

**Nassau County Board of County Commissioners
Special Session, May 13, 2020, 10:00 A.M.
Commission Chambers, 96135 Nassau Place, Yulee, Florida**

Call to Order

Commissioners:

Present: Chairman Daniel B. Leeper.

Present via speakerphone: Commissioners Justin Taylor, Aaron C. Bell, Pat Edwards, and Thomas R. Ford.

Other Officials Present: Michael S. Mullin, County Manager/County Attorney, and Taco Pope, Assistant County Manager. Also present via speakerphone were Dr. Eugenia Ngo-Seidel, Nassau County Health Department Director; and Greg Foster, Emergency Management Director.

Staff Present: Megan Diehl, Office of Management and Budget Director, and Brenda Linville and Peggy Snyder, Deputy Clerks.

Official Agenda Summary:

SS200513 - 10:01:31 Mr. Mullin advised that if anyone watching this meeting online wish to have their comments read into the record, they can do so by e-mailing their comments to comments@nassaucountyfl.com. If a person wishes to be telephoned during this meeting, they can e-mail their contact information and topic for discussion to the same e-mail address. Voicemails may also be left at 904-530-6009 or 904-530-6100 and the call will be returned during this meeting. To watch this meeting remotely, a person can log onto the Clerk of Court's website www.nassauclerk.com.

Audience Input:

None.

CONSENT ITEM(S) :

SS200513 - 10:03:11 Approve the following: **(Tab A)** Resolution extending the State of Emergency in Nassau County, Florida, due to COVID-19. **(Tab B)** The following: [1] authorization for the Chairman to sign the Federally-Funded Subaward and Grant Agreement with the Florida Division of Emergency Management (FDEM), Contract No. CM2855, for grant funds related to Hurricane Dorian expenditures; and, [2] authorization for the Chairman to sign the Designation of Authority forms, the Statement of Assurances Form; the total compensation chart, and the DHS OIG Audit Issues and Acknowledgement form, as required for the grant. **(Tab C)** Authorization for the Chairman to sign Amendment No. 1 to the agreement with the A.L. Lewis Historical Society, Contract No. CM1558-A1, for operation of the American Beach Museum from May 11, 2020 through May 10, 2030.

Motion: Approve Consent Items (Tabs A thru C) as stated above and authorize Chairman to sign Resolution 2020-99 regarding Tab A.

Maker: Commissioner Bell

Second: Commissioner Edwards

Action: Aye: Commissioners Leeper, Bell, Edwards, Ford, and Taylor

Follow Up: Finance, OMB, County Manager, Emergency Operations Center, Sheriff's Office, Contract Management

SS200513 - 10:18:41 Dr. Seidel reported that the County's COVID-19 test completion as of May 12, 2020 of 2,047 tests with a total positive cases of 61 which includes 59 residents and two visitors. The positivity rate was 3 percent overall with an average age of 49 years old. There have been 13 hospitalizations and one death. She reviewed the number of cases by zip code. The Health Department continues to provide mobile test sites throughout the community. The test sites are sponsored and free of charge and a person does not have to be symptomatic to be tested. Discussion followed.

SS200513 - 10:22:43 Director Foster advised that the Emergency Operations Center continues to support the Department of Health (DOH) logistically. They continue to push out the appropriate messaging and work in conjunction

with the Division of Emergency Management (DEM). They continue to monitor and plan for hurricane season in conjunction with the COVID-19 pandemic.

NEW BUSINESS:

SS200513 - 10:04:57 (Tab D) Discussion regarding County beaches.

Discussion: Mr. Mullin and Mr. Pope provided a PowerPoint presentation regarding staff's solution to temporary emergency beach driving. They discussed the history of beach driving on Nassau County beaches on Peters Point, Lewis Street, Scott Road, including the South End of Amelia Island which is controlled by the State Park System. In addition, there is the Federal Endangered Species Act which addresses sea turtles and other endangered species native to beaches. Most coastal communities such as in St. Johns, Flagler, and Volusia Counties have a Habitat Conservation Plan in place as they have extensive sea turtle nesting areas which has been addressed in the proposed emergency order. In addition, Nassau County formed a beach committee who met for approximately 14 months and heard from approximately 1800 people in person, voice mail, and e-mail. At the direction of the Board of County Commissioners, the beach committee has been working on a more permanent ordinance that would address usage of the beaches based upon the public input received. Due to the COVID-19 pandemic, this ordinance will be heard in June 2020 in order to allow public input depending on the State of Florida and Federal orders. Mr. Mullin reviewed an e-mail from Mac Morriss regarding concerns related to people owning property in Nassau County but have a driver's license from another state, Americans with Disabilities Act (ADA) access, military exemption, and whether Scott Road ban on beach parking would be permanent. Mr. Mullin discussed having proposed identification cards for county property owners living out of State to show in the future along with their driver's license. Currently, the only vehicles permitted on the beach will be Nassau County residents only.

SS200513 - 10:28:13 Mr. Mullin advised that the following citizens sent e-mails or left voice mail messages related to the beach issues: Joe Smaha, Paul Lore, Kristen Campbell, Suzanne Willis, Joseph N. and Nellie R. Heny, Rita Evans, T. D. Nelson, Joyce Jefferson, Beverly

McKenzie, Debra Dobson Morrison, Ervin Gilyard, Joseph Smaha, Mac Morriss, A. W. Jennings, and, Deborah Manser with the Cheers Horse Ranch.

SS200513 - 10:32:01 Mr. Pope reviewed the parking configuration for Peters Point Park in order to maintain good social distancing in front of the park and restore beach driving for County residents. Beach driving will be limited to Nassau County residents only with proof of Nassau County residency with a Florida Driver's License or a Florida State of Florida issued identification card with Nassau County addresses. Active Military will be permitted to drive with an active military identification card. There will be a "no parking" area on the beach in front of the Peters Point Park and the area for driving for local residents will be a physically delineated 30-foot drive aisle that would allow vehicles to pass through the "no parking" area to access the "driving and parking" area on the beach. The same regulations would apply to Burney Park/American Beach. Scott Road will not be opening the access to driving with this phase. Mr. Pope reviewed the personnel costs per week for County employees from the Facilities Maintenance and Road Departments and to man the access control stations at each beach access. He discussed the temporary "post and line" configuration for the 30-foot drive aisle to get cars through the pedestrian area to the beach driving parking area of Peters Point Park. Chairman Leeper stressed that these temporary measures are to keep pedestrians safe from vehicles.

SS200513 - 10:34:55 Mr. Mullin explained that the goal is not to inconvenience anyone during this COVID-19 emergency. The temporary State of Emergency explains the requirements of the Federal Endangered Species Act as it pertains to the usage of the beach from May 1st through October 30th. The permanent beach ordinance will be heard at a public hearing sometime in June 2020 and will reflect the requirements under the Federal law. He reviewed the Center for Disease Control's (CDC) guidelines which will apply related to social distancing and group size. Nassau County residents must provide a valid Nassau County driver's license, State of Florida identification card, or active duty military card for vehicular access onto the beach. Staff is working to provide an identification card for Nassau County property owners living out-of-state. Vehicles must be four-wheel or all-wheel drive only with a maximum speed limit of ten miles per hour on the beach. No alcohol is permitted on

the beach and vehicles will be subject to search. No vehicles larger than a pick-up truck will be permitted in the parking areas except for the designated spaces permitted for horse trailers. Mr. Mullin also advised that there will be no camping permitted on the unincorporated beaches during turtle nesting season from May 1st through October 30, 2020. This emergency plan is subject to state and federal orders. A lengthy discussion followed.

Public input: The following citizens came forward to express concerns related to beach issues: Wade Bell, Deborah Manser, and Pam Bell.

SS200513 - 11:02:20 Ms. Diehl provided an overview of the cost analysis for in-house personnel versus contracted cost for security. These costs would not be reimbursable from Federal Emergency Management Agency (FEMA).

Motion: Approve the Emergency Management COVID-19 Executive Order No. 7 as presented effective 8:00 a.m. on May 15, 2020.

Maker: Commissioner Ford

Second: Commissioner Bell

Action: Aye: Commissioners Leeper, Bell, Edwards, Ford, and Taylor

Follow Up: County Attorney, County Manager, Sheriff's Office, Emergency Operations Center, Facilities Maintenance.

SS200513 - 10:03:38 (Tab E) Approve the Staffing for Adequate Fire and Emergency Response (SAFER) Grant application.

Motion: Approve Tab E as stated above and authorize staff to submit electronically.

Maker: Commissioner Bell

Second: Commissioner Ford

Action: Aye: Commissioners Leeper, Bell, Edwards, Ford, and Taylor

Follow Up: Finance, OMB, Fire Rescue, Contract Manager, Grants

EXPANSION ITEMS:

SS200513 - 10:03:02

None.

COUNTY ATTORNEY'S BUSINESS:

SS200513 - 10:04:25 (Tab F) Approve to execute the Purchase and Sales Agreement for the acquisition of the property adjacent to the Holly Point Boat Ramp.

Motion: Approve Tab F as stated above.

Maker: Commissioner Bell

Second: Commissioner Edwards

Action: Aye: Commissioners Leeper, Bell, Edwards,
Ford, and Taylor

Follow Up: County Attorney

DISCUSSION ITEMS:

SS200513 - 11:10:19 Commissioner Ford's Business:

- Asked if the County has a phased-in approach for opening the County. Mr. Mullin responded that a plan is being considered based upon the Florida Governor's phasing schedule.

SS200513 - 11:11:52 Commissioner Taylor's Business:

- Was happy to see the commercial activities and beach driving return to the beach.
- Encouraged everyone to shop local, buy local, and order take-out.

SS200513 - 11:12:27 Commissioner Edwards' Business:

- Echoed Commissioner Taylor's comments.
- Appreciated the County Commissioners addressing the beach issue today and thanked the public for their comments.
- Encouraged the public not to rely on social media for answers but to call the County Manager's office for the latest updates.

SS200513 - 11:13:36 Commissioner Bell's Business:

- Agreed with the Chairman's statement that the Commissioners will not be able to make everyone happy

but they are working towards getting a plan that makes most of the people happy.

- Thanked Florida Public Utilities (FPU) for their donation to the Tourist Development Council (TDC) of all of their furniture in their old headquarters above the Synovus Building which has been distributed throughout the County buildings and to non-profits.

SS200513 - 11:14:28 Commissioner Leeper's Business:

- Thanked everyone for the great work they continue to do on behalf of Nassau County.
- Thanked FPU for the furnishings to help upgrade the County offices and non-profits.
- Stay safe and shop local.

There being no further business, the special session of the Nassau County Board of County Commissioners adjourned at 11:15 a.m.

Daniel B. Leeper, Chairman

Attest:

John A. Crawford, Ex-Officio Clerk