pursuant to Nassau County Code, Section 4-32. Enforcement of a ban on alcoholic beverages on the beach was discussed; especially as it relates to the resorts. Mr. Mullin pointed out that everyone using the beach should be treated equally. Chair Langley emphasized that any recommendation this committee suggests should be clear, concise and enforceable. Director Osborne commented that the Sheriff’s Office has a Policy Review Committee which reviews changes to County ordinances that are enforceable. It was

suggested leaving the decision related to the alcoholic beverages on the beach ban to the Board of County Commissioners. Discussion followed. Mr. Teeple will bring back a revised version of the draft recommendations for the committee's review at the next meeting.

The following citizens came forward to speak regarding the beach issues:

- Howard Banaszak – He expressed concern with alcohol consumption on the beach from early morning to late in the day and the safety factor on the weekends.
- Lisa Kapral – She requested that the committee recommend removal of nighttime driving on the beach year round, a 50-foot noise ordinance, no alcohol on the beach by anyone, and no primitive camping.
- John McKay – Suggested parking in designated areas with zones for sunbathers and zones for cars.
- Ron Starling – Addressed gas generators and portable toilets for approved group camping. He inquired whether the camping permit cost would be the same as the Festival permits. Mr. Pope advised that the fee schedule has not been discussed as yet.
- Peri Frances – Addressed the issue of one common standard for all the beach access points is problematic because it has the element of erasure of the history of the tradition of American Beach which is not the same as Peters Point.
- Annie Rodriquez – Questioned whether having a special permit would include keeping the cars in the parking lot overnight for the campers. She also inquired whether the Festival Permit would include a cultural event. Nightsanders is a cultural event about the celebration of the history of the African-American beach.
- Tina Myers – Addressed camping on American Beach. She suggested that this be an exemption and consider the history of American Beach as it is not the same as Peters Point. Mr. Morriss clarified that the Incidental Take Permit was a Federal law protecting nesting sea turtles during a certain time frame each year. He emphasized that this was a Federal mandate; not under the control of the County.
- Brenna Durden – Attorney with Lewis, Longman, and Walker, came forward on behalf of the Sandpiper Homeowners Association. She explained that these HOA members were some of the few property owners in Nassau County whose property line still goes to the mean high water line where no Erosion Control Line has ever been established.

The next scheduled meeting will be September 26, 2019 from 8:30 a.m. to 10:30 a.m.

There being no further business, the Beach Committee Working Group meeting adjourned at 11:40 a.m.

**BEACH COMMUNITY WORKING GROUP
THURSDAY, SEPTEMBER 26, 2019, 8:30 A.M.
JAMES S. PAGE GOVERNMENTAL COMPLEX
96135 NASSAU PLACE, YULEE, FL 32097**

**CALL TO ORDER
ROLL CALL**

DISCUSSION ITEM(S):

- Tab A** Review of items on the agenda, led by County Manager, Mike Mullin.
- Tab B** Discuss/review draft report and recommendations to the Board of County Commissioners.
- Tab C** Discussion of future meeting dates (if needed).

INFORMATIONAL ITEM(S):

- Tab D** Citizen emails received between September 15 and September 24, 2019

PUBLIC COMMENTS: Limited to 3 Minutes Per Person

- Any member of the audience wishing to speak on any beach related concern

COMMITTEE MEMBER ITEM(S) AND COMMENTS/DISCUSSION:

- Any other items to be brought before the Committee.

ADJOURNMENT

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BEACH COMMUNITY WORKING GROUP
September 26, 2019 – 8:30 A.M.
COUNTY COMMISSION CHAMBERS
JAMES S. PAGE GOVERNMENTAL CENTER, 96135 NASSAU PLACE
YULEE, FLORIDA

A noticed meeting of the Beach Community Working Group was held this 26th day of September, 2019 at the Commission Chambers, James S. Page Governmental Complex, 96135 Nassau Place, Yulee, Florida.

Committee members present were Michael Mullin, County Manager/County Attorney; Taco Pope, Assistant County Manager; Butch Osborne, Sheriff's Office; Douglas Podiak, Facilities Maintenance; Gil Langley, Tourist Development Council; and Mac Morriss and Lowell Hall, Ex-Officio members. Also present as facilitator was Brian Teeple, Kimley-Horn and Associates, Inc. Present was Heather Nazworth, recording secretary.

Chair Langley called the meeting to order at 8:52 a.m.

Chari Langley took public comment; the following citizens came forward to speak regarding the beach issues:

- Pete Smith came forward requesting clarification regarding the definitions for ocean front park, beach front parks, the beach, and the beach area. He mentioned that this can cause confusion for the public and he provided recommended definitions.
- Brenna Durden came forward to request additional time to review the draft report and recommendations and have public comment towards the end of the meeting.
- Lisa Kapral came forward to address whether a proposal was added regarding searching of a vehicle for alcohol upon the issuance of a beach driving permit.
- Peri Frances came forward to express her concerns regarding the enforcement of the rules and regulations.

Regarding Tab C, Mr. Mullin discussed the future meeting date needed for the minutes to be approved and also review any changes that are made at this meeting. He expressed appreciation to Mr. Teeple for his assistance in facilitating the meeting.

Mr. Teeple reviewed the draft final report and recommendations. He reviewed the Non-Codified Recommendations to the Nassau County Board of County Commissioners and mentioned that due to the recommendations discussed at the previous meeting, the recommendations will not be codified. Mr. Morriss questioned the Beach Management Plan to recommend the restriction of camping in front of the hardscapes and adding a nightly quota for campers. Mr. Pope responded that if there is an established perimeter for group beach permit camping there can be a set administrative policy on what the perimeters are for beach camping via the permit. Mr. Mullin stated that camping cannot be allowed on the beach and questioned what would be considered an organized group. He advised that the committee needs to have specific recommendations for the Board of County Commissioners to make a determination on what type of camping will be permitted. Mr. Hall expressed concern with the large groups of vehicular campers going to the Peters Point area. He suggested an emergency interim ban on camping on the beach by the County Manager. Mr. Mullin responded that he does not have the authority. The Sheriff has the emergency powers and the camping taking place now, in his opinion, is not an emergency situation. Mr. Hall explained that due to the process of the committee's recommendations there would still be time before the effective date to address the problems on the beach. Mr. Mullin explained there could be the possibility of a temporary ordinance. He agreed that there is an issue according to the testimony received; however, the decision is up to the Board of County Commissioners. Mr. Hall explained that the

issues need to be resolved as soon as possible; however additional issues have risen which need to be addressed on an emergency basis. Mr. Mullin explained that the committee would have to make the recommendation based upon the testimony received in order to make the interim step of banning camping. Mr. Pope explained that even though there is the interim step of banning camping while the committee continues to review the camping issues, there is still no relief regarding camping. There needs to be a recommendation beyond the interim step. Mr. Mullin responded that if the committee believes there is a recommendation based upon the reasons stated previously for the County Commissioners consider a temporary ban on camping; however, there could be a recommendation for the formulation of permitting policies for camping. He explained that there is confusion as to what is considered camping and there needs to be a ban on night driving or use of vehicles on the beach from the 9:00 p.m. to 6:00 a.m., which will assist the deputy with enforcement. The group had further discussion regarding camping.

Mr. Teeple explained that the additional recommendation to prohibit driving/parking on the beach between the hours of 9:00 p.m. thru 6:00 a.m. will be included in the Beach driving or Parking Section and will not be codified. The group continued further discussion regarding camping and beach driving. Mr. Pope stated that in order to address all the issues there would need to be no driving on the beach, no parking on the beach, no camping on the beach and the Leave No Trace Ordinance would remove any items remaining on the beach. He further explained that this will address some of the issues however, there will be additional issues to address with the group camping. Following further group discussion, Mr. Pope again recommended to the committee to ban camping, driving, parking, and sleeping as an interim step until another method is found to be more efficient and effective. Mr. Hall stated that his requested emergency interim ban would be for the vehicular camping on the beach and would remove the vehicles off the beach at night while still allowing tent camping. The group further discussed the elimination of vehicles on the beach at night and the recommendation regarding camping on the beach.

Mr. Mullin explained that on a temporary basis the proposed recommendation would be to ban tents, generators, parking/driving. Fires, sleeping bags, and mattresses would create something definitive for the deputy to enforce. Mr. Mullin further explained that the Incidental Take Permit will require the preparation of a beach management plan and the proposed recommendation can then be considered to be permanent or temporary.

Mr. Pope made a motion to: Recommend that the Board of County Commissioners prohibit beach driving, beach parking, and beach camping between the hours of 9:00 p.m. and 6:00 a.m. and seek the Board's direction as to whether or not County staff should explore means to implement a camping program. Mr. Mullin seconded the motion and clarified the indicators of beach camping would include all vehicles including campers, tents, generators, fires, mattresses, and sleeping bags which are prohibited between the hours of 9:00 p.m. and 6:00 a.m. (**Clarified at the November 6, 2019 meeting.**) This would be included in the draft Nassau County Omnibus Beach Ordinance. Mr. Teeple clarified that sections in the Draft Report and Recommendations to be updated. The roll call vote carried unanimously.

Mr. Teeple continued to review the Draft Amended Nassau County Omnibus Beach Ordinance. He clarified that all the stricken areas in the recommendations will not be provided to the Board of County Commissioners. He also stated he is going to review the hours of operations for the parks.

Mr. Mullin requested that a meeting be held on October 9, 2019 at 9:00 a.m. Mr. Teeple will provide the updated Draft Ordinance for the committee to review at the meeting. Next, Mr. Teeple he continued reviewing of the Draft Ordinance.

The following citizens came forward to speak regarding the beach issues:

- Brenna Durden came forward on behalf of the Sandpiper Homeowners Association and requested that the updated version of the draft ordinance be provided online for review before the October meeting.
- Barbara Culley came forward to address concerns over the activities at Peters Point and the recommended ban of camping
- Lisa Kapral came forward reiterate her earlier question regarding searching vehicles for alcohol. Deputy Osbourne commented that there are constitutional issues that would need to be addressed.
- Peri Frances came forward to express her concerns regarding the problems at Peters Point and the impacts it has on the community. She commented that there is a long tradition and history that would be disrupted and felt that there is a better way to manage this issue.
- Ron Starling came forward stating that for the previous 22 years there has been no problems with camping, however, the issues at Peters Point are not the same as American Beach and requested a solution for the two separate the areas.
- Pete Smith came forward stating that the definitions in the Draft Report and Recommendations are confusing. He commented that there is a serious problem and the ban will only solve a percentage of the problem and suggested reviewing Orange County, California website regarding camping.

Mr. Hall provided a history of the beach committees which started in the late 1980's or early 1990. He requested that there be a solution to the problems in order to maintain the uses that are presently on the beach. Mr. Hall stated that the committee needs additional time to resolve the problems, but something needs to be done now to resolve the issues at Peters Point. He feels that rules and regulations can be implemented that will maintain the traditional and customary uses that have been on the beaches for years.

There being no further business, the Beach Committee Working Group meeting adjourned at 10:26 a.m.

**BEACH COMMUNITY WORKING GROUP
WEDNESDAY, OCTOBER 9, 2019, 9:00 A.M.
JAMES S. PAGE GOVERNMENTAL COMPLEX
96135 NASSAU PLACE, YULEE, FL 32097**

**CALL TO ORDER
ROLL CALL**

CONSENT ITEM(S):

Tab A Approve draft minutes from the September 16 and September 19, 2019 Beach Community Working Group Meetings.

DISCUSSION ITEM(S):

Tab B Review of items on the agenda, led by County Manager, Mike Mullin.

Tab C Discuss/review amended Beach Ordinance.

Tab D Discuss/review non code recommendations to the Board of County Commissioners.

Tab E Discussion of future meeting dates (if needed).

INFORMATIONAL ITEM(S):

Tab F Citizen emails received between September 17 through September 26, 2019.

PUBLIC COMMENTS: Limited to 3 Minutes Per Person

- Any member of the audience wishing to speak on any beach related concern

COMMITTEE MEMBER ITEM(S) AND COMMENTS/DISCUSSION:

- Any other items to be brought before the Committee.

ADJOURNMENT

Persons with disabilities requiring accommodations in order to participate in this program or activity should contact the Office of the County Manager at 904-530-6010 or Florida Relay Service at 1-800-955-8770 (v) or 1-800-955-8771 (TDD) at least seventy-two hours in advance to request such accommodations.

**BEACH COMMUNITY WORKING GROUP
OCTOBER 9, 2019 – 9:00 A.M.
COUNTY COMMISSION CHAMBERS
JAMES S. PAGE GOVERNMENTAL CENTER, 96135 NASSAU PLACE
YULEE, FLORIDA**

A noticed meeting of the Beach Community Working Group was held this 9th day of October, 2019 at the Commission Chambers, James S. Page Governmental Complex, 96135 Nassau Place, Yulee, Florida.

Committee members present were Michael Mullin, County Manager/County Attorney; Taco Pope, Assistant County Manager; Butch Osborne, Sheriff's Office; Douglas Podiak, Facilities Maintenance; Gil Langley, Tourist Development Council; and Mac Morriss and Lowell Hall, Ex-Officio members. Also present as facilitator was Brian Teeple, Kimley-Horn and Associates, Inc. Present was Melissa Lucey, recording secretary.

Chair Langley called the meeting to order at 9:03 a.m.

It was moved by Mr. Mullin, seconded by Director Osborne and unanimously carried to approve the minutes from the September 16, 2019 and September 19, 2019 working group meetings as presented.

Regarding Tab B, Mr. Mullin thanked the County's team who are doing an outstanding job supporting this committee; especially, Sabrina Robertson who has compiled all the information and responses received from stakeholders. He provided a brief review of the items presented on the agenda.

Addressing Tab C, Mr. Teeple provided a brief summary of the recent changes to the draft Nassau County Omnibus Beach Ordinance. He referenced Section 1, Definitions, noting that the new definition of camping shall mean the erection of a shelter or similar structures for the purpose of sleeping or lying upon the beach either under or outside of any shelter, vehicle, bedroll, blanket or other protective garb. Evidence to determine an activity to be camping shall include, but not be limited to, the presence of any of the following: tents or similar structures, sleeping bags, mattresses, campfires/bonfires, generators, portable toilets, or improvised privies. Mr. Hall questioned the definition of differentiates camping during the daytime and nighttime hours. Mr. Mullin commented that some of these matters would be under the consideration of the Board of County Commissioner's discretion for further resolution. He explained that camping is labor intensive and will require staff to work directly with the State of Florida in order to mirror their rules. Discussion followed.

Next, Mr. Teeple referred to Section 2, Driving and Parking. He advised that driving and parking on the beach is prohibited from 9:00 p.m. to 6:00 a.m. on a year round basis, and will be restricted to motor vehicles equipped with 4-wheel or all-wheel drive. He clarified that the parking lots set forth in Section (1)(b) shall be open on a 24 hour daily basis. Campers or truck tractors shall not be allowed to remain during the hours of 9:00 p.m. to 6:00 a.m. Parking on the beach will be restricted to designated areas only and the speed limit on the beach will be reduced from ten miles per hour (mph) to five mph. Further discussion followed regarding parking designations. Mr. Teeple stated that campers including trailers, camping trailer, truck campers, motor homes, private motor coaches, van conversions, fifth wheel trailers, or park trailers, and as all are further defined in *Florida State Statute §320.01*, are prohibited on the beach at all times. Parking by these types of vehicles in the parking area between the hours of 6:00 a.m. to 9:00 p.m., will be subject to said vehicle being wholly contained in a single parking space.

Mr. Teeple addressed Section 3, Camping and Campfires. He stated that it shall be unlawful and prohibited for any person or persons to camp, or construct a campfire/bonfire, at any time on the beach. Discussion followed.

Regarding Section 4, Concessions and Rentals, Mr. Teeple commented that the entire section has been stricken pursuant to discussions that were held at a previous meeting. He pointed out animals are now referenced in the new Section 4, noting that horseback riding contains the same language as discussed by the committee at prior meetings.

Next, Mr. Teeple referenced Section 5, Littering/Unattended Personal Property. He pointed out that the new title for personal property was changed to untended personal property. In addition, he addressed Section 7, Nudity. He indicated that nudity on Nassau County beaches is prohibited pursuant to Nassau County Code, Section 4-32.

Mr. Teeple responded to an inquiry from the committee regarding whether alcohol would be addressed, he pointed out that Section 6, Alcohol states that it shall be unlawful for any person on the beach to sell, consume, possess, or control any unsealed or open container containing any type of alcoholic or intoxicating beverage. Mr. Mullin clarified that this could be brought back at a later time for further discussion if the Board of County Commissioners request staff to work with Nassau County's Sheriff Office to bring back additional details for consideration.

Chair Langley requested clarification on the language in Section 2, Item 1, regarding official use vehicles as approved by the Board of County Commissioners and designated accordingly by the Board, are prohibited on the County's beach areas. Mr. Mullin advised that the current language is being addressed; however, this does not differentiate what is considered official use vehicles approved by the Board of County Commissioners. He stated that this matter would require further discussion between staff and the Board of County Commissioners. He further explained that under the Sunshine Law, staff cannot address these issues until this committee sunsets. Mr. Hall provided a brief history how the Citizens of Public Beach was formed and stated for the record that this committee is a long way from finalizing the Nassau County Omnibus Beach Ordinance.

The committee addressed Tab D, discussion of draft Non-Code Recommendations to the Board of County Commissioners. Mr. Teeple advised that there have been no changes to this item.

Addressing Tab E, discussion of future meeting dates. Chair Langley advised that the only pending item is the approval of minutes from today's meeting and from the September 26, 2019 meeting. Mr. Mullin clarified that it would only require a quorum to attend the meeting to obtain the approval. Chair Langley suggested setting the meeting when the minutes are prepared and that the only item on the agenda would be the approval of the minutes.

The following citizens came forward to speak regarding the beach issues:

- Ron Starling came forward to address Section 3, Camping and Campfires. He raised his concerns for campfires being unlawful and prohibited to be included with historical and cultural diversity groups of American Beach. Mr. Mullin explained that recommendations in the draft Nassau County Omnibus Beach Ordinance addresses Nassau County's entire beach that is under the control of the Board of County Commissioners. Mr. Starling provided a brief history of American Beach as it relates to segregation. He noted that American Beach is stamped as a

historical landmark by the Historical Society and should be exempt from the rules and regulations of the draft Nassau County Omnibus Beach Ordinance.

- Marsha Dean Phelts came forward to address traditions related to the public beach access and the community that was established in American Beach. She advised that the American Beach camping experience was established in 1935 and has grown through the generations.
- Lisa Kappal came forward to express appreciation to the committee for their hard work and requested clarification on the next steps of the draft Nassau County Omnibus Beach Ordinance. Mr. Mullin explained that once the minutes are approved by the committee, staff would send the recommendations to the Board of County Commissioners electronically to be placed on their agenda to be heard. He advised that the Board of County Commissioners may request to hold workshops meetings to review the recommendations prior to the public hearings, noting that all meetings would be noticed and advertised.
- Daryl Crane came forward stating that American Beach is one of the few historical African-American beaches remaining. He advised that he is a member of the American Beach Cats, an organization that camps on American Beach and are very environmental conscious when camping.

The committee addressed Tab F, citizen emails received between September 17, 2019 through September 26, 2019. Mr. Pope commented that he was disappointed in the information that was provided to social media regarding the motion that was made at the meeting held on September 26, 2019. He pointed out that there was a second part of the motion that was not included which indicated that the committee will be seeking guidance from the Board of County Commissioners involving camping and driving on the beach. He provided a brief summary of his recent camping experience over the weekend at Fort Clinch. He explained that there was extensive manpower from technical staff; patrolling the area; and administrative work involved at the Florida State Park campsite. It is his opinion that this committee should sunset in order for the Board of County Commissioners to direct staff to do the necessary research and further finding resolutions to create the procedures on these matters. He provided a handout (Attachment "A") to the committee that displays the realistic timeline during the program creation period to allow staff the opportunity to meet with subject experts to derive the program for Nassau County and the budgetary impact process. Mr. Mullin concurred, noting that the language provided in the recommendations for the draft Nassau County Omnibus Beach Ordinance is to allow for additional options. In addition, he pointed out that the language does not isolate any section of the beaches and will be governed the same throughout Nassau County. He clarified that this draft Nassau County Omnibus Beach Ordinance will not be the finalized Ordinance approved by the Board of County Commissioners.

Brenna Durden came forward requesting clarification whether the committee would be prepared to present their finalized recommendations of the draft Nassau County Omnibus Beach Ordinance on October 14, 2019. Mr. Mullin responded that staff would only be requesting to sunset the committee with no further discussion. He advised that additional meetings pertaining to the draft Nassau County Omnibus Beach Ordinance would be noticed and advertised.

In closing, the committee members provided the following comments:

- Mr. Morriss advised that part of the committee was to ensure that the needs for all of the residents that reside in Nassau County were addressed. He stated that his position as part of the committee is to preserve the historical beach rights. It is his opinion that with proper management within restricted areas that includes fees and penalties that Nassau County can preserve the historical beach rights.
- Director Osborne commented that working on the committee has created some hardships for the Sheriff's Office for communication with County staff due to being bound by Sunshine Law. He advised that the Nassau County Sheriff's Office will enforce the decision of the Board of County Commissioners.

- Mr. Podiak stated that he is looking forward to when the Board of County Commissioner reviews the recommendations on the Nassau County Omnibus Beach Ordinance and the ability to work directly with staff to provide additional investigation and findings.
- Mr. Mullin recognized the committee for all of their hard work on the Nassau County Omnibus Beach Ordinance. It is his opinion that the committee has made great steps on moving this draft ordinance to the Board of County Commissioners for further review.
- Mr. Hall advised that he is proud to have served on the committee and working the draft Nassau County Omnibus Beach Ordinance into the right direction. He recognized all of the hard work and looks forward to working with Nassau County in the future without the hindrance of the Sunshine Law.
- Chair Langley recognized Mr. Teeple for the dedication and work on assisting with creating the draft Nassau County Omnibus Beach Ordinance. He advised that this has been a challenge but it was a privilege to be able to serve. He pointed out that some of the issues that were brought to the committee's attention were addressed including the installation of the Mobi-Mats in order to provide physical disability the ability to access to the beach.

There being no further business, the Beach Committee Working Group meeting adjourned at 10:17 a.m.

1. In collaboration with the City of Fernandina Beach, apply for incidental take permit through the Department of Environmental Protection.
2. OMB and PW to review and make a recommendation to the BOCC for adjustments to the beach driving permit fee structure.
3. Fund the Sheriff's Office for an additional \$1 million to secure deputies dedicated to beach patrol 24 hours a day 365 days a year.
4. Open parks all beach front parks 24 hours a day 365 days a year.
5. Prohibit RVs, Campers and Semis in parking lots and parks from 9:00 p.m. – 6:00 a.m.
6. Require horseback riding operations to obtain licenses to operate in County parks.
7. Prohibit night beach driving/parking and camping during sea turtle nesting season.
8. Sunset the Beach Committee so that BOCC staff can begin technical work.

----- Interim -----

9.
 - a. Prohibit beach driving/parking all year between the hours of 9pm and 6am.
 - b. Prohibit all camping on the beach all year.
 - c. Direct OMB and PW to begin work on developing regulatory and administrative controls to allow camping and night driving/parking at night from November – April.
 - i. Research mechanics, permitting, costs, etc. (11/19 - 4/20)
 - ii. Program vetted with BOCC via budget process (5/20 – 8/20)
 - iii. Implement program (10/20)

BOCC Three Options During the Program Creation Period

